

## **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

### **VOLUME 56**

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Commission Counsel /  
Conseillère de la commission

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Halifax, Nova Scotia

--- Upon commencing on Wednesday, July 27th, 2022, at 9:33 a.m.

**REGISTRAR DARLENE SUTHERLAND:** Good morning. The proceedings of the Mass Casualty Commission are now in session, with Commissioner Michael MacDonald, Commissioner Leanne Fitch, and Commissioner Kim Stanton presiding.

**COMMISSIONER FITCH:** Good morning, bonjour et bienvenue. Hello and welcome. We join you from Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

Please join us in remembering those whose lives were taken, those who were harmed, their families, and all those affected by the April 2020 mass casualty in Nova Scotia.

Over the last two days, we have heard from Chief Superintendent Darren Campbell of the RCMP, who served as Superintendent of Support Services for RCMP H-Division during the mass casualty.

Today, we'll be joined by another senior RCMP officer. Chief Superintendent Chris Leather will explain his role as Criminal Operations Officer for the RCMP in Nova Scotia at the time of the mass casualty, including how information was managed during this critical incident, how the RCMP interacted with other police services, and how information was shared with the public.

By hearing directly from senior RCMP officers, we also hope to learn from them lessons learned, changes made to date, and opportunities for additional improvements to make our communities safer in the future.

I will now ask Senior Commission Counsel, Rachel Young, to get us started for the day. Ms. Young?

**MS. RACHEL YOUNG:** Good morning, Commissioners, Participants and everyone. Before we call the witness in, I just had one minor housekeeping matter. On Monday, we made an exhibit, 3892, and the COMM number

1 read into the record was incorrect, and the date of the document. So on the record, I  
2 said COMM5982, but it should be 59832, and this was the transcript of Chief  
3 Superintendent Chris Leather's Commission interview, and I said it was July 8th, 2022,  
4 and that should have been July 6th, 2022. If that can just be amended, thank you.

5 **COMMISSIONER MacDONALD:** Thank you.

6 **MS. RACHEL YOUNG:** We're ready for Chief

7 Superintendent Chris Leather.

8 **COMMISSIONER MacDONALD:** Thank you. We'll have the  
9 witness come forward, please.

10 **MS. RACHEL YOUNG:** I understand he wishes to be sworn.

11 **--- C/SUPT. CHRIS LEATHER, Sworn:**

12 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG:**

13 **MS. RACHEL YOUNG:** Good morning, Chief

14 Superintendent Leather.

15 **C/SUPT. CHRIS LEATHER:** Good morning.

16 **MS. RACHEL YOUNG:** You were interviewed by the Commission  
17 for a full day, on July 6th, 2022, and the transcript of your interview has already been  
18 made an exhibit, and that's COMM0059832, Exhibit 3892. So the Commissioners have  
19 that evidence before them now, and that is being made public.

20 On that day, we discussed your role and what you did on April 18th  
21 and 19th, 2020. You explained what the role of a CrOps officer is, a Criminal  
22 Operations Officer, which is what your role is in H-Division. You talked about critical  
23 incident preparedness, and how that is done in H-Division; your views on the critical  
24 incident response in this case; relations between the RCMP, the Province of Nova  
25 Scotia, and Nova Scotia municipal police forces; the work of the H-Division Issues  
26 Management Team; the Alert Ready System; your April 28th, 2020 conference call with  
27 Commissioner Lucki; and the SiRT investigation. I do not intend to go over all of that  
28 same ground today.



1 Today, what I want to ask you about is a little bit about your role  
2 and your background, and talk to you about information management and critical  
3 incidents from a bit more of an analytical standpoint; host event, communications and  
4 conferences that you took part in; some new information about the context of the  
5 April 28th, 2020 meeting with Commissioner Lucki, or the phone call that we've learned  
6 since your July 6th interview. I want to talk to you about discussions of after action  
7 reports for the mass casualty events; the structure of policing and audits of policing in  
8 the Province of Nova Scotia; some more context for the Issues Management Team; and  
9 questions about interoperability; and some discussions you had with other police forces  
10 after the mass casualty. So that's our agenda for today.

11 Starting with yourself, your education role and professional  
12 background, can you tell the Commissioners what your general education is outside of  
13 police training?

14 **C/SUPT. CHRIS LEATHER:** Yes. I graduated at both University of  
15 Western Ontario and York University; two BAs, one from each institution; and I'm a  
16 graduate of the Ontario Police College in Aylmer. I started my police service with York  
17 Regional Police. I served there for just under 15 years, and came to the RCMP in 2004,  
18 where I've been ever since.

19 **MS. RACHEL YOUNG:** Where did you work in the first 10 years,  
20 between 2004 and 2014?

21 **C/SUPT. CHRIS LEATHER:** In the GTA or Greater Toronto Area,  
22 in National Security, and particularly, in human source development or what's referred  
23 to as the Source Development Unit.

24 **MS. RACHEL YOUNG:** And I understand in 2014, you were  
25 assigned the role of Operations Officer Integrated National Security Enforcement Team  
26 in British Columbia?

27 **C/SUPT. CHRIS LEATHER:** That's correct.

28 **MS. RACHEL YOUNG:** And when you worked in British Columbia,

1 did you come to know Darren Campbell or Janis Gray, Lee Bergerman, anyone that you  
2 ended up working H-Division with?

3 **C/SUPT. CHRIS LEATHER:** Yeah, Darren and I met for a cup of  
4 coffee, literally. He was on his way out to National Headquarters, so I met him once  
5 there. But certainly, Lee Bergerman and I both worked in federal policing, she on the  
6 Serious and Organised Crime side, myself on the Integrated National Security  
7 Enforcement Team, but still under the same federal umbrella. And Janis Gray and I,  
8 and John Robin as well, all met while I was serving in E-Division as well.

9 **MS. RACHEL YOUNG:** John Robin is Janis Gray's spouse?

10 **C/SUPT. CHRIS LEATHER:** Yes.

11 **MS. RACHEL YOUNG:** In 2017, you assumed the role of  
12 Commander of Serious and Organised Crime in the Combine Special Forces  
13 Enforcement Unit in the GTA, the Greater Toronto Area; is that right?

14 **C/SUPT. CHRIS LEATHER:** Yes, it's in the federal sphere of  
15 policing for the RCMP, but it's -- the best way to draw a parallel here is I was the GTA  
16 District Officer for the RCMP, but there, Serious and Organised Crime and CFSU fall  
17 under that role; so that's correct. And I was there for a couple of years.

18 **MS. RACHEL YOUNG:** And it was in September of 2019 that you  
19 became the Criminal Operations Officer for H-Division and moved to Nova Scotia; is  
20 that right?

21 **C/SUPT. CHRIS LEATHER:** That's correct.

22 **MS. RACHEL YOUNG:** And that was the position you were in  
23 during the mass casualty events?

24 **C/SUPT. CHRIS LEATHER:** It is, and the position I am in today as  
25 well.

26 **MS. RACHEL YOUNG:** I understand that you have a new posting  
27 as of next month?

28 **C/SUPT. CHRIS LEATHER:** Yes. I'm ---

1 **MS. RACHEL YOUNG:** Can you tell us about that?

2 **C/SUPT. CHRIS LEATHER:** Sorry. Yeah, a transfer to our  
3 National Headquarters, back into federal policing, into the Federal Modernisation  
4 Project, which is underway out of Headquarters, and it impacts all of federal policing  
5 coast to coast for the RCMP.

6 **MS. RACHEL YOUNG:** We have your training records that does  
7 describe your police training.

8 Madam Registrar, it's COMM0042239. If that could be made the  
9 next exhibit, please.

10 **REGISTRAR DARLENE SUTHERLAND:** And that's Exhibit 3948.

11 **--- EXHIBIT NO. 3948:**

12 (COMM0042239) Training records of Chief  
13 Superintendent Chris Leather

14 **MS. RACHEL YOUNG:** If we could just have that on the screen,  
15 please, and scroll to 2016. If there's a way to make it bigger and zoom in on the left  
16 side so we can see the names of the courses.

17 What I was interested in is, in 2016, it looks like you took 4 IARD  
18 training courses, I-A-R-D. Can you explain what those were and why you took them?

19 **C/SUPT. CHRIS LEATHER:** That was part of the E-Division, or in  
20 British Columbia, the rollout of the IARD training in that division and was combined with  
21 what we refer to as block training that we all attend. And that course was divided into  
22 those particular aspects of IARD training. E-Division has a robust training program in  
23 Chilliwack at PRTC, Pacific Region Training Centre, and these are the courses that  
24 were part of my block training and took in 2016.

25 **MS. RACHEL YOUNG:** Can we scroll down to 2017, please,  
26 Madam Registrar?

27 I note that you took two courses in gender-based violence and  
28 domestic violence. Scroll up, I should say. Can you explain why you took those

1 courses and what they -- what you learned from them, just briefly?

2 **C/SUPT. CHRIS LEATHER:** You can see, again, from the one  
3 marked what was 6/09/2017 BC, so, again, these were mandatory training courses that  
4 the division had identified for all of its members, online, what we refer to as agora  
5 training, so taken at your desktop, if you will, related to -- and, really, those were  
6 designed primarily for general duty response members, but it was still a responsibility of  
7 all serving members, regardless of rank, to take that. And, I mean, the titles describe  
8 them fairly decently, from what I remember, it is six years ago, to help members to  
9 understand the responsibilities in domestic violence investigations, and some of the  
10 planning for our frontline members in dealing with risk and safety planning for victims  
11 and victim's families involved in domestic violence. So, again, online training required,  
12 and this demonstrates here that I successfully completed the -- those two training  
13 courses.

14 **MS. RACHEL YOUNG:** And in 2019, you took a course called  
15 Initial Critical Incident Response, it says S-C-E-N, where it says 2019 03 19, can you  
16 explain what that course was and what S-C-E-N means? Would it be scenario or ---

17 **C/SUPT. CHRIS LEATHER:** I'm not sure what's for SCEN, Initial  
18 Critical Incident Response SCEN. And looking at the date, it's not attached to the IMIM  
19 certification. I don't recall the training, that particular course. But I can tell by its coding  
20 that it was also an online course, an online course that I would have taken, and in that  
21 timeframe, I was still in -- no, I was in the GTA at that point.

22 **MS. RACHEL YOUNG:** We have received various iterations of  
23 your notes. I'm just going to take a moment to enter some of them as exhibits, and  
24 there are some newly received notes, which I will also make exhibits. So and some of  
25 your notes have already been made exhibits. So starting with COMM 51405, these are  
26 your notes from book 1, section 1, with a date range March 27<sup>th</sup>, 2020, to April 7<sup>th</sup>, 2020.

27 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3957.

28 **--- EXHIBIT NO. 3957:**

1 (COMM0051405) Notes of C/Supt. Chris Leather, book 1,  
2 section 1, March 27th to April 7th, 2020

3 **MS. RACHEL YOUNG:** The next of notes which cover the incident  
4 have already been made exhibits, so the next exhibit today is COMM 53315, book 2,  
5 section 1, and the date range is May 4<sup>th</sup> to May 25<sup>th</sup>, 2020.

6 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3958.

7 **--- EXHIBIT NO. 3958:**

8 (COMM0053315) Notes of C/Supt. Chris Leather, book 2,  
9 section 1, May 4<sup>th</sup> to May 25, 2020

10 **MS. RACHEL YOUNG:** COMM 53316, book 2, section 2, May 25<sup>th</sup>  
11 to June 10<sup>th</sup>, 2020.

12 **REGISTRAR DARLENE SUTHERLAND:** 3959.

13 **--- EXHIBIT NO. 3959:**

14 (COMM0053316) Notes of C/Supt. Chris Leather, book 2,  
15 section 2, May 25<sup>th</sup> to June 10<sup>th</sup>, 2020

16 **MS. RACHEL YOUNG:** COMM 53317, your notes, book 2, section  
17 3, June 11<sup>th</sup> to July 8<sup>th</sup>, 2020.

18 **REGISTRAR DARLENE SUTHERLAND:** 3960.

19 **--- EXHIBIT NO. 3960:**

20 (COMM0053317) Notes of C/Supt. Chris Leather, book 2,  
21 section 3, June 11<sup>th</sup> to July 8<sup>th</sup>, 2020

22 **MS. RACHEL YOUNG:** COMM 53318, your notes from book 3,  
23 section 1, July 9<sup>th</sup> to July 27<sup>th</sup>, 2020.

24 **REGISTRAR DARLENE SUTHERLAND:** 3961.

25 **--- EXHIBIT NO. 3961:**

26 (COMM0053318) Notes of C/Supt. Chris Leather, book 3,  
27 section 1, July 9<sup>th</sup> to July 27<sup>th</sup>, 2020

28 **MS. RACHEL YOUNG:** COMM 53319, book 3, section 2, July 27<sup>th</sup>

1 to August 26<sup>th</sup>, 2020.

2 **REGISTRAR DARLENE SUTHERLAND:** 3962.

3 **--- EXHIBIT NO. 3962:**

4 (COMM0053319) Notes of C/Supt. Chris Leather, book 3,  
5 section 2, July 27<sup>th</sup> to August 26<sup>th</sup>, 2020

6 **MS. RACHEL YOUNG:** COMM 0053320, your notes from book 3,  
7 section 3, August 26<sup>th</sup> to September 14<sup>th</sup>, 2020.

8 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3963.

9 **--- EXHIBIT NO. 3963:**

10 (COMM0053320) Notes of C/Supt. Chris Leather, book 3,  
11 section 3, August 26<sup>th</sup> to September 14<sup>th</sup>, 2020

12 **MS. RACHEL YOUNG:** COMM 53321, your notes from book 4,  
13 section 1, September 15<sup>th</sup> to September 23<sup>rd</sup>, 2020.

14 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3964.

15 **--- EXHIBIT NO. 3964:**

16 (COMM0053321) Notes of C/Supt. Chris Leather, book 4,  
17 section 1, September 15<sup>th</sup> to September 23<sup>rd</sup>, 2020

18 **MS. RACHEL YOUNG:** COMM 53322, your notes from book 4,  
19 section 2, September 23<sup>rd</sup> to October 16<sup>th</sup>, 2020.

20 **REGISTRAR DARLENE SUTHERLAND:** 3965.

21 **--- EXHIBIT NO. 3965:**

22 (COMM0053322) Notes of C/Supt. Chris Leather, book 4,  
23 section 2, September 23<sup>rd</sup> to October 16<sup>th</sup>, 2020

24 **MS. RACHEL YOUNG:** COMM 53323, book 4, section 3, October  
25 16<sup>th</sup>, November -- October 16<sup>th</sup> to November 4<sup>th</sup>, 2020.

26 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3966.

27 **--- EXHIBIT NO. 3966:**

28 (COMM0053323) Notes of C/Supt. Chris Leather, book 4,

1 section 3, October 16<sup>th</sup> to November 4<sup>th</sup>, 2020

2 **MS. RACHEL YOUNG:** COMM 59352, your notes from book 5,  
3 section 1, November 5<sup>th</sup> to November 27<sup>th</sup>, 2020.

4 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3967.

5 **--- EXHIBIT NO. 3967:**

6 (COMM0059352) Notes of C/Supt. Chris Leather, book 5,  
7 section 1, November 5<sup>th</sup> to November 27<sup>th</sup>, 2020

8 **MS. RACHEL YOUNG:** COMM 53325, your notes from book 5,  
9 section 2, November 30<sup>th</sup> to December 16<sup>th</sup>, 2020.

10 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3968.

11 **--- EXHIBIT NO. 3968:**

12 (COMM0053325) Notes of C/Supt. Chris Leather, book 5,  
13 section 2, November 30<sup>th</sup> to December 16<sup>th</sup>, 2020

14 **MS. RACHEL YOUNG:** COMM 53326, your notes from book 5,  
15 section 3, December 17<sup>th</sup>, 2020, to January 25<sup>th</sup>, 2021.

16 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3969.

17 **--- EXHIBIT NO. 3969:**

18 (COMM0053326) Notes of C/Supt. Chris Leather, book 5,  
19 section 3, December 17<sup>th</sup>, 2020, to January 25<sup>th</sup>, 2021

20 **MS. RACHEL YOUNG:** There was a set of notes from January to  
21 April 2020. I believe those may have been made exhibits already. And then we had  
22 been missing your notes from mid-April 2021 forward. We do know -- now have those.  
23 They've been provided to Participants in relativity. It is 11 further documents. So,  
24 Madam Registrar, if I could perhaps just read the document range and ask that those be  
25 made the next 11 exhibits, that's COMM 59975 to COMM 59986.

26 **REGISTRAR DARLENE SUTHERLAND:** So exhibited.

27 **MS. RACHEL YOUNG:** Thank you.

28 In addition, so as not to bore everyone to death, I've provided the

1 Participants and Madam Registrar a list of 21 additional documents pertaining to Chief  
2 Superintendent Leather's evidence, and I would ask that those be filed as exhibits now.

3 **REGISTRAR DARLENE SUTHERLAND:** So exhibited.

4 **MS. RACHEL YOUNG:** Thank you. The Participants were sent an  
5 email, so they know which documents those are.

6 I'm going to turn now, Chief Superintendent, to a discussion of  
7 information management during a critical incident. You told us that you didn't recall  
8 much about that course you took in 2019 about critical incident response. So are you  
9 able to say whether that course included any training on the skill of managing the flow of  
10 information during critical incidents?

11 **C/SUPT. CHRIS LEATHER:** Almost certainly not. That would  
12 have been an online course that was available to the membership, and I'd be surprised  
13 to find that that was even mentioned in that course of training.

14 **MS. RACHEL YOUNG:** Did you ever receive such training?

15 **C/SUPT. CHRIS LEATHER:** Specific to?

16 **MS. RACHEL YOUNG:** To information management during a  
17 Critical Incident Response?

18 **C/SUPT. CHRIS LEATHER:** No specific training related to that.

19 **MS. RACHEL YOUNG:** And are you a Critical Incident  
20 Commander yourself?

21 **C/SUPT. CHRIS LEATHER:** No, I'm not.

22 **MS. RACHEL YOUNG:** But you would be a senior officer that a  
23 Critical Incident Commander would ultimately report to a couple of levels up; is that  
24 right?

25 **C/SUPT. CHRIS LEATHER:** Ultimately, through the support  
26 services officer.

27 **MS. RACHEL YOUNG:** So in H-Division, during the events, that  
28 would have been through then Superintendent Darren Campbell as the support services



1 officer to yourself.

2 **C/SUPT. CHRIS LEATHER:** Yes.

3 **MS. RACHEL YOUNG:** Is that right? Okay.

4 Are you aware of any training provided to members or senior  
5 officers about information management during a critical incident?

6 **C/SUPT. CHRIS LEATHER:** Well, certainly with CIC training, that  
7 surely is a component of that, but outside of CIC training, I'm not aware. Not  
8 domestically. I'm aware that there is training available outside of the country, but I'm not  
9 aware of any in house.

10 **MS. RACHEL YOUNG:** We heard from now Chief Superintendent  
11 Campbell on Monday and Tuesday this week, about the fact that dealing with the influx  
12 of information is a challenge in responding to critical incidents. And this is a known  
13 phenomenon. For example, in the MacNeil Review, after the 2014 shooting in Moncton,  
14 this was raised. We don't need to bring it up, but it was already made an exhibit, 1628.  
15 It's COMM 0050842.

16 My question to you is, between the time -- and you're familiar with  
17 the MacNeil Review, I take it?

18 **C/SUPT. CHRIS LEATHER:** Yes, I am.

19 **MS. RACHEL YOUNG:** Between the MacNeil Review and the  
20 mass casualty event of April 18<sup>th</sup> and 19<sup>th</sup>, 2020, are you aware of any changes that  
21 were made to better prepare the RCMP for interpreting, acting upon, and sharing  
22 information during a critical incident?

23 **C/SUPT. CHRIS LEATHER:** Specific recommendations to that  
24 point, not without looking at the recommendations. But I'm aware that the  
25 recommendations were part of an after-action plan. So we could -- or I could infer that  
26 there was work done in that regard.

27 What I can say though, taking up my chair as I did in 2019, it was  
28 not part of any larger discussions with my fellow CrOps officers, or with C&IP related to

1 that specific issue.

2 **MS. RACHEL YOUNG:** And when you say C&IP, that's Contract  
3 and Indigenous Policing?

4 **C/SUPT. CHRIS LEATHER:** Yes, it is.

5 **MS. RACHEL YOUNG:** And that's a department that's in Ottawa  
6 National Headquarters? Is that right? That's who you report to -- you reported to in part  
7 through Commissioner -- Assistant Commissioner Bergerman?

8 **C/SUPT. CHRIS LEATHER:** Yes, my direct report is of course to  
9 the commanding officer, but ultimately all the commanding officers were on the contract  
10 side, with exception of Quebec of Ontario, report up into Contract and Indigenous  
11 Policing in Ottawa. They're our *de facto* policy centre for provincial policing.

12 **MS. RACHEL YOUNG:** And when you say the contract side,  
13 you're referring to provincial policing?

14 **C/SUPT. CHRIS LEATHER:** Provincial policing versus federal.

15 **MS. RACHEL YOUNG:** Or Indigenous policing?

16 **C/SUPT. CHRIS LEATHER:** Or Indigenous policing.

17 **MS. RACHEL YOUNG:** So when you arrived at H Division 2019,  
18 as the officer who was ultimately overseeing critical incidents, did you look into how  
19 prepared H Division was to deal with critical incidents? Was that something on your  
20 radar?

21 **C/SUPT. CHRIS LEATHER:** It's not something that I proactively  
22 looked into. It would have come up, certainly, in discussions with Darren and -- Darren  
23 Campbell, and Insp Don Moser. He would have been -- he was and still is the Assistant  
24 Support Services Officer in the Division, given that those programs ultimately roll up  
25 under the two of them.

26 But nothing in terms of a proactive review, or getting a sense of  
27 what the state of the union was at that point.

28 **MS. RACHEL YOUNG:** Did you meet with the CICs at all? The

1 Critical Incident Commanders?

2 **C/SUPT. CHRIS LEATHER:** Not as a group. I certainly have in  
3 bits and pieces since Portapique, specific to alerting. But not prior to April of 2020.

4 **MS. RACHEL YOUNG:** Is it correct to say that these members  
5 don't have Critical Incident Commander as a full-time job? That they have a different  
6 day job, but they have special training and then they're called in to act as a Critical  
7 Incident Commander as needed?

8 **C/SUPT. CHRIS LEATHER:** That's correct.

9 **MS. RACHEL YOUNG:** And so when you arrived and you were  
10 ultimately involved in looking at staffing in H Division for Criminal Operations, did you  
11 consider what other responsibilities these Critical Incident Commanders had in their  
12 regular positions in terms of whether it could be balanced with being a CIC as needed?

13 **C/SUPT. CHRIS LEATHER:** I didn't consider it myself. It would  
14 have been flagged to me if -- and certainly it had been. I'll give you an example. Insp  
15 Chubbs, who moved from Digby Detachment CIC, long-term CIC in the Division, into  
16 Headquarters, into the Executive Officer position working for the Commanding Officer,  
17 and then ultimately over to Federal Policing, well as he moved through the ranks and is  
18 currently now an inspector, these are the very kinds of discussions I would have been  
19 peripherally involved in. With his additional responsibilities and duties, could he remain  
20 engaged in the program? Well it's a conversation with him of course, but also with  
21 Darren, because if the feeling was from Dave that he couldn't, then we would begin to  
22 look at identifying other CICs in the Division, and have done so since to backfill these  
23 folks as they've moved on.

24 A number of the CICs, as I'm sure you've heard through testimony,  
25 from Portapique have either since retired or left the organization. And we've been  
26 actively working to identify, and have identified CICs to replace them.

27 **MS. RACHEL YOUNG:** You'd agree it's a very high stress role for  
28 someone to perform?

1                   **C/SUPT. CHRIS LEATHER:** I would agree that it's if not the most,  
2 probable in the highest echelon of responsibility.

3                   **MS. RACHEL YOUNG:** And we did hear from one of the CICs  
4 involved in these events, I believe it was S/Sgt West, that it's a difficult job to do, as you  
5 put it off the side of your desk when you had other jobs to do. Would you agree with  
6 that?

7                   **C/SUPT. CHRIS LEATHER:** I would agree with his assessment.  
8 It's a very difficult job to do because, ironically it was Dave Chubbs who replaced West  
9 in that role. And as Executive Officer for the Commanding Officers, a very busy  
10 position. So I could see him taking that position.

11                  **MS. RACHEL YOUNG:** Do you have any incident to, as of 2020,  
12 at the time of the events, whether the RCMP was better prepared to deal with this  
13 known phenomenon of gathering and reacting to the flood of incoming information  
14 during a critical incident as a result of the MacNeil Review? Or did the same problems  
15 exist, to your knowledge?

16                  **C/SUPT. CHRIS LEATHER:** Yeah, personally I can't say that the  
17 MacNeil Report and recommendations made any difference in this Division because I  
18 was not around when they were implemented in the 2017-ish timeframe. It was two  
19 years later that I took on my current role. And it was certainly not part of my transition  
20 into the role in terms of a review of the recommendations, either with the outgoing  
21 Criminal Operations Officer, or again with my fellow Criminal Operations Officer. It was  
22 known. I've reviewed them, based on my own need to be familiar with them, but it  
23 wasn't part of any sort of formalized transitional plan.

24                  **MS. RACHEL YOUNG:** And was reading the MacNeil Review part  
25 of any formalized training for senior officers or did you just read that out of your own  
26 initiative?

27                  **C/SUPT. CHRIS LEATHER:** Own initiative.

28                  **MS. RACHEL YOUNG:** Do you think it should have been

1 mandatory reading for members and officers?

2 **C/SUPT. CHRIS LEATHER:** Well let me just say that it would have  
3 been when it was being implemented, and the after-action report was being completed,  
4 and there likely was a checklist or checkoff piece after the implementation. But with the  
5 passage of time, it's become more and more incumbent on the individual to return to the  
6 MacNeil Report to make those reviews on one's own. And it's, I would say, become  
7 less and less topical with the passage of time.

8 **MS. RACHEL YOUNG:** Well it's only less topical if the problems  
9 that were identified don't keep happening. Would you agree with that?

10 **C/SUPT. CHRIS LEATHER:** I would agree that it's absolutely  
11 topical and relevant, but I've not seen or felt an organizational initiative to sustain the  
12 momentum that the MacNeil Recommendations would have created certainly in the  
13 2017 timeframe.

14 **MS. RACHEL YOUNG:** In your interview of July 6<sup>th</sup>, we discussed  
15 two pieces of crucial information from April 18<sup>th</sup> that did not appear to get passed on  
16 clearly and promptly, that there was an ultimate exit out of Portapique, and certain  
17 information about the replica cruiser. Do you recall the discussion I'm referring to?

18 **C/SUPT. CHRIS LEATHER:** Yes.

19 **MS. RACHEL YOUNG:** And I appreciate that you were not there  
20 on the ground on that date, and the Commissioners have heard that evidence, so we  
21 don't need to go through what the 9-1-1 callers said and so on. That's not, I don't think,  
22 in dispute. And we did go through it in more detail with C/Supt. Campbell yesterday. I  
23 did just want to bring you back to a little bit of what we discussed in your interview.

24 Madam Registrar, if we could bring on screen COMM59832, which  
25 is C/Supt Leather's interview, and scroll down to the bottom of page 32. And this is  
26 where we've been through a bit of the evidence and I was just asking you to summarize  
27 your thoughts.

28 **REGISTRAR DARLENE SUTHERLAND:** And that's been marked

1 as Exhibit 3892.

2 **MS. RACHEL YOUNG:** Thank you. After our discussion, which  
3 we don't need to go over again, but I asked you:

4 "Do you have any thoughts on what can be done to  
5 improve the way information is gathered, recorded, and  
6 analysed in these kinds of dynamic situations? And just  
7 for example, first responders relaying information. Just  
8 purely relaying information and not filtering based on their  
9 own assumptions. Is that a training issue?" (As read)

10 And you said:

11 "It speaks to the need for that, you know, someone or a  
12 group being in the position to analyse the strands of  
13 information that are coming into the organization, or to  
14 the Division in this case, whether it be into the OCC  
15 through the call takers, whether it be over the air, over  
16 the radios, vis a vie transmissions, whether it be through  
17 phone calls, because witnesses are being interviewed.  
18 Of course, if we had a way, technologically, or through an  
19 HR -- like, in other words, through a person or persons to  
20 deploy them to enhance our ability to collect, analyse,  
21 and validate, we would -- it would be an improvement.  
22 And it would not only be an improvement in terms of our  
23 response, and I know we're going to go there, but it  
24 would have been an improvement in terms of our public  
25 communications.

26 But I know I spoke a little bit about that in terms of  
27 providing additional resources to -- to the Director. This  
28 is a similar that -- I'm providing a similar sort of response

1 to that to say if we had trained analysts, who could have  
2 been in an objective position, either in the Command  
3 Post or in the OCC, or one in each, who could have  
4 provided that extra layer of analysis, I think is something  
5 that we absolutely should be looking at. Because what  
6 we're hearing and seeing is the information was coming  
7 in in fragments from various people through various  
8 channels, some was collated, some wasn't, and the  
9 analysis piece seems to be the part that's missing, which  
10 would have allowed for perhaps quicker decisions to be  
11 taken if a better quality product, including all that  
12 information, was available to us to distil that information,  
13 and it wasn't." (As read)

14 Do you recall that?

15 **C/SUPT. CHRIS LEATHER:** I do.

16 **MS. RACHEL YOUNG:** And that's still your opinion?

17 **C/SUPT. CHRIS LEATHER:** It is my opinion.

18 **MS. RACHEL YOUNG:** And so, as I understand it, there's three  
19 components to managing this, what the CIC is expected to do with this information,  
20 which has been described as, you know, drinking water through a firehose, and  
21 analogies like that, that the CIC... So the information coming in from witnesses or  
22 callers or general duty members has to be disseminated to the responders, so making  
23 sure one person on the ground knows what the other person on the ground needs; as  
24 well, the CIC is expected to brief up to senior officers, when they have time; and then  
25 Chief Superintendent Campbell said the CIC is also responsible for deciding what  
26 information is made public during the critical incident.

27 Are those all components that you understand the CIC needs to be  
28 responsible for ?

1                   **C/SUPT. CHRIS LEATHER:** They are.

2                   **MS. RACHEL YOUNG:** And since the events, have you assessed  
3 why some of this information was not investigated more quickly on the ground and  
4 shared more accurately?

5                   **C/SUPT. CHRIS LEATHER:** I have not undertaken an  
6 investigation. I mean, I know ESDC certainly was looking at aspects of that, but we, as  
7 a division, have not undertaken an analysis of that any further.

8                   **MS. RACHEL YOUNG:** You mentioned HR or people that might  
9 be able to help CICs during critical incidents. Have you or anyone else in the RCMP, to  
10 your knowledge, taken steps to ensure that critical incident decision-makers have the  
11 kind of personnel support available to assist with information management and analysis  
12 during a critical incident, like you suggested in your interview?

13                   **C/SUPT. CHRIS LEATHER:** The only time that I've engaged with  
14 our Learning Services branch in Ottawa and/or our Operational Research, which is  
15 under CNIP, which is also in Ottawa, so it's a subset of that, again, was around the  
16 alerting discussion. And I had a couple of virtual meetings with them to talk to about  
17 looking at including that in their training program, how would that be accomplished, is it  
18 going to be addressed.

19                   But I have to say the response I gave in my interview was  
20 something that came to me in the days before our interview. It's not something I had  
21 contemplated outside of my lead-up to our discussion, our interview, but it is something  
22 I feel strongly about. I hope it does get looked at as an option. I think it would bring  
23 additional quality to those two sections that I spoke of. It's not the panacea, but I  
24 believe it would enhance the quality of decision-making, and also, lessen some of the  
25 stress and pressure on the CICs, who, as you described, are already dealing with a  
26 myriad of issues and concerns in communications. And it would be something I hope  
27 the Commission will -- would consider.

28                   **MS. RACHEL YOUNG:** So who the CIC does typically have and



1 did have during the events helping them was a scribe; right? And that person's there to  
2 take notes because the CIC doesn't have time contemporaneously; is that correct?

3 **C/SUPT. CHRIS LEATHER:** Correct. And -- so while that's an  
4 important position, certainly from a records-keeping perspective, I'm not aware of any  
5 scenario where that person would be providing the type of analysis, or if it was, it would  
6 be in an ad hoc fashion, perhaps, if the CIC was looking for clarification on something  
7 that may have occurred previously. But it's not at all what I'm trying to describe in that  
8 setting, which is in a more objective and separated posture from the CIC but in the  
9 same location. The scribe would not be providing that level of support or analysis to the  
10 CIC.

11 **MS. RACHEL YOUNG:** When you say after the events you had  
12 discussions about alerting, so that component of the CICs role where they're in charge  
13 of deciding what information should be made public, is it that after the events it was  
14 making sure CICs were trained to become aware that one of the options was to issue a  
15 public alert during a critical incident?

16 **C/SUPT. CHRIS LEATHER:** If you're referring to my engagement  
17 with Ottawa and that, yes, it was absolutely directed towards that. Would the CIC  
18 Program Managers, those two, for lack of a better term, policy centres, who have  
19 responsibility for that program, be considering including that in their training standard?  
20 And keep in mind that that training standard is fine when and if that gets included, and I  
21 believe portions of it have, but the issue becomes the post fact recertification or  
22 meetings that these groups would be having.

23 So the CICs do meet as an association, but the CICs as a group,  
24 and this is, as I understand it, coast to coast, we are part of the Atlantic Canada Region,  
25 and likely this would be something that would be discussed, but it wouldn't have the  
26 rigour of it coming from the centre, if you will, or from the policy centre, who would have  
27 a very difficult time including the kinds of things that we're talking about here, whether it  
28 be an analyst or additional training as it relates to alerting, without it being included in a

1 formal program sense, and not in these more ad hoc meetings that occur, where it may  
2 or may not be included in their agenda. It probably is, and in fact I know it has been, but  
3 to the level that it needs to be, I'm not sure, and I think it's incumbent on us to ensure  
4 that if it's occurring there, we can document the fact that is, but for consistency and  
5 inclusion across the board, meaning all the divisions, all the provinces, it ought to come  
6 from the policy centres, as they're responsible for the programs' training standards.

7 **MS. RACHEL YOUNG:** Even if it is included in formal training and  
8 policies, we still have the issue that the CIC has so much to do. And we did hear from  
9 an expert on public alerting in May, as well as employees of the Nova Scotia  
10 Emergency Management Office, that there's a bit of an art to crafting these messages.  
11 You know, there's only a certain number of characters you can have, it's important that  
12 the message is clear and that it tells people what they're supposed to do with this  
13 information, ideally what they're not supposed to do, for example, perhaps not to call  
14 9-1-1 if they don't have any information to relay. And so is it intended that it's the CIC  
15 that has to put thought into crafting that message as well, or is someone else assisting  
16 with that? Do they just make the decision it needs to go and someone else decides  
17 what it says?

18 **C/SUPT. CHRIS LEATHER:** Well, certainly a policy they have the  
19 authority to do just that. What we don't want to be doing is encumbering any of the  
20 designated authorities who can alert. You know, so for instance, at two or three in the  
21 morning, in a situation where an alert is required, what we don't want to see happen is a  
22 requirement for the CIC, who is a -- an authority, to have to track down the Support  
23 Services Officer or perhaps myself to run a draft message by to ensure that it meets the  
24 requirements.

25 But what I would say is the CICs and the other authority figures are  
26 well aware that they have the option of speaking to the other designated authorities who  
27 have had this same training, or in the case of this division, the experience with alerting,  
28 to bounce ideas off us, to discuss the wording, and to see if it makes sense, both in

1 terms of the decision whether to alert or not, but as you rightly point out, the wording.  
2 The wording is so critical in terms of what we put in that message or don't put in the  
3 message.

4 So the authority ought to exist that they can operate in a standalone  
5 situation, given emerging and evolving situations, particularly in the middle of the night,  
6 but they all know that they have the other authorities available to them to confer with,  
7 and I would suggest if the time permits. That's exactly what I did in at least two  
8 occasions where I alerted post-Portapique. Much better to have a collective decision on  
9 something as crucial as that.

10 **MS. RACHEL YOUNG:** Who would you confer with, because, for  
11 example, there are communication style decisions like how to word things, some things  
12 may need to be translated, and how to make it simple, but also, what is the advice? Are  
13 you, for example, telling people to evacuate? Are you telling them to shelter in place?  
14 Who makes that decision?

15 **C/SUPT. CHRIS LEATHER:** Well, that decision would rest with the  
16 alerting authority. So if we go back to the first part of your question, the CIC would be  
17 taking that decision and including it appropriately in the alert message. And, yes, that is  
18 one of the nuances and a critical part of the message, so as to provide proper direction  
19 and to eliminate the unnecessary questions that may arise when the message isn't  
20 clear, and we've certainly seen examples of that.

21 So it is an art. I agree with your assessment of that. We become  
22 better at it with more reps, repetition as an organization and as a division. And I think  
23 we're -- we've worked out a lot of the challenges associated with the messaging portion  
24 of alerting by now, but I wouldn't call it a *fait accompli* [sic] by any stretch.

25 **MS. RACHEL YOUNG:** Do you have any other ideas or suggested  
26 resources to improve RCMP Critical Incident Response?

27 **C/SUPT. CHRIS LEATHER:** Well, I think -- and it came up in the  
28 previous testimony, looking at the number of CICs deployed to a particular situation, I

1 mean, traditionally, and almost exclusively, it's one CIC, so as to avoid duplication of  
2 efforts and confusing direction and, truly, who is the decision-maker. But I think there  
3 are scenarios, such as the tragedy here, where it only made sense that multiple CICs  
4 inevitably became deployed to the Command Centre for the shared responsibility, given  
5 the magnitude of decisions that were being taken, so that would be one. But we can't  
6 just be set on one approach or method for the CICs. They have to be given some  
7 discretion. That being, the CIP Program has to provide that flexibility.

8 I think the training for our CICs does need to be strongly centrally  
9 controlled and governed. And with these new and emerging issues that CICs have to  
10 consider, it should not be deferred or relegated to the associations meeting two or three  
11 times a year to work on improvements. Because the only way that the current training  
12 standard gets to the CICs is when those CICs take a course for the first instance. So  
13 great for CICs coming on board now and in the future. We're likely to get the fruits or  
14 the benefits or the recommendations that the Commission make in terms of the training  
15 standard. But there's going to have to be a program or some sort of add-on for that  
16 training program for the recommendations, and surely there'll be a number that deal  
17 with CICs that come out of this Commission. And I would expect that CNIP will be  
18 looking very carefully at that when it's issued and expect nothing less, that it is included  
19 in the training standard. But let's not forget the already deployed CICs in the field who  
20 won't benefit from the training in the first instance. Those would be the two ones that  
21 jump to mind for me.

22 **MS. RACHEL YOUNG:** Do I understand that when someone is  
23 qualified as a CIC, there's no mandatory recertification as I understand there is for  
24 Forensic Identification Services members?

25 **C/SUPT. CHRIS LEATHER:** My understanding as well.

26 **MS. RACHEL YOUNG:** We've heard a lot about specialized  
27 resources that may be deployed in the course of a Critical Incident Package, such as  
28 Emergency Response Teams, but I'm wondering whether you think investigative

1 training for members would also help. You know, what happens if you're just on general  
2 duty and then there's a critical incident, you might end up, you know, being there on the  
3 ground and having a lot of responsibility initially, so teaching those members to pass on  
4 information accurately and prioritize, for example, once the CIC is in place, following up,  
5 getting statements from witnesses who may have information, for example, where there  
6 is an active shooter. Do you think that's another component for non-specialized  
7 members that would help?

8 **C/SUPT. CHRIS LEATHER:** Yes, I do, but I think my own example  
9 illustrates some of the challenges that we deal with when you see the extent of my  
10 online training background, for instance. It's important that we get training like that for  
11 critical incidents, but it's -- it, like, any of the other course material that we take, perishes  
12 over time. So, yes, we should have that. There's a need. It could come out through the  
13 block training, or even the annual firearms qualification, it could be built in there. It  
14 could be built in through criminal operations in terms of directing that training online.  
15 But it won't be much good if five years from now it doesn't continue to surface as a  
16 priority training course. Because what happens is our members are inundated with  
17 dozens and dozens of online training and in-person training.

18 So an exercise that we go through every year, and I'm sure the  
19 other divisions do, is prioritizing what are the courses that we deem mandatory, that  
20 need to be refreshed annually, every two years, can go into the block training every  
21 three years. And so it's a process to ensure that those types of priority training  
22 opportunities, (a), get designed, launched, and then we can return to it in short order.  
23 Probably something like that needs to be annually built in until our members are  
24 comfortable -- more comfortable, I'm sure we never be comfortable -- in scenarios like  
25 that. I'd be a strong advocate of training like that.

26 **MS. RACHEL YOUNG:** But they might be a bit more comfortable  
27 when they might otherwise be panicking, if they've been through it in their minds,  
28 because it could happen to any general duty member any day of the week, right, that

1 they're just patrolling as usual, and all of a sudden, they are potentially on the frontline  
2 of a critical incident for hours on end until someone else takes over; is that right?

3 **C/SUPT. CHRIS LEATHER:** So while training is important under  
4 those situations and there's only so much that certainly an online training or even part of  
5 a block training, which is over four days typically, can provide a member, it's a starter.  
6 There's no replacement for experience and repetition. We all know that. Doesn't matter  
7 what line of work we're in. I would suggest the members who are more seasoned  
8 probably dealt or deal with these types of situations better than others, because they've  
9 had the exposure and experience and have learned to slow themselves down and  
10 communicate more effectively when under duress. It's not across the board, but  
11 generally speaking.

12 So the training is a start. It identifies the issue and some  
13 techniques or methods to address it. It needs to be there for a period of time at the front  
14 end, but it's no replacement for experience. And we can't forget about key training like  
15 that. If I remain in the Criminal Operations chair for any amount of time, I would like to  
16 see that continue as a point of training, certainly for the next two to three years.

17 **MS. RACHEL YOUNG:** If it were a part of the annual mandatory  
18 training for general duty members, then it could just be added to a section, remember, if  
19 there's a critical incident, here's how you relate to the risk manager, here's how you  
20 relate to the CIC, and here's what to make sure you do if you don't have something  
21 immediately to do that might be useful, for example, monitoring radio broadcasts or  
22 things like that. Would you agree?

23 **C/SUPT. CHRIS LEATHER:** Well, I would say that I think a lot of  
24 what you're describing there, members take for granted. They get a lot of what you just  
25 describe certainly at Depot or at their basic level training, they go through scenarios.  
26 The IARD training, you saw my training standard. These are the types of scenarios you  
27 go through, block training. But probably not with the degree of regularity that we need  
28 to with the proper emphasis being placed on it, which we can now begin to bring to

1 training or augment the training that we already have with the experiences that we've  
2 been through through Portapique.

3 **MS. RACHEL YOUNG:** And regular training would provide an  
4 opportunity to update them on any technology changes, for example, whether they're  
5 visible on GPS only if they're in their car, or whether now there's been a change and  
6 there's GPS in their radio and the OCC can see them if they leave the car. Those are  
7 good things for the members to know; right?

8 **C/SUPT. CHRIS LEATHER:** They're not just important, they are  
9 need to know. The members need to know what the technological limits are of their  
10 radios in terms of, as you say, GPS, the range, and their vehicles. I mean, I'd like to  
11 think that the majority of members would be aware, but yes, of course, those are the  
12 very things, do -- yeah. So in terms of communication, as you described, those are  
13 critical for the members to be aware of. Because if they find themselves out of their  
14 vehicles, believing that they're being tracked and they're not, and there's no way for our  
15 OCC managers or even CICs to know where they are, presents a huge risk to the  
16 members and the public they're trying to protect.

17 **MS. RACHEL YOUNG:** I'm going to turn to post event  
18 communications and press conferences that you took part in. You'd agree with me that  
19 the RCMP should keep the public informed as to the status of major cases?

20 **C/SUPT. CHRIS LEATHER:** Yes.

21 **MS. RACHEL YOUNG:** Do you think that providing timely and  
22 accurate information builds public trust?

23 **C/SUPT. CHRIS LEATHER:** Yes, I do.

24 **MS. RACHEL YOUNG:** Is maintaining the public trust important to  
25 the RCMP?

26 **C/SUPT. CHRIS LEATHER:** Yes, it is.

27 **MS. RACHEL YOUNG:** Are you familiar with the Administration  
28 Manual, Chapter 13.1, Communications Services? That's COMM0039705. This is a

1 policy from 2003. I'll bring it up on the screen so you can have a look.

2 **REGISTRAR DARLENE SUTHERLAND:** This has been marked  
3 as Exhibit 3918.

4 **MS. RACHEL YOUNG:** Three-nine-one-eight (3918), thank you.

5 This is a Communications Services policy that directs the RCMP  
6 Communications community to, among other things—if we can just scroll down and  
7 have a look where it says D1B:

8 "Provide quality information to its audiences that is  
9 timely, accurate, clear, objective and that  
10 complements the RCMPs programs, services, and  
11 initiatives." (As read)

12 You'd agree that that's a goal?

13 **C/SUPT. CHRIS LEATHER:** Yes.

14 **MS. RACHEL YOUNG:** Have you seen this policy before? Are  
15 you familiar with it?

16 **C/SUPT. CHRIS LEATHER:** Yes, I've seen it, but I wouldn't say  
17 I'm familiar with it.

18 **MS. RACHEL YOUNG:** And down at D1D, there's a direction that:

19 "To ensure that the RCMP is visible, transparent,  
20 accountable, and accessible to the public and the  
21 audience it serves." (As read)

22 Would you agree with that?

23 **C/SUPT. CHRIS LEATHER:** Yes.

24 **MS. RACHEL YOUNG:** And 1H, it says:

25 "To deliver service that is sensitive to the needs and  
26 concerns of the public and respectful of their rights  
27 and values." (As read)

28 Do you agree with that?



1 **C/SUPT. CHRIS LEATHER:** Yes.

2 **MS. RACHEL YOUNG:** And then D1J says:

3 "To safeguard the public's confidence and trust in the  
4 RCMP as a goal." (As read)

5 You'd agree with that?

6 **C/SUPT. CHRIS LEATHER:** Of course.

7 **MS. RACHEL YOUNG:** And next, 1K, is:

8 "To ensure that the RCMP works collaboratively with  
9 its government and public partners to achieve  
10 coherent comprehensive and consistent  
11 communications to its audiences." (As read)

12 You'd agree with that?

13 **C/SUPT. CHRIS LEATHER:** Yes.

14 **MS. RACHEL YOUNG:** And whether or not you could cite this  
15 policy chapter and verse, I take it you'd agree those are guiding parameters for  
16 Communications?

17 **C/SUPT. CHRIS LEATHER:** Yes, I would.

18 **MS. RACHEL YOUNG:** There are also various policies that outline  
19 some information that must be withheld at times by the RCMP, for example, evidence  
20 that would compromise an investigation.

21 Madam Registrar, can we please see COMM0039871, and make it  
22 an exhibit? This is Operations -- Operational Manual, Chapter 27.1, Media Relations.

23 **REGISTRAR DARLENE SUTHERLAND:** And that's been marked  
24 already. It's 3937.

25 **MS. RACHEL YOUNG:** Thank you. If we could bring it up and  
26 have a look at paragraph 1.2, please. And so maybe we can just scroll to the top so  
27 that the witness can see what it is.

28 So that's -- you can see it's from the RCMP intranet there, which is

1 where policies are housed for the RCMP?

2 **C/SUPT. CHRIS LEATHER:** Yes.

3 **MS. RACHEL YOUNG:** And then, what's at the bottom of the  
4 screen now is:

5 "The RCMP will not release information that would  
6 compromise investigations or individual rights." (As  
7 read)

8 You'd agree with that?

9 **C/SUPT. CHRIS LEATHER:** Yes.

10 **MS. RACHEL YOUNG:** Does that accord -- well, actually, we'll just  
11 look at another one before I ask you the next question. It's COMM39872.

12 And Madam Registrar, is that an exhibit already?

13 **REGISTRAR DARLENE SUTHERLAND:** Yes, it's Exhibit 2580.

14 **MS. RACHEL YOUNG:** This is a policy on media releases, and it's  
15 -- it says its -- was amended in 2018. And so you see that there's a directive to:

16 "Ensure [that] information released to the media  
17 [doesn't]:  
18 Interfere with an investigation or arrest;  
19 [or] reveal police methods of investigation or security  
20 measures taken in the protection of property or  
21 persons." (As read)

22 You'd agree with that?

23 **C/SUPT. CHRIS LEATHER:** Yes.

24 **MS. RACHEL YOUNG:** So do those things I've read you accord  
25 with your understanding of the parameters of a senior RCMP officer speaking to the  
26 media?

27 **C/SUPT. CHRIS LEATHER:** Yes, they would.

28 **MS. RACHEL YOUNG:** Given these policies and the importance of

1 transparency, do you agree that if the RCMP has key information about an event, like  
2 the mass casualty, it should release that information to the public unless there's some  
3 recognised reason not to?

4 **C/SUPT. CHRIS LEATHER:** We should do our very best to  
5 releasing information to the public, yes.

6 **MS. RACHEL YOUNG:** Did you receive any training in  
7 participating in press conferences or in media relations before you began being a  
8 spokesperson for the RCMP?

9 **C/SUPT. CHRIS LEATHER:** Yes, I did, in E-Division.

10 **MS. RACHEL YOUNG:** Can you describe that training?

11 **C/SUPT. CHRIS LEATHER:** A day-and-a-half training with the  
12 Corporate Communications Branch in doing mock or scenario-based training, provided  
13 with scenarios, and being in front of a -- the Communications advisors and being treated  
14 as though you were actually participating in a Q&A session, and coming up with some  
15 media strategies there to deal with difficult questions. But that was probably 2014, '15,  
16 in-house for sure, and really designed to deal with a more basic reactive kind of press  
17 conference for a single event scenario.

18 **MS. RACHEL YOUNG:** So the skill of answering questions in the  
19 moment and things like that?

20 **C/SUPT. CHRIS LEATHER:** Yeah, rudimentary, perhaps moving  
21 towards intermediate level training, which perhaps helped me with the press  
22 conferences, just giving me a baseline, but nothing beyond that.

23 **MS. RACHEL YOUNG:** Did you have any additional training when  
24 you got to H-Division?

25 **C/SUPT. CHRIS LEATHER:** No, I did not.

26 **MS. RACHEL YOUNG:** No? And did you have any discussions  
27 with your commanding officer about expectations for press conferences or anything of  
28 that nature?

1                   **C/SUPT. CHRIS LEATHER:** No.

2                   **MS. RACHEL YOUNG:** Because Lee Bergerman was the only  
3 person above you when you were in -- well, you are still in H-Division, but the Assistant  
4 Commissioner who's in charge of H-Division is your only person you report to; right?

5                   **C/SUPT. CHRIS LEATHER:** That's correct.

6                   **MS. RACHEL YOUNG:** So how did you know what information  
7 when you went to a press conference was information that shouldn't be released to the  
8 public versus should? Did you have any role in making that decision or, you know, for  
9 example, how were the remarks prepared, and then how did you know if you got  
10 questions what -- how much you could say?

11                   **C/SUPT. CHRIS LEATHER:** Well, so two very different parts to  
12 that because when I think of a press conference I really think of it in terms of two distinct  
13 elements; the prepared lines, which you're -- I was provided with, the Commanding  
14 Officer would be provided with -- by Communications, knowing that Corporate  
15 Communications had done their due diligence in terms of discussing the contents with  
16 the Command triangle to ensure that there were no -- nothing in the contents of the  
17 speaking points that could negatively impact the investigation, for instance. That's a key  
18 piece, and that was done with certainty.

19                   But in terms of preparing for the Q&A portion, you -- we might -- we  
20 might have had minutes to discuss what possible questions might arise during the  
21 course of the question-and-answer period, which I found to be of limited help to me in  
22 terms of preparing. There were a number of questions which I was not prepared for in  
23 terms of having any sense going into the press conference that would likely be asked,  
24 having the limited experience that I did in those types of scenarios, and really more by  
25 virtue of the lack of time in the lead-up to giving the press conference where I would  
26 have liked to have had a more fulsome discussion with corporate communications  
27 around that due to the time crunch normally.

28                   Being handed that talking points sometimes with five or six minutes

1 to go before going to go, those conversations were nearly impossible to have.

2 **MS. RACHEL YOUNG:** Why was it that there was time pressure  
3 like that?

4 **C/SUPT. CHRIS LEATHER:** Well, the dates for the press  
5 conferences would be set by corporate communications with the media outlets, and  
6 those dates were normally known with a few hours in advance or the day before, but not  
7 with a great deal of time. Once that was established, then corporate communications  
8 would begin churning out the media lines, making the consultations internally and often  
9 with National Headquarters that they needed to make to ensure that the lines were in  
10 line with policy and weren't going to have a negative impact on the criminal investigation  
11 in Portapique.

12 And I could tell and I know that that was very difficult for our  
13 corporate communications staff to be able to achieve at times to meet the needs for the  
14 three of us initially, that's Assistant Commissioner Bergerman, Chief Superintendent  
15 Campbell and I, to have those separate speaking points to be ready to have any  
16 amount of lead-up discussion prior to delivering our message and working through the  
17 Q&As.

18 So the Q&A portion clearly the more difficult piece for me, certainly  
19 -- I can't speak for the others -- because it's unscripted. You obviously don't know what  
20 is going to be asked, and doing your very best to try to remember what you've learned  
21 over the last day, hours in the case of the first press conference, after a series of  
22 briefings, updates, phone calls, and to recall best you can when asked about statistics,  
23 numbers, scenes and, you know, I'll say it right now, obviously I missed the mark on  
24 more than a couple occasions where I was relying on my memory, not on anything that  
25 was in front of me, not on anything that had been provided to me in terms of in written  
26 form that I could refer to during the course of the press conference.

27 And so that's what led to some of the incorrect accounting as we  
28 went through the Q&A portions, especially, for me in the early stages.

1                   **MS. RACHEL YOUNG:** Did you ever intend to mislead or hide  
2 information in press conferences?

3                   **C/SUPT. CHRIS LEATHER:** Absolutely not. I intended to do the  
4 opposite.

5                   And you know, if we think about the now infamous “in excess of”  
6 expression that I used, it was done with my intention to not upset, offend, mislead  
7 because I was receiving, as my notes show, conflicting numbers throughout the day or  
8 the hours leading up to. And I was more concerned about giving a victim total that was  
9 over what it truly was or in excess of, and by going to the number that I chose, it, in fact,  
10 ended up having the opposite effect where I was ---

11                   **MS. RACHEL YOUNG:** And what you’re referring to there is you  
12 said “in excess of 10 people died” when, in fact, you had been told there were more  
13 than that. Is that correct? Is that what you mean?

14                   **C/SUPT. CHRIS LEATHER:** I had received information leading up  
15 to that particular statement that I made that was truthfully in excess of 10, perhaps  
16 closer to 15 if we’re going to put a mark in the sand, but the problem was, it fluctuated  
17 depending on who was providing me the information. It was 14, 17, back down again,  
18 and I was quite concerned with the information I was reading in terms of the  
19 inconsistencies. And at one point in a discussion with Lea and I, we agreed we just  
20 need to cut this off, put the number piece aside and go with a number and we’ll call it a  
21 stairwell conversation is what led to me using that term that you asked me about in  
22 particular.

23                   **MS. RACHEL YOUNG:** When you say Lea, you mean Lea  
24 Scanlan ---

25                   **C/SUPT. CHRIS LEATHER:** Lea Scanlan.

26                   **MS. RACHEL YOUNG:** --- the Director of Strategic  
27 Communications ---

28                   **C/SUPT. CHRIS LEATHER:** Yes.

1                   **MS. RACHEL YOUNG:** --- for "H" Division at the time.

2                   Okay. So I'll take you to a couple of other specific examples to ask  
3 you about them, but just back to the general concept so we understand how these press  
4 conferences come together, for the scripted portion of your remarks that are live that are  
5 planned that you read, who prepares those?

6                   **C/SUPT. CHRIS LEATHER:** Those are prepared by corporate  
7 communications in the division with consultation with the other groups that I've already  
8 spoken about, so with the command triangle, with corporate communications in Ottawa.

9                   **MS. RACHEL YOUNG:** And how far in advance would you get  
10 them?

11                  **C/SUPT. CHRIS LEATHER:** It depended on the -- on the day.  
12 Anywhere from an hour before to minutes before, depending on those other variables  
13 that I tried to describe, but no more than an hour before.

14                  **MS. RACHEL YOUNG:** Did you review them and verify them or  
15 check whether they were internally consistent before reading them?

16                  **C/SUPT. CHRIS LEATHER:** No, I didn't go through any validation  
17 process. I remember in one situation sitting with Lia Scanlan, Chief Superintendent  
18 Campbell, Assistant Commissioner Bergerman where we did have and the three of us  
19 were presenting more than five minutes and having some discussion about some of the  
20 talking points, but that validation was occurring just amongst the three of us and, in  
21 particular, if a certain question might arise, who might be best positioned to answer that  
22 versus the script itself and -- because it's my expectation that that work has been done  
23 by the very people who prepared the talking notes for us and I have -- I had no role in  
24 their creation for the press conferences that I participated in.

25                  **MS. RACHEL YOUNG:** So it would be your expectation, for  
26 example, that anything that had to be held back or that shouldn't be made public  
27 wouldn't be in there; right?

28                  **C/SUPT. CHRIS LEATHER:** Correct.

1                   **MS. RACHEL YOUNG:** And then how do you -- is there a risk if  
2 you're spontaneously answering questions you could say things that were meant to be  
3 held back or would you, yourself, not even have that information?

4                   **C/SUPT. CHRIS LEATHER:** Well, both. There is a risk and my  
5 expectation is that anything that would be categorized as holdback or even sensitive  
6 would not be in my talking points and I'm likely not even going to be aware of it at that  
7 earliest stage.

8                   The folks that would have that kind of awareness that you're  
9 describing would be the command triangle, probably the Monitoring Officer, maybe,  
10 maybe Superintendent Campbell. And I -- Chief Superintendent Campbell, unlikely.  
11 And I can't recall an instance where that would have elevated to myself or Assistant  
12 Commissioner Bergerman.

13                   **MS. RACHEL YOUNG:** In addition to live press conferences, there  
14 were also press releases that were attributed to you regarding the mass casualty event.

15                   So for communications like that that are posted online or published  
16 with your name on them, do you review those for accuracy before they go out?

17                   **C/SUPT. CHRIS LEATHER:** Yes. The practice was I would  
18 receive a draft version by email, typically, from corporate communications either from  
19 Ms. Scanlan or Ms. Bayers, Cindy Bayers, who is the 2IC of the unit, in advance of  
20 those being published and asked to do a review. That's fairly standard practice, and I  
21 would do my very best to review the material. If I had questions, of course, I would  
22 either go back to them or, if it pertained to the investigation, to Darren.

23                   **MS. RACHEL YOUNG:** Ultimately, whose responsibility is it for the  
24 content of what you say when you're speaking to the media?

25                   **C/SUPT. CHRIS LEATHER:** I'm responsible if -- you know, I rely  
26 on their professionalism, their skill, and they're very skillful, to provide me with the  
27 material I need knowing that it's been fact checked and that it's valid, but ultimately, I'm  
28 responsible for what I say, and that includes the Q&A portion, so both the talking points



1 and the after discussion.

2 **MS. RACHEL YOUNG:** I would like to take you through your  
3 involvement in press conferences and press releases. Why were you, as the CrOps  
4 Officer, involved in post-event press conferences?

5 **C/SUPT. CHRIS LEATHER:** Yes, early on, the decision was taken  
6 that -- and I think back to the first, where the commanding officer and I presented, given  
7 the magnitude of the press conference and what we were discussing, and the impacts  
8 on the communities, the province, and quite frankly nationally, you could even say  
9 internationally in terms of its reach, it only made sense that we would be at the podium  
10 providing an update as best we could in the hours afterwards. And so because of the  
11 scope and the nature of our message, it made complete sense that it would be our  
12 responsibility to pass that on to the public, to our members.

13 **MS. RACHEL YOUNG:** Our responsibility being you and Assistant  
14 Commissioner ---

15 **C/SUPT. CHRIS LEATHER:** And Assistant Commissioner  
16 Bergerman.

17 **MS. RACHEL YOUNG:** And when you say the decision was taken,  
18 taken by who? Was it her decision or your joint decision with her?

19 **C/SUPT. CHRIS LEATHER:** It was -- it was -- I would describe it  
20 more as a discussion that we had, that, "This is the plan that we're going to go with. Do  
21 you have any concerns or issues?" "No, it makes sense to me."

22 And I know as well that advice around that was advice that we  
23 would receive from Ms. Scanlan, in terms of who best to put in those positions initially.  
24 And then you saw the evolution of that moving from the CONI to myself and then  
25 ultimately to C/Supt. Campbell.

26 **MS. RACHEL YOUNG:** Yes, and I'll ask you about that. Is this a  
27 usual part of the CrOps Officer role to be in front of the camera, or is it only because of  
28 the size of this case?

1                   **C/SUPT. CHRIS LEATHER:** No, if you look at other press  
2 conferences, for instance, that have gone on across the country with the RCMP at least,  
3 you'll often see either or both the commanding officer and the Criminal Operations  
4 Officer, provincial, in that scenario.

5                   And even sometimes you'll see the Criminal Operations Officer and  
6 perhaps his 2IC. It really depends on the nature of the issue that's being discussed, the  
7 magnitude. So I wouldn't say there's a one fit all, and that's why we had discussions  
8 about what made sense under the circumstances and decided on that evolution as we  
9 moved through time. But then also to come back, if I remember, in June, I want to say  
10 June of 2020, of the three of us, again that's the CO, C/Supt. Campbell, and I, for the  
11 first time in many months, being back in front of the public. That was a planned  
12 discussed approach to take, given the content of the messages that we were delivering  
13 during the course of the press conference.

14                   **MS. RACHEL YOUNG:** Was it planned that it was June 4<sup>th</sup>  
15 because that was the anniversary of the Moncton shooting? Or was that a  
16 coincidence?

17                   **C/SUPT. CHRIS LEATHER:** That was a coincidence. I don't  
18 remember that.

19                   **MS. RACHEL YOUNG:** I just ask because Supt Campbell noted it  
20 at the beginning of his remarks.

21                   And so is there anything in the RCMP policies dictating which  
22 position a senior officer should be speaking in which situation? Or its more perhaps  
23 some correlation between the gravity of an incident and who does the talking?

24                   **C/SUPT. CHRIS LEATHER:** The latter is my understanding. I'm  
25 not aware of any policy that, you know, delineates responsibilities based on the  
26 significance of the event and/or position in the Division.

27                   **MS. RACHEL YOUNG:** What was your objective in the press  
28 conferences?

1                   **C/SUPT. CHRIS LEATHER:** If you put the policy back up. No.  
2 Well it's stating the obvious, to update the public best we can on the tragedy that's just  
3 occurred in as timely a way as possible, providing as much detail as possible as we can  
4 without undermining the investigation, recognizing the chaos, but even the evolving  
5 situation, even as we spoke there, and I spoke to it certainly during the Q&A portion, at  
6 least the first, if not the second, feeling how difficult it was to provide an update when  
7 the dust hadn't settled. We were still out there searching, learning, processing,  
8 discovering the magnitude of the tragedy, yet we were in the room trying to provide an  
9 update.

10                   **MS. RACHEL YOUNG:** When is it decided when a press  
11 conference takes place when there's enough of a critical mass of information that you  
12 can process it enough to convey something useful?

13                   **C/SUPT. CHRIS LEATHER:** Yes, well again, going to the Q&A  
14 portion, that was my challenge, is receiving the updates, referring to whatever written  
15 product you've been provided with, which was minimal, working from recall under the  
16 lights, as it were, under pressure. And well you can see the frailties of that process.

17                   **MS. RACHEL YOUNG:** Whose decision is it to decide when  
18 there's a press conference versus when there's a press release? Is that the  
19 commanding officer who decides? And what sorts of factors come into play, if you know  
20 the answer to that, in deciding whether to call a press conference?

21                   **C/SUPT. CHRIS LEATHER:** Well certainly corporal  
22 communications rolls up under the commanding officer. So she, in the case of  
23 Assistant Commissioner Bergerman, would have been part of and a key decision maker  
24 in that because I know she was being consulted on what track to take. You know, less  
25 so myself. I -- outside of conversations like I described earlier of just working through  
26 who would take responsibility for what questions, in terms of whether we do a release  
27 versus a press conference, there were times where I was involved in email discussions  
28 about requests from certain media outlets, for instance, about do we, don't we. But

1 those were conversations, going back to your original question, release versus press  
2 conference, which I don't recall being part of.

3 **MS. RACHEL YOUNG:** What pressures would you say come into  
4 play with respect to press conferences? Deciding whether to hold them, and who says  
5 what, and so on?

6 **C/SUPT. CHRIS LEATHER:** Well I think if we're talking about the  
7 operational update, the person with the most, well, knowledge, as it turns out,  
8 experience in the case of Bergerman, Campbell, and I, use Campbell. So he was the  
9 right man for that job. As it related to matters dealing with the province and  
10 communities at large, that was best coming from the commanding officer, to a lesser  
11 extent, myself. Matters that might have national implications or even international, well  
12 of course I became involved in some of the discussions around that. But there's no  
13 science or, again, clear delineation about who is going to be responsible for what. It's  
14 an organic process that we rely heavily on our corporate communications folks to help  
15 consult on and provide advice on in terms of roles and responsibilities.

16 **MS. RACHEL YOUNG:** And I'm going to take you to some  
17 examples now. Madam Registrar, if we could have the Appendix to the Foundational  
18 Document on Public Communications brought up? It's COMM0057762.

19 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3532.

20 **MS. RACHEL YOUNG:** Chief Superintendent Leather, this is the  
21 April 19<sup>th</sup> briefing, and if we could see it starting at page 4, please? This was the first  
22 briefing at -- on April 19<sup>th</sup>, 2020, at 6 p.m. At page 5 of the transcript, you can scroll  
23 down a bit, please.

24 So stop there, please. The middle paragraph that starts last night.  
25 You describe the initial RCMP response as a firearms call. And then I'll just -- actually,  
26 if we can go down to the April 22<sup>nd</sup> press briefing, which is at page 33, 3 days later, you  
27 responded to a question from a journalist about the first Tweet issued by the RCMP at  
28 11:32 p.m. on April 18<sup>th</sup>. That Tweet also described the incident as a firearms

1 complaint. And you were asked if you were satisfied with that messaging, and you said  
2 you were very satisfied with the messaging, and that was the best and clearest  
3 information that could be provided. That's there at page 33 of the transcript. Do you  
4 agree now that describing the incident as a firearms complaint mischaracterized the  
5 seriousness of the event?

6 **C/SUPT. CHRIS LEATHER:** Yeah, in hindsight, that's not the term  
7 that I would use to describe it.

8 **MS. RACHEL YOUNG:** Do you think there's perhaps a risk in the  
9 Tweet of describing an active shooter scenario as a firearms complaint, might have  
10 confused the public or misled them as to the level of danger?

11 **C/SUPT. CHRIS LEATHER:** Yeah, I think the way it was described  
12 as a firearms complaint is not consistent with what we were dealing with.

13 **MS. RACHEL YOUNG:** And was this messaging consistent, in  
14 your view, with the RCMP's obligation to provide "quality information" to the public that  
15 is "accurate, clear and objective"? And that's from that administration manual on  
16 communication services that we saw.

17 **C/SUPT. CHRIS LEATHER:** It -- I think I answered that. I mean, I  
18 think it's not the, in hindsight, the way we would have described obviously the events,  
19 and so it's not of the highest quality.

20 **MS. RACHEL YOUNG:** At 8:02 a.m. on April 19<sup>th</sup>, the RCMP  
21 issued a second Tweet describing the situation as an active shooter situation. Do you  
22 agree that this was a more accurate characterization of the situation?

23 **C/SUPT. CHRIS LEATHER:** Yes.

24 **MS. RACHEL YOUNG:** And so would you agree that the facts  
25 then at 11:32 a.m. could also have been more accurately characterized as an active  
26 shooter situation?

27 **C/SUPT. CHRIS LEATHER:** That's a better term to describe this.

28 **MS. RACHEL YOUNG:** You also stated at that briefing that the

1 RCMP's focus was on the safety of the residents.

2 And if we could bring up page 5, please, Madam Registrar, again,  
3 this is COMM57762. You said that the RCMP "secured the area and began a search  
4 for the suspect." That's at the bottom of that large paragraph we were looking at in the  
5 middle of the page. And that same message was repeated in a Facebook post on April  
6 21<sup>st</sup> and on the RCMP website on April 22<sup>nd</sup>, which is at page 25 of this document.

7 And what did you mean by saying that the RCMP had secured the  
8 area?

9 **C/SUPT. CHRIS LEATHER:** Can I just look at the passage where  
10 that is, please?

11 **MS. RACHEL YOUNG:** Yes. So there's a couple of places, but on  
12 page 5. You can scroll down. So the paragraph that starts "last night", it's the third-last  
13 sentence. "We secured the area and began a search for the suspect." That was the  
14 April 19<sup>th</sup> briefing. And then there's a Facebook post on April 21<sup>st</sup> and the RCMP  
15 website on April 27<sup>th</sup>. Those are at page 25 of the same document. If we go down to  
16 that page, I think it's under that post. It's the fourth indented paragraph, last line.  
17 "Officers secured the area and began to search for the suspect."

18 My question is, does this mean that the RCMP had the Portapique  
19 area contained on the night of April 18<sup>th</sup> and 19<sup>th</sup>, 2020? Is that what secured the area  
20 means?

21 **C/SUPT. CHRIS LEATHER:** No, I think we know that we didn't,  
22 and but securing the area, to me, refers to our members being on the ground, working,  
23 and securing the area, and begin to search for the suspect. It's -- I understand the  
24 terminology. It's -- it could perhaps have been a little clearer, but again, our officers are  
25 on the ground. So securing, I guess, instead of secured would have been a better -- so  
26 the tense, secured would suggest that it was locked down and it was airtight ---

27 **MS. RACHEL YOUNG:** Yeah, and perhaps we can have a look at  
28 page 31, which is the April 22<sup>nd</sup> statement, COMM57762. You refer to a secure

1 perimeter there. We established a perimeter, and then it says -- and then you do talk  
2 about how there was new information indicating the suspect was not in the secured  
3 perimeter. So you'd agree with me the -- I mean, we now know the RCMP didn't know  
4 where the perpetrator was for most of the night; right?

5 **C/SUPT. CHRIS LEATHER:** Correct.

6 **MS. RACHEL YOUNG:** But you did also know that by the time of  
7 these press conferences, that overnight the RCMP did not, in fact, have the area  
8 secured or locked down.

9 **C/SUPT. CHRIS LEATHER:** What I'm going to say about the term  
10 secured, as I alluded to earlier, it's a term, we're on the ground, we're securing the area.  
11 Securing would have been better than secured. Secured secures -- sorry, suggests that  
12 it is an airtight situation, which, frankly, in a rural setting with the lighting et cetera, is  
13 virtually impossible. So, for me, it's almost a verb tense issue. And, you know, if I could  
14 write it over, and I didn't write it, but if I could say it over, I would say securing instead of  
15 secured.

16 **MS. RACHEL YOUNG:** And as you know, there was a be on the  
17 lookout issued to RCMP members at 8:04 on April 19<sup>th</sup> saying the perpetrator could be  
18 anywhere in the province. So that was known by then, that he was on the move; right?

19 **C/SUPT. CHRIS LEATHER:** 8:02 a.m. on the next morning?

20 **MS. RACHEL YOUNG:** 8:04 a.m. on April 19<sup>th</sup>. I can show you  
21 the reference if you like. It's in a Foundational Document.

22 **C/SUPT. CHRIS LEATHER:** I -- just by memory, that seems a little  
23 early, but it -- I didn't understand that he had -- that we had an update on the fact that he  
24 had reactivated as early as 8:02, but perhaps we did. That seems a little early to me.

25 **MS. RACHEL YOUNG:** And perhaps we'll bring up COMM007862,  
26 pages 6 and 7. And just have a look at that.

27 Can you scroll down, please?

28 These are updates that were happening during the events. And

1 can you please keep scrolling down, please, Madam Registrar.

2 We're just moving from page 6 to 7 of this document. And this is an  
3 exhibit already, Madam Clerk?

4 **REGISTRAR DARLENE SUTHERLAND:** Yes, it's 682.

5 **MS. RACHEL YOUNG:** I'm going to show you another document  
6 that might be a little easier to read, COMM1653, at page 5, please.

7 This is at 8:07 there was a message to all police agencies saying  
8 that the perpetrator's potentially using a fully-marked Ford Taurus car No. 28B11 and  
9 could be anywhere in the province.

10 **(SHORT PAUSE)**

11 **REGISTRAR DARLENE SUTHERLAND:** My apologies. That's  
12 Exhibit 1045.

13 **MS. RACHEL YOUNG:** And page 5, please.

14 And so I believe we'd heard evidence that this is an hour off, so it  
15 does say 7:07 at the top, but I don't think there's any issue that it should be 8 -- well,  
16 because it's 7:07 EDT as opposed to ADT, so it's 8:07.

17 And you see the highlighted portion there where it says, "He could  
18 be anywhere in the province".

19 And so my point there is simply you'd agree that at that point the  
20 RCMP knew that the area wasn't contained. When the 9-1-1 calls started coming in  
21 and even before that, that he's not in a secure -- there's not a secured area where the  
22 shooter's known to be; correct?

23 **C/SUPT. CHRIS LEATHER:** Correct.

24 **MS. RACHEL YOUNG:** And then, of course, when 9-1-1 calls start  
25 coming in that there's more killing, then he's definitely not in Portapique any more;  
26 right?

27 **C/SUPT. CHRIS LEATHER:** Yes.

28 **MS. RACHEL YOUNG:** And as well, you know that there were



1 further additional deceased victims that were not discovered until much later on the  
2 19th, till the late afternoon or evening?

3 **C/SUPT. CHRIS LEATHER:** Yes.

4 **MS. RACHEL YOUNG:** And so you'd agree now that it's not the  
5 ideal or accurate characterization to say the area was secured at any point during that  
6 night?

7 **C/SUPT. CHRIS LEATHER:** I agree that the term "secured" would  
8 -- I wish we had used "securing" or "efforts to secure" or something along those lines.

9 **MS. RACHEL YOUNG:** Commissioners, I see that it says six  
10 minutes past 11:00. Is this a convenient time for the morning break?

11 **COMMISSIONER MacDONALD:** Yes, it is. Thank you.  
12 We'll break for 15 minutes.

13 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

14 The proceedings are now on break and will resume in 15 minutes.

15 --- Upon breaking at 11:06 a.m.

16 --- Upon resuming at 11:50 a.m.

17 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The  
18 proceedings are again in session.

19 **COMMISSIONER MacDONALD:** Thank you.

20 Ms. Young, we're ready for the witness.

21 **MS. RACHEL YOUNG:** Good morning. Yes, we're ready for the  
22 witness, Commissioner.

23 **--- C/SUPT. CHRIS LEATHER, Resumed**

24 **COMMISSIONER MacDONALD:** Thank you, Chief Superintendent  
25 Leather. Ms. Young will continue her questions.

26 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG (cont'd):**

27 **MS. RACHEL YOUNG:** Good morning again, Chief  
28 Superintendent Leather.

1 Madam Registrar, may we please have COMM57762 up again  
2 starting at page 31 of the document?

3 Chief Superintendent Leather, I just have a few more of the press  
4 conferences to go through with you and ask you about.

5 On April 22nd, the RCMP published a statement attributed to you  
6 regarding the Alert Ready system.

7 So it should be page 31 of the document. I think we're on page 32.  
8 Can we go up a page, please?

9 I think that's the beginning, but let's go to page 37, middle of the  
10 page.

11 Right. So that's -- if you could just scroll down a little bit so we can  
12 see the top of that, please, Madam Registrar.

13 So this is one of the statements that was published to the website  
14 that was attributed to you. And so it says:

15 "At 10:15 a.m., Nova Scotia Provincial Emergency  
16 Management officials contacted the RCMP to offer the  
17 use of the public emergency alerting system. The  
18 RCMP was in the process of preparing an alert when  
19 the gunman was shot and killed by the RCMP."

20 Is that correct?

21 **C/SUPT. CHRIS LEATHER:** That's correct.

22 **MS. RACHEL YOUNG:** And I don't know if you're aware of an  
23 earlier draft of this statement. You weren't on this email, but Ms. Scanlan sent it to  
24 Commissioner Bergerman. It had that line, but it also included a statement, if we can  
25 look at COMM0027596.

26 Madam Registrar, I don't know that that's an exhibit yet.

27 **REGISTRAR DARLENE SUTHERLAND:** It's been marked Exhibit  
28 2576.

1                   **MS. RACHEL YOUNG:** That's already an exhibit, 2576?

2                   And so you see there, Chief Superintendent Leather, it's from Ms.  
3 Scanlan to Lee Bergerman. It's getting ready for this press conference, and you see  
4 that line there in the middle of the page starting at 10:15 a.m.

5                   And what I just wanted to ask you about higher up, the first  
6 paragraph says:

7   "Throughout the evening Saturday and into the early  
8 morning hours Sunday, the RCMP established and  
9 maintained a significant presence in the area of  
10 Portapique in response to an active threat. Our  
11 response centred on protecting people, which  
12 included providing information on Twitter. The RCMP  
13 did not consider the option of using the public  
14 emergency alerting system, Alert Ready, during this  
15 time." (As read)

16                   And that last sentence does not end up appearing in the April 22nd  
17 statement.

18                   So first of all, do you agree that line is accurate, that there wasn't a  
19 consideration of the emergency alerting system at that time?

20                   **C/SUPT. CHRIS LEATHER:** I agree with that.

21                   **MS. RACHEL YOUNG:** And were you part of the decision to  
22 remove that line?

23                   **C/SUPT. CHRIS LEATHER:** No.

24                   **MS. RACHEL YOUNG:** Okay. Then the April 22nd press briefing,  
25 you were asked why it took over two hours to warn the public about the replica cruiser.  
26 The transcript of that is at page 35 of the same document.

27                   If we could scroll to the second full paragraph, please. Page 35 of  
28 the document.

1                   **REGISTRAR DARLENE SUTHERLAND:** Could we just zoom in a  
2 little more, please?

3                   **MS. RACHEL YOUNG:** So COMM57762.

4                   The page number of the document and the page number of the  
5 PDF counter are different, so it might be on the page before.

6                   Can we go up to the second full paragraph of this page, please?

7                   Let me look at the bottom of the page, please. Thank you, Ms.

8 Miller. [sic]

9                   All right. So here's the question from CBC:

10                                    "If you knew the suspect had a fake but real-looking  
11                                    RCMP vehicle some time between 7:00 and 8:00 on  
12                                    Sunday morning, why wait more than two hours to  
13                                    warn the public about that detail?"

14                   And your response was:

15                                    "The information about the vehicle, the clothing took  
16                                    some time to learn from the one witness and once that  
17                                    information was compiled, it was immediately  
18                                    Tweeted by our communications section."

19                   You were also asked to clarify whether the picture came from the  
20 witness, and you replied:

21                                    "I can't speak to that, but we did interview a witness  
22                                    and some time after that the material went out. That  
23                                    would be the picture of the vehicle and the suspect's  
24                                    photo."

25                   And so you recall that morning, Staff Sergeant Halliday had  
26 forwarded you an email with the photo of the suspect and the replica vehicle?

27                   **C/SUPT. CHRIS LEATHER:** Yes.

28                   **MS. RACHEL YOUNG:** And that was at 8:52 a.m.? If I tell you

1 that, that sounds about right to you?

2 **C/SUPT. CHRIS LEATHER:** Yes, it does.

3 **MS. RACHEL YOUNG:** Okay. And so you did know about the  
4 vehicle well before the information was publicly released; right?

5 **C/SUPT. CHRIS LEATHER:** Yes.

6 **MS. RACHEL YOUNG:** And others in the RCMP knew about it  
7 before you did?

8 **C/SUPT. CHRIS LEATHER:** Yes, they did.

9 **MS. RACHEL YOUNG:** And so the information that was eventually  
10 tweeted, that is the picture of the vehicle and the suspect, was available to the RCMP,  
11 according to the evidence the Commission's heard, almost 3 hours before the Tweet  
12 went out at 10:17 a.m. Are you aware of that now?

13 **C/SUPT. CHRIS LEATHER:** A couple hours it seems, yes.

14 **MS. RACHEL YOUNG:** Yeah, that it was -- the RCMP had  
15 obtained a photo from Mr. McGrath via Halifax Police at 7:25 a.m. on April 19<sup>th</sup>. That's  
16 in COMM0010696. You don't have to bring it up.

17 But is that an exhibit? I think it is, Madam Registrar. 10696?

18 **REGISTRAR DARLENE SUTHERLAND:** Yes, it's Exhibit 1050.

19 **MS. RACHEL YOUNG:** Thank you. Was immediate the right word  
20 to use there, that the information was tweeted out immediately?

21 **C/SUPT. CHRIS LEATHER:** Immediately to me is probably not the  
22 best word to use, but perhaps sometime later, in terms of word choice.

23 **MS. RACHEL YOUNG:** Is there any reason why the word  
24 immediate was used?

25 **C/SUPT. CHRIS LEATHER:** I don't recall at all.

26 **MS. RACHEL YOUNG:** As I think you mentioned earlier this  
27 morning, after the April 22<sup>nd</sup> briefings, Superintendent Darren Campbell took over and  
28 he appeared at 2 further press conferences on April 24<sup>th</sup> and 28<sup>th</sup> respectively. And why

1 was the decision made to transfer the spokesperson role to him?

2 **C/SUPT. CHRIS LEATHER:** As I spoke of earlier is the press  
3 conferences evolved from being what they were early on, which was for a wider  
4 advisory to the public at large about the tragedy, it became more focussed and  
5 operationally driven in terms of the updates and became almost exclusively operational  
6 or investigative timeline updates for the public. And it was decided that Chief  
7 Superintendent Campbell was best position to give those on his own, given his  
8 experience, his file knowledge, and his presentation skills. So it was a very short  
9 discussion and it seemed like the obvious path to take.

10 **MS. RACHEL YOUNG:** He was one level closer to the  
11 investigation than you were I take it?

12 **C/SUPT. CHRIS LEATHER:** Yes, he was.

13 **MS. RACHEL YOUNG:** And did you approve Superintendent  
14 Campbell's remarks in those conferences?

15 **C/SUPT. CHRIS LEATHER:** No.

16 **MS. RACHEL YOUNG:** Did you play any role in preparing for  
17 those media events?

18 **C/SUPT. CHRIS LEATHER:** We would have brief discussions  
19 beforehand, but I didn't play any role in terms of the talking points or the creation of the  
20 timeline. That was between Mr. Campbell and Lia Scanlon and others in corporate  
21 communications.

22 **MS. RACHEL YOUNG:** You did participate in the June 24<sup>th</sup>, 2020  
23 press briefing. That's back at COMM557 -- sorry, 57762, page 65. I believe this was  
24 your first appearance in relation to the mass casualty since April 22<sup>nd</sup>; is that right?

25 **C/SUPT. CHRIS LEATHER:** That's right.

26 **MS. RACHEL YOUNG:** And so why were you included in this  
27 conference?

28 **C/SUPT. CHRIS LEATHER:** Just going by recollection, there was

1 a sense that we had to both respond to the issues beyond just the criminal -- or update  
2 about issues beyond just the criminal investigation. And I think we recognized by this  
3 point, where the questions move beyond just a criminal investigation, especially for the  
4 Q and A portion, it made more sense to have, especially Chief Superintendent  
5 Campbell and I on the stage, perhaps to a lesser extent the commanding officer,  
6 because questions didn't typically come up in her area of responsibility. So it was -- and  
7 I remember, actually, turning to Darren at more than a couple times, what we decided at  
8 the time, who would be best position to respond. And, in fact, we provided partial  
9 responses to the questions. So it was the synergy and the coverage that that created.

10 **MS. RACHEL YOUNG:** So one of the issues that was perhaps not  
11 squarely on the top of the investigation but somewhat peripheral was the CISNS  
12 bulletin. You did address that on -- in the June 4<sup>th</sup> briefing. If we can look at page 73 of  
13 the transcript? Same document.

14 If you look at the middle of the paragraph that starts "following April  
15 18<sup>th</sup> and 19<sup>th</sup>," you say,

16 "While a bulletin existed from 2011, it likely would not  
17 have changed the response of April 18[th] and 19[th].  
18 It was not searchable or available to our responding  
19 officers on [the] April [-- on the] 18<sup>th</sup> and 19<sup>th</sup>."

20 Is that correct so far?

21 **C/SUPT. CHRIS LEATHER:** Yes.

22 **MS. RACHEL YOUNG:** Now 2 days before this press conference  
23 on June 2<sup>nd</sup>, you'd received an email from Derek Santosuosso regarding the bulletin.  
24 This is COMM0035713.

25 Madam Registrar, I think that one is an exhibit already?

26 **REGISTRAR DARLENE SUTHERLAND:** Yes, that's been marked  
27 Exhibit 3905.

28 **MS. RACHEL YOUNG:** 3915. Can we bring that up, please?

1                   **REGISTRAR DARLENE SUTHERLAND:** 3905.

2                   **MS. RACHEL YOUNG:** 2905?

3                   **REGISTRAR DARLENE SUTHERLAND:** 3905.

4                   **MS. RACHEL YOUNG:** 3905. Thank you. Could we see that,  
5 please?

6                   And Derek Santosuosso is a member of the Issues Management  
7 Team?

8                   **C/SUPT. CHRIS LEATHER:** Yes.

9                   **MS. RACHEL YOUNG:** Could we please make it bigger, Madam  
10 Registrar?

11                   And I take it this is -- so it's being sent from him to you, Lee  
12 Bergerman and Darren Campbell, copying other people, and this is preparing for that  
13 June 4<sup>th</sup> press conference; right?

14                   **C/SUPT. CHRIS LEATHER:** It's in advance of the press  
15 conference.

16                   **MS. RACHEL YOUNG:** Yeah, he notes at the bottom there, "in  
17 light of the press conference on Thursday," so he's helping to brief you. So you would  
18 have read it before the June 4<sup>th</sup> press conference?

19                   **C/SUPT. CHRIS LEATHER:** Yes.

20                   **MS. RACHEL YOUNG:** Okay. And he says,

21                                    "In discussing the Officer Safety Bulletin last week, it  
22                                    was noted on an email provided by Truro Police  
23                                    Service that Constable Kevin O'Brien, RCMP now  
24                                    retired, and Corporal Densmore discussed the  
25                                    bulletin. I asked for a scrub down of intel files on the  
26                                    federal side and an analyst located a digital copy of  
27                                    the Officer Safety Bulletin in a folder on a shared  
28                                    drive. In speaking with Sergeant Mike Sims, FSOC, it



1 appears the bulletin was one of many which were  
2 dumped in the folder. I've asked for more details on  
3 it, including when, who, et cetera; however, in light of  
4 the press conference on Thursday, I wanted to ensure  
5 you all had the most up-to-date information should  
6 you be asked to comment on it." (As read)

7 So does that mean that the RCMP had the bulletin all along?

8 **C/SUPT. CHRIS LEATHER:** What it means is that -- and, of  
9 course, I was very interested in knowing about this very issue, whether we had it and  
10 whether we had it officially, I'll say, or unofficially. And what I learned based on inquiries  
11 that were made on my behalf, was that the bulletin was in a shared folder within CISNS  
12 in its constituent parts. In other words, there was no bulletin in its final product. There  
13 was the picture. There was the information. And there was the background data  
14 around the subject, all in separate documents, so as though whenever the bulletin was  
15 being created in the 2010/2011 timeframe, what was left behind were just the pieces,  
16 and not even the background template to show that it was an Officer Safety Bulletin.

17 So, yes, we had it in its pieces in a shared folder, unbeknownst to  
18 the people in CISNC even, let alone the rest of the organization, and certainly not  
19 available to any searchable database. So that was, I believe, what, you know, Chief  
20 Superintendent Santosuosso was referring to there, that it was there in fragments, and  
21 the rest of the email pertains to some of the checks that were being done. FCO --  
22 FSOC refers to Serious and Organized Crime, or Federal Serious and Organized  
23 Crime, which is on the federal side of the house, which would look after any matters  
24 dealing with confidential informers. And that's why the check was done with that side of  
25 the house.

26 **MS. RACHEL YOUNG:** What do you mean you wanted to know  
27 whether you had it officially or unofficially? What does that mean?

28 **C/SUPT. CHRIS LEATHER:** Well officially would be, yes, here's

1 the final -- here is the officer safety bulletin contained, in its entirety, even in draft form,  
2 which it was not, and here it is properly archived in a database or in a searchable folder,  
3 as opposed to what I describe as a junk folder in fragments. So that's what I meant by  
4 that. It was in this sort of jumbled unofficial format, not in the form that we know today  
5 to be the officer safety bulletin.

6 **MS. RACHEL YOUNG:** So why didn't you explain that in your  
7 comments at the June 4<sup>th</sup> press conference.

8 **C/SUPT. CHRIS LEATHER:** I'm not sure then I even had that full  
9 awareness. I was still in the throes -- I'd have to look at my notes and look at the  
10 timeline. I was still trying to determine who had it, how it got to where it was, what form  
11 it was in, and it was -- it took a series of inquiries and meetings to come to ground on  
12 that. And certainly Derek's email was helpful, but he was actually at a meeting that we  
13 had, and I had actually tasked him to go into CISNS to make those inquiries so we  
14 could have a more fulsome understanding.

15 I'm not satisfied that I was there at that moment, based on that  
16 update that he provided.

17 **MS. RACHEL YOUNG:** Was the information ever released to the  
18 public once you pieced it together? I mean the information that the RCMP had it in  
19 some form before the events?

20 **C/SUPT. CHRIS LEATHER:** I don't -- I actually don't remember  
21 what we released or when we released it. I certainly remember this, when we realized  
22 that, A, the bulletin existed, and the significance of it, there were a number of  
23 discussions about releasing the officer safety bulletin in terms of our awareness and the  
24 existence of the bulletin.

25 **MS. RACHEL YOUNG:** You were asked in the question and  
26 answer that there was a pre-investigation of the perpetrator, but that wasn't a part of  
27 your prepared remarks. Was there a reason why you didn't mention that in your initial  
28 remarks about the investigation of the perpetrator 2010-2011 timeframe in the context of

1 the bulletin, being relevant to the bulletin?

2 **C/SUPT. CHRIS LEATHER:** Again, not -- you literally need a  
3 timeline to understand when the officer safety bulletin came known to us in its existence  
4 outside of the RCMP, when we determined it was in its fragments, reconcile that against  
5 whether there were or were not previous criminal investigations associated to not just  
6 the individual, but the contents of the bulletin. This was all done, as you know, and was  
7 prepared in a timeline and was the subject of a conversation with the Chiefs of Police.  
8 So that would be a better way to answer that question, because that clearly shows  
9 when we became aware and when we reached out to the Chiefs to engage them. I  
10 don't know off the top of my head.

11 **MS. RACHEL YOUNG:** So just getting at why this is a concern,  
12 can you clarify whether the information about the bulletin was withheld out of concern  
13 that the RCMP would be embarrassed by the existence of the bulletin?

14 **C/SUPT. CHRIS LEATHER:** When I became aware of the  
15 bulletin's existence and saw it for, you know, the first time, which was day or days after  
16 the events, it was obvious to me, given the contents, without knowing anything about  
17 who or how we received the information at that point, and whether this person or  
18 persons still existed, it was obvious that this was or could be significant, particularly if  
19 that person or persons were still alive and had a relationship with Truro Police, which is  
20 where the bulletin was initiated.

21 **MS. RACHEL YOUNG:** So when you're saying this person, who  
22 do you mean?

23 **C/SUPT. CHRIS LEATHER:** Well I don't know. I don't know who  
24 the person is, because if you look at the bulletin, and our subsequent follow ups never  
25 did determine who the person is that provided the information that led to the issuance of  
26 the bulletin. So that's what jumped out at me, is the obvious importance of determining  
27 who that person or persons are, because their information just in the bulletin was  
28 germane to the H Strong investigation. And God knows what else they knew and could

1 bring to that criminal investigation.

2 **MS. RACHEL YOUNG:** But what about the issue that it appears  
3 that an RCMP member did not follow up by interviewing the perpetrator, as he had told  
4 Halifax Police he was going to do?

5 **C/SUPT. CHRIS LEATHER:** They're a completely different issue,  
6 although I think from what we're talking about there.

7 And yes, the bulletin itself, just given its contents, if you knew  
8 nothing more, begged for follow up investigation for sure when you consider the  
9 contents. And whether that was going to be RCMP, RCMP, HRP, however that was  
10 going to be completed, because I understand both services played a role, it only made  
11 sense that that would be -- there would be further inquiries made.

12 **MS. RACHEL YOUNG:** Back to the June 4<sup>th</sup> press briefing. Page  
13 73 of the transcript, you also spoke at some length about the Alert Ready system that  
14 day.

15 **C/SUPT. CHRIS LEATHER:** Yes.

16 **MS. RACHEL YOUNG:** In your remarks, which were about the  
17 mass casualty event, you mentioned the deployment of the Alert Ready system on April  
18 24<sup>th</sup>, which was after the events. And you see that there in the middle of the page. So  
19 you refer to that. and then in the middle of the paragraph you say:

20 "As a result of activating the Alert for a dynamic police  
21 incident, we learned of the intended consequences.  
22 Following the Alert, there were a large number of people  
23 who called 911 to ask non-emergency related questions,  
24 such as, 'Should I pick up my children? Where should I  
25 hide? What do I do?' [...] This resulted in delays to calls  
26 being answered at provincial 911 call centres -- or]  
27 centres and many calls were not answered at all because  
28 of the call volumes. This had a negative impact on public

1 safety, and what I mean is, that people who had true  
2 emergencies may not have gotten through to the 911  
3 operators.”

4 Why were you talking there about an alert on April 24<sup>th</sup> in an update  
5 on the mass casualty events?

6 **C/SUPT. CHRIS LEATHER:** Well I thought it was important, given  
7 we had a venue to communicate with the public. Obviously alerting was front and  
8 center in terms of media and public interest, and as early as we could begin to educate  
9 the public on the risks associating with the deployment of the alert, it made sense to  
10 take that opportunity. With any effective alerting program, there must be a public  
11 education piece that goes alongside that. And obviously it's related to the mass  
12 casualty event. And we felt compelled to provide that update on, in our experience, the  
13 only time the alerting system had been utilized in the province.

14 And again, to begin to provide to the public a sense of when it's  
15 deployed in a rather small way in terms of the incident, the risks associated with that.  
16 And we had an opportunity, we had an interest, a heightened interest from the public  
17 and the media, and that's why we decided to put it into the talking points.

18 **MS. RACHEL YOUNG:** Madam Registrar, can we see the  
19 document again, please? Just staying on the same page. Can you zoom back out to  
20 where it was, please?

21 I don't see you clearly saying there that you're telling people, for  
22 example, not to call 9-1-1 unnecessarily. Are you saying that's what you were trying to  
23 get across?

24 **C/SUPT. CHRIS LEATHER:** I'm not -- I wouldn't do that. We're  
25 simply saying we activated within days, we -- frankly, the unintended consequences  
26 were not known to us, as it turns out to any of our policing colleagues in Atlantic Canada  
27 at least, if not all of Canada, and we felt it was important to share our observations of  
28 when we did deploy it on what can happen.

1                   **MS. RACHEL YOUNG:** What was the factual basis for your claim  
2 that many calls were delayed or even not answered at all?

3                   **C/SUPT. CHRIS LEATHER:** Well, we did a analysis of the calls  
4 that were taken by the OCC, and in some instances were bumped from the OCC to the  
5 other PSAPs, the other answering points in the province, and we did a statistical  
6 analysis, which showed, by memory, 29-percent, something like that, of missed calls.  
7 These calls go into a queue, it doesn't mean that they're never answered, but it means  
8 that they're delayed, or because of the delay, complainants will often hang up and try to  
9 call back. That is a significant risk to the 9-1-1 system, to our ability to respond to calls  
10 related or unrelated to the issue that had us initiate the alert to, we needed to educate  
11 the public on that as soon as possible.

12                   **MS. RACHEL YOUNG:** To unpack that a bit, I believe the  
13 information you had access to contained the term "unprocessed calls". Can -- refresh  
14 your memory with an email from Dustine Rodier to you on May 1st, 2020? That's  
15 COMM0033987.

16                   Actually, I don't know if that can go on screen, can it? Oh, great.  
17 Could that be made an exhibit, please?

18                   **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3980.

19                   **--- EXHIBIT NO. 3980:**

20                   (COMM0033987) email from Dustine Rodier, May 1<sup>st</sup>, 2020

21                   **MS. RACHEL YOUNG:** Can we make it bigger, please?

22                   So is this the information you were referring to, underlying  
23 information?

24                   **C/SUPT. CHRIS LEATHER:** Yes.

25                   **MS. RACHEL YOUNG:** And so Officer Rodier refers to:

26                   ""Not processed" means the call was automatically  
27 transferred to another PSAP to be processed..." (As  
28 read)

1 That's Public Service Answering Point:

2 "...or the caller hung up resulting in an abandoned  
3 9-1-1 call. Nova Scotia EMO holds the data on these  
4 calls. We do not have access to what happened to  
5 the calls that were not processed." (As read)

6 So in other words, you knew that many calls were transferred to  
7 other PSAPs, but you didn't know what actually happened to those calls. So it's  
8 possible that they were actually answered at other PSAPs; right?

9 **C/SUPT. CHRIS LEATHER:** It was possible that they were  
10 eventually answered, yes.

11 **MS. RACHEL YOUNG:** And that's why there is a 9-1-1 call  
12 overflow system so if one is busy it goes on to the next one; right?

13 **C/SUPT. CHRIS LEATHER:** It is, but I think it's worth noting that  
14 the PSAPs that we're talking about are, in some instances, one or two lines. These are  
15 not like our OCC or, for instance, Halifax's system or OCC equivalent, where they have  
16 multiple call-takers and multiple lines. So very quickly and very easily with the other  
17 PSAPs would they become overwhelmed, even with our overflow.

18 **MS. RACHEL YOUNG:** But it's not the same as a missed call, they  
19 may have been answered. And you did say that in your remarks. You said, "People  
20 with true emergencies may not have gotten through the 9-1-1 operators"; right?

21 **C/SUPT. CHRIS LEATHER:** Right.

22 **MS. RACHEL YOUNG:** And so, was emphasising the problems  
23 with Alert Ready in this later incident a method used by the RCMP as a means of  
24 justifying the lack of the use of Alert Ready on April 18th and 19th?

25 **C/SUPT. CHRIS LEATHER:** No, it was not.

26 **MS. RACHEL YOUNG:** No? And so, if there was a concern that  
27 there was a capacity with the PSAPs, was -- did you -- were you involved in taking any  
28 action about that to make sure that didn't happen?

1                   **C/SUPT. CHRIS LEATHER:** Well, the PSAPs -- well. So the  
2 PSAP load or overload issue was a topic of many discussions in the Senior Officials  
3 Committee between Superintendent Rodier and EMO, herself or Leon and Glenn Byrne  
4 at that level, in the Internal Working Group, as it deals with alerting. So this was a topic  
5 of much discussion across a number of working groups and committees. So yes, and  
6 the conduit for us to the PSAPs is through EMO. They're the natural area for us to be  
7 dealing with in those conversations. They have a responsibility, an oversight  
8 responsibility, or even a governance responsibility when it comes to the PSAPs in terms  
9 of their ability to provide the service.

10                   So that's what we did, and there were many conversations, not just  
11 about the overload or perceived overload, but what technically can be done to address  
12 this issue, if anything. So yes, these were germane to what we noted early on, and  
13 those conversations continue today. It's an unresolved issue.

14                   **MS. RACHEL YOUNG:** There's also managing the 9-1-1 volume  
15 by discouraging it in the first place in a good way. I mean, you said you would never do  
16 that in terms of telling the public not to call 9-1-1 unnecessarily, but in fact we heard  
17 evidence from an expert on public alerting, Michael Hallows, in May, who said it is  
18 important when there's no crisis going on to inform the public, you know, don't call 9-1-1  
19 to say "Should I pick up my children?" and things like that. And so has the RCMP  
20 undertaken any efforts to do that kind of public education?

21                   **C/SUPT. CHRIS LEATHER:** Well, there's certainly been a number  
22 of discussions around that as well, and I can tell you that there was quite a lively debate  
23 on whose responsibility it was to even provide the public education. And this goes  
24 particularly back to the time before we had direct access, where EMO were the  
25 gatekeepers for this system, well, continue to be to this day. We have permission from  
26 them, of course, to be using their system for direct access, which is of course a branch  
27 of the provincial government.

28                   And so it would be inappropriate for us to go out on our own to



1 begin some sort of public education campaign. What we sought to have was a joint  
2 public education campaign with all the chiefs, with EMO, Department of Justice. and  
3 these would be the very sorts of things we would have liked to have seen on a website,  
4 for instance, through messaging to the public, akin to what they do in the U.S. And  
5 these are the very conversations that we had around what Homeland Security does.  
6 They're decades ahead of us on the -- on these issues. We don't need to reinvent the  
7 wheel here. Much of the heavy lift in terms of best practices, public education is already  
8 established, up and running, and has been for years.

9 **MS. RACHEL YOUNG:** There is some consensus on basic points  
10 like that; right? So why would it be inappropriate to put basic information like that on the  
11 RCMP's website to let people know what to do when they get these alerts ---

12 **C/SUPT. CHRIS LEATHER:** Well ---

13 **MS. RACHEL YOUNG:** --- or what not to do in advance?

14 **C/SUPT. CHRIS LEATHER:** --- I agree. I mean, I think in terms of  
15 very basic messaging about that in terms of a cautionary message would be  
16 appropriate, and I'm not even the best person to speak to. We may have done that.  
17 You know, I'm not sure whether we have or haven't done that since.

18 And why would one division do it and not the rest? Like, that's  
19 almost, again, should be a national message in terms of consistency, but we should be  
20 doing it in the province as well. So it makes no sense, in other words, for Nova Scotia  
21 to be educating the public on the perils of calling 9-1-1 if New Brunswick isn't or their  
22 message is slightly different. So message consistency, while still being responsible,  
23 absolutely, but there needs to be an overarching national strategy for that as well.

24 **MS. RACHEL YOUNG:** It's been over two years now.

25 **C/SUPT. CHRIS LEATHER:** Yes.

26 **MS. RACHEL YOUNG:** How much closer is this national strategy?

27 **C/SUPT. CHRIS LEATHER:** Well, we finally have national policy,  
28 and I don't think I'd be wrong to say on advancing a public education plan nationally, or

1 speak for CNIP here, they would be looking surely for the recommendations that come  
2 out of this Commission. No different than they are as it relates to CIC training. They  
3 started down that path, but there's a reluctance to finish off some of these finer points  
4 until the recommendations. The concern is always going to be we go down a certain  
5 path to have recommendations made that fly in the face of what we've attempted to try  
6 to accomplish in the meantime. And that's been the theme, not just with alerting, but  
7 across a number of different areas as it relates to our learnings post Portapique and this  
8 is no different.

9 **MS. RACHEL YOUNG:** Last question about the June 4<sup>th</sup> press  
10 briefing. You said -- this is at page 72 of the same document -- that:

11 "…there are discussions underway to determine the  
12 best approach regarding a formal comprehensive  
13 review."

14 That's in the last paragraph there. So above that you mention the  
15 HOIT investigation, above that, the ESDC investigation, but the last paragraph refers to,  
16 "a formal comprehensive review".

17 What sort of reviews were being contemplated at that point in time,  
18 in June of 2020?

19 **C/SUPT. CHRIS LEATHER:** I know there were two reviews that  
20 were contemplated, one having to do with the CIC program, the other having to do with  
21 H-Strong itself, the criminal investigation. Those were two reviews that I was aware of  
22 that were being discussed. And certainly as it relates to an OSIP review, Office of  
23 Independent Investigation review internally, it makes sense to initiate those early on.

24 This is not something, best-case scenario, that you implement a  
25 year or nine months into an investigation, as you know. And so we were looking very  
26 seriously at initiating those reviews early on. And this was something that C/Supt.  
27 Campbell was a strong advocate of in both areas, and we'd had preliminary discussions  
28 about that as early as the date of that release.

1                   **MS. RACHEL YOUNG:** And I'll ask you more about that this  
2 afternoon.

3                   Commissioners, I'm going to move to a different area which is the  
4 context for C/Supt. Leather's meeting on April 28<sup>th</sup>, 2020 with Commissioner Lucki. I  
5 wonder if this would be a convenient time to take a lunch break.

6                   **COMMISSIONER MacDONALD:** Yes, thank you. We'll break for  
7 one hour.

8                   **REGISTRAR DARLENE SUTHERLAND:** Thank you.

9                   The proceedings are now on break and will resume in one hour.

10 --- Upon breaking at 12:28 p.m.

11 --- Upon resuming at 1:33 p.m.

12                   **REGISTRAR DARLENE SUTHERLAND:** Welcome back.

13                   The proceeding are again in session.

14                   **COMMISSIONER MacDONALD:** Thank you.

15                   Ms. Young?

16                   **MS. RACHEL YOUNG:** Good afternoon again, Commissioners.

17 We're ready for the witness.

18                   **COMMISSIONER MacDONALD:** Okay, thank you.

19                   We'll have the witness come forward.

20 **--- C/SUPT. CHRIS LEATHER, Resumed:**

21                   **COMMISSIONER MacDONALD:** Good afternoon, Chief  
22 Superintendent. Ms. Young will continue her questioning.

23 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG, (Cont'd):**

24                   **MS. RACHEL YOUNG:** Good afternoon again, C/Supt. Leather.

25                   **C/SUPT. CHRIS LEATHER:** Ma'am.

26                   **MS. RACHEL YOUNG:** In your Commission interview on July 6<sup>th</sup>,  
27 you told us about your recollection of meeting on April 28<sup>th</sup>, 2020 with Commissioner  
28 Lucki, and just for reference your interview transcript is COMM0059832, and we

1 covered that topic at pages 127 to 136 of the PDF counter. That was right after the  
2 press conference that Supt. Campbell had that day?

3 **C/SUPT. CHRIS LEATHER:** Yes.

4 **MS. RACHEL YOUNG:** I gather that you've read -- Chief  
5 Superintendent now -- Campbell's notes of the meeting and that you agree with his  
6 recollection?

7 **C/SUPT. CHRIS LEATHER:** Yes, on both counts.

8 **MS. RACHEL YOUNG:** And so I'm not going to take you through  
9 your account of the meeting again, but I will ask you for some additional context and  
10 take you through some emails that we did not have at the time of your Commission  
11 interview.

12 In his interview with the Mass Casualty Commission on July 12<sup>th</sup>,  
13 2022, C/Supt. Campbell told us that he thought you had forwarded either the NWEST  
14 report and/or an email from Sgt. Patton to Commissioner Lucki with the firearms details.  
15 Was he right about that?

16 **C/SUPT. CHRIS LEATHER:** No, that's incorrect.

17 **MS. RACHEL YOUNG:** Okay. Can you tell us whether and how  
18 you forwarded firearms information to do with the Mass Casualty to or towards  
19 Commissioner Lucki?

20 **C/SUPT. CHRIS LEATHER:** I did forward the firearms inventory  
21 provided to me by Sgt. Patton at my request to Sgt. Patton, to Asst. Commissioner  
22 Bergerman by email. So it was a forwarded email within minutes of receiving it -- hours,  
23 minutes of receiving it from Sgt. Patton.

24 **MS. RACHEL YOUNG:** And why -- who asked you to do that?

25 **C/SUPT. CHRIS LEATHER:** To forward the email?

26 **MS. RACHEL YOUNG:** Yes.

27 **C/SUPT. CHRIS LEATHER:** Well, both the Commissioner, in  
28 terms of the original request, but in terms of the specific email, the CO, or Ms.

1 Bergerman, asked for the inventory so she could pass it along.

2 **MS. RACHEL YOUNG:** For what purpose?

3 **C/SUPT. CHRIS LEATHER:** To pass it along because the  
4 Commissioner had requested of me to obtain the gun inventory, and this is what I was  
5 able to achieve with Sgt. Patton's assistance. After all he had done that on behalf of  
6 SIRT and H-Strong, and then to pass it along to Assistant Commissioner Bergerman  
7 only made sense, following the chain of command back up to the Commissioner.

8 **MS. RACHEL YOUNG:** Because that would be the normal means  
9 of communication via your commanding officer to the Commissioner, as opposed to you  
10 communicating directly with the Commissioner, is that right?

11 **C/SUPT. CHRIS LEATHER:** Well, even from the Commanding  
12 Officer to the Deputy Commissioner of C&IP, or perhaps to both, I don't know exactly  
13 who CO Bergerman communicated with, but at least with Mr. Brennan and then  
14 perhaps with the Commissioner, or, by extension, from Mr. Brennan to the  
15 Commissioner, that would be the normal way of communicating something like that in  
16 either direction.

17 **MS. RACHEL YOUNG:** Since your Commission witness interview,  
18 you testified before a Parliamentary committee on Monday, July 25<sup>th</sup>, 2022, regarding  
19 the allegation that there was political pressure to release details about the firearms  
20 publicly. In that hearing, the video's publicly available, and at about 1:56 p.m., you said  
21 you received a call from Commissioner Lucki on April 22<sup>nd</sup>, 2020, requesting the gun  
22 inventory. Is that right?

23 **C/SUPT. CHRIS LEATHER:** That's correct. I was at my desk, and  
24 I got a call on my cell phone from Commissioner Lucki.

25 **MS. RACHEL YOUNG:** And you said in the Parliamentary hearing  
26 that given the gravity of the situation, you did not think the request was strange, and that  
27 you had a conversation with then-Assistant Commissioner, now retired, Lee Bergerman,  
28 and then Director of SIRT, S-I-R-T, Pat Curran, C-u-r-r-a-n, is that right?

1                   **C/SUPT. CHRIS LEATHER:** That's correct. I had -- there was a  
2 teleconference with Mr. Curran, CO Bergerman and I about the gun inventory.

3                   **MS. RACHEL YOUNG:** That was before you sent it anywhere, you  
4 spoke to them, is that right?

5                   **C/SUPT. CHRIS LEATHER:** Yes, that's correct.

6                   **MS. RACHEL YOUNG:** And that was a telephone conference call?

7                   **C/SUPT. CHRIS LEATHER:** And, really, when I say conference  
8 call, CO Bergerman and I were in the same room, but Mr. Curran was at his office, so  
9 that's how we spoke.

10                  **MS. RACHEL YOUNG:** Was there anyone else on the call?

11                  **C/SUPT. CHRIS LEATHER:** Not at our end certainly, and I don't  
12 believe Mr. Curran had anyone else on the line.

13                  **MS. RACHEL YOUNG:** You said in the Parliamentary committee  
14 hearing that what was agreed in that conversation was that you would be allowed to  
15 provide the firearms inventory to the Commissioner so long as it was used within the  
16 RCMP and that was it. Is that right?

17                  **C/SUPT. CHRIS LEATHER:** That's what Mr. Curran had asked of  
18 us, that it was fine to provide the inventory internally; and, secondly, to obtain the  
19 inventory not from SIRT directly from Sgt. Patton from NWEST, who had done the gun  
20 inventory in the first instance for SIRT.

21                  **MS. RACHEL YOUNG:** What is NWEST?

22                  **C/SUPT. CHRIS LEATHER:** National Weapons Enforcement  
23 Team.

24                  **MS. RACHEL YOUNG:** And then I understood you to say in the  
25 Parliamentary committee hearing that there was no further conversation until April 28<sup>th</sup>,  
26 2020 about the gun inventory, is that right?

27                  **C/SUPT. CHRIS LEATHER:** Correct.

28                  **MS. RACHEL YOUNG:** Okay. In your Commission interview, you

1 didn't mention this contact with the Commissioner and the Commanding Officer on April  
2 22<sup>nd</sup> and 23<sup>rd</sup>, did you?

3 **C/SUPT. CHRIS LEATHER:** At SECU or in my interview?

4 **MS. RACHEL YOUNG:** In your witness interview ---

5 **C/SUPT. CHRIS LEATHER:** No, not in the interview.

6 **MS. RACHEL YOUNG:** Okay. And why was that?

7 **C/SUPT. CHRIS LEATHER:** I'm not at liberty to answer that  
8 without speaking to counsel.

9 **MS. RACHEL YOUNG:** Okay. What I understood you to be saying  
10 in the July 6<sup>th</sup> witness interview was that the Commissioner's reaction to the April 28<sup>th</sup>,  
11 2020 press conference, the content or lack thereof, that was given out was a complete  
12 shock to you, and that was because you hadn't been a part of the discussions with the  
13 communication team leading up immediately to the press conference. Do you recall  
14 that?

15 **C/SUPT. CHRIS LEATHER:** Well, both the communications team  
16 and/or Superintendent Campbell, correct. Five days or so had passed. The gun  
17 inventory had been shared, and here we are on the 28th moving into a call where that  
18 would be a live issue again. And for me, it was the first time this issue had surfaced in  
19 five days.

20 **MS. RACHEL YOUNG:** And you gathered from being in the  
21 conversation April 28th that the Commissioner had been expecting information about  
22 the firearms to come out of the press conference; right?

23 **C/SUPT. CHRIS LEATHER:** Yes. Certainly as the call went on,  
24 that became clear.

25 **MS. RACHEL YOUNG:** Had you been expecting that information  
26 to come out at the press conference based on the fact that you'd passed information  
27 along?

28 **C/SUPT. CHRIS LEATHER:** No, not at all. I passed that

1 information along with the thought that it would be shared by the Commissioner with her  
2 senior executive within the force, that would be normal, with her deputies, and so for  
3 me, that's where that disclosure to the Commissioner through the Assistant  
4 Commissioner would have ended.

5 **MS. RACHEL YOUNG:** But since you had been asked for and  
6 supplied the firearms details before the press conference and that meeting, you must  
7 have known there was interest in these details about the firearms from Ottawa.

8 **C/SUPT. CHRIS LEATHER:** I knew there was interest, but I didn't  
9 think of it any more as I've explained it as being something of organizational interest  
10 internally. I knew there had been some discussions about what could we release in the  
11 media in and around the 23rd, but not in the day or two leading up to the press  
12 conference.

13 So it took me a few minutes, I would say, during the course of the  
14 conference call of the 28th to really piece it together because not to say that it was a  
15 dead issue, but that it was an issue that was being managed on the side. And I knew  
16 that -- I had a pretty good idea, at least, that Superintendent Campbell would not be  
17 disclosing any of the finer details about the firearms during his press conference. That  
18 would have been shocking to me and, of course, he didn't and, in fact, was asked about  
19 the firearms in the Q&A session afterwards and was fairly guarded in his response.

20 **MS. RACHEL YOUNG:** Prior to the meeting -- the conference call  
21 with Commissioner Lucki, the request to send the firearms, did you understand that to  
22 be only for her or did you understand the interest to be from the Minister or the Prime  
23 Minister's office?

24 **C/SUPT. CHRIS LEATHER:** I had no idea what her interest was  
25 beyond her asking for the firearms.

26 **MS. RACHEL YOUNG:** Would that be an ordinary type of request,  
27 for the Commissioner to ask for details about an investigation like that?

28 **C/SUPT. CHRIS LEATHER:** Hard for me to say because I've



1 never been involved in anything that even remotely approaches this. It would be  
2 somewhat unusual for the Commissioner to call a CrOps Officer directly, but not  
3 unheard of because I would expect that that probably did show up as an agenda item,  
4 quite frankly, on an internal discussion with the SEC, or the Senior Executive  
5 Committee.

6 Unusual, but not unheard of.

7 **MS. RACHEL YOUNG:** In your notes for April 22nd, 2020, which is  
8 the day you said you got the call from the Commissioner, which are COMM0051407 --  
9 Madam Registrar, those were only exhibited this morning, so I don't know if it's possible  
10 to bring them up.

11 **REGISTRAR DARLENE SUTHERLAND:** That's actually Exhibit  
12 2645.

13 **MS. RACHEL YOUNG:** Oh, those ones were already exhibited?  
14 Great.

15 **REGISTRAR DARLENE SUTHERLAND:** Yes.

16 **MS. RACHEL YOUNG:** Could we bring it up and look at page 10,  
17 then, please?

18 I'm looking at 9:30. Can you just read the whole entry for 9:30,  
19 please?

20 **C/SUPT. CHRIS LEATHER:** "Meet with the CEO/Boardroom,  
21 Commissioner, Deputy Commissioner - Strategies  
22 how to respond to Alert Ready. 11A [meaning 11:00  
23 a.m.] - internal message. 1P [meaning 1:00 p.m.]  
24 external review - Commissioner will call TC  
25 [teleconference]." (As read)

26 **MS. RACHEL YOUNG:** And so does that -- can you explain what  
27 that means?

28 **C/SUPT. CHRIS LEATHER:** Can I just up slightly above that,

1 please, above the 9:30?

2 **MS. RACHEL YOUNG:** Sure.

3 **C/SUPT. CHRIS LEATHER:** Thanks.

4 Well, again, the Alert Ready issue was front and centre. You can  
5 see that starts at 9 o'clock internally. That's Bayers and Scanlan on that issue.

6 I believe there was a press conference on that date.

7 History is starred, 2:00 p.m. press conference proposed, and I was  
8 gathering information from that conversation to pass along to Commissioner and Deputy  
9 Commissioner. I would have been invited to that by the Commanding Officer, Assistant  
10 Commissioner Bergerman, at her boardroom along the same lines, what is it that we're  
11 going to say about Alert Ready's non-use.

12 **MS. RACHEL YOUNG:** Madam Registrar, can you scroll down a  
13 bit, please?

14 So at 9:30 it does mention a meeting involving the Commissioner,  
15 but there's nothing about firearms there.

16 **C/SUPT. CHRIS LEATHER:** No.

17 **MS. RACHEL YOUNG:** But at the bottom of 9:30 it says, "The  
18 Commissioner will call TC."

19 Is that the Commissioner saying she's going to call you one on one  
20 later? Is that what that means?

21 **C/SUPT. CHRIS LEATHER:** No, that's she's going to call -- and I -  
22 - if I look at that, I'm not sure if it's a teleconference or a press conference, you know,  
23 based on the flow of information on that page. It was more me just noting a comment  
24 that she made. But it does not, for me, refer to a phone call she was going to be having  
25 with me.

26 And I've looked through my notes and I actually can't find a notation  
27 for when she called me.

28 **MS. RACHEL YOUNG:** And there's nothing in your notes about

1 having a phone conversation with the Commissioner where she requested the firearms -  
2 --

3 **C/SUPT. CHRIS LEATHER:** Correct.

4 **MS. RACHEL YOUNG:** --- details, is there?

5 Can we look at the next page, please?

6 If we could continue scrolling, please, Madam Registrar. So these  
7 are notes on some other matters. And if we can keep going.

8 So this is still April 22nd. There's a note at 12:15, and then the rest  
9 of the page is blank.

10 And then if we could just scroll to the next page, please. Then  
11 we're on to the next day.

12 So it appears that we only have notes for you up until 12:15. Are  
13 there any more notes for April 22nd for that day?

14 **C/SUPT. CHRIS LEATHER:** No more notes.

15 **MS. RACHEL YOUNG:** Do you know why that is, why there's only  
16 half a day?

17 **C/SUPT. CHRIS LEATHER:** I can't answer that. I don't know why  
18 I stopped writing notes.

19 **MS. RACHEL YOUNG:** And do you recall whether that meeting  
20 happened that afternoon or the phone call?

21 **C/SUPT. CHRIS LEATHER:** I'm basing that on the fact of the  
22 timeline dealing with what occurs on the 23rd, and I remember it being an evening  
23 phone call from the Commissioner just based on the time of day. And I marked it down  
24 for the -- marked it down -- mentally noted it to be the 22nd on the evening before based  
25 on my activities on the 23rd.

26 **MS. RACHEL YOUNG:** So why wouldn't you take notes of a  
27 phone call like that with the Commissioner of the RCMP?

28 **C/SUPT. CHRIS LEATHER:** I didn't note it. I just -- it's not

1 something I've noted. I don't have any explanation for it.

2 **MS. RACHEL YOUNG:** One distinction I recall being made in the  
3 hearing on Monday was the difference between the treatment between the guns that  
4 were used and the guns that were seized. Can you please explain what that means  
5 and whether there's anything different about the way information about them would be  
6 treated?

7 **C/SUPT. CHRIS LEATHER:** We're talking about from the gunman  
8 out of his vehicle, say, versus all firearms seized from any other location. That  
9 distinction would be relevant, you know, between the locations of the seizure of any  
10 firearms or ammunition.

11 **MS. RACHEL YOUNG:** And this soon after the events, perhaps,  
12 were the firearms that were used in the offence still undergoing forensic testing,  
13 whereas guns that were seized perhaps weren't? Does that ring any bells?

14 **C/SUPT. CHRIS LEATHER:** It doesn't ring any bells for me.

15 **MS. RACHEL YOUNG:** Madam Registrar, there were exhibits  
16 made this morning, some emails. There's COMM0020315.

17 Is that something we're able to show on screen? Or it may not be  
18 an exhibit yet. Is that an exhibit yet?

19 **REGISTRAR DARLENE SUTHERLAND:** So that's 3981.

20 **--- EXHIBIT No. 3981:**

21 (COMM0020315) Email from Lee Bergerman Fwd: NWEST  
22 Examination, dated April 23<sup>rd</sup>, 2020

23 **MS. RACHEL YOUNG:** Three nine eight one (3981). Could we  
24 make it bigger, please?

25 This is an email from Lee Bergerman to Brian Brennan and Brenda  
26 Lucki dated April 23<sup>rd</sup>, 2020, attaching two documents, and those are COMM0020316.  
27 Is that document an exhibit? Could we make that document an exhibit, please, Madam  
28 Registrar?

1                   **REGISTRAR DARLENE SUTHERLAND:** That's 3982, but I don't  
2 have that document, Ms. Young.

3    **--- EXHIBIT No. 3982:**

4                   (COMM0020316) 2 documents attached to an email from  
5                   Lee Bergerman to Brian Brennan and Brenda Lucki dated  
6                   April 23<sup>rd</sup>, 2020

7                   **MS. RACHEL YOUNG:** All right. That's fine. We don't need to  
8 show that now. It's actually a duplicate of COMM0020812. Do we have that  
9 document? Okay. So just putting that on the record that those are duplicates. But they  
10 are both exhibits now? Do we have an exhibit number for 20812?

11                   **REGISTRAR DARLENE SUTHERLAND:** So that would be 3983.

12    **--- EXHIBIT No. 3983:**

13                   (COMM0020812) duplicate records

14                   **MS. RACHEL YOUNG:** And so those documents show that you  
15 forwarded Document 20316 to Lee Bergerman, who then sent it along to Brenda Lucki.  
16                   And so in COMM0020316 -- do we have that document accessible,  
17 Madam Registrar?

18                   **REGISTRAR DARLENE SUTHERLAND:** And that's 3984.

19    **--- EXHIBIT No. 3984:**

20                   (COMM0020316) documents showing that document 20316  
21                   to Lee Bergerman, which was then sent along to Brenda  
22                   Lucki

23                   **MS. RACHEL YOUNG:** Three nine eight four (3984).

24                   **REGISTRAR DARLENE SUTHERLAND:** And we don't have that  
25 document.

26                   **MS. RACHEL YOUNG:** Okay. We can't pull up documents that  
27 were only recently exhibited for technology reasons, but that's the email from Sgt  
28 Peyton to yourself, containing the NWest firearms information dated April 23<sup>rd</sup>, 2020.

1                   And so assuming that's what it says, we're not able to bring it on  
2 screen, that's what you're referring to where you forwarded the list? Or is that a  
3 different list than the one you forwarded?

4                   **C/SUPT. CHRIS LEATHER:** Difficult for me to say definitively,  
5 without seeing the email that Assistant Commissioner Bergerman forwarded, but I have  
6 no reason to believe that it would be any different than what I sent her.

7                   **MS. RACHEL YOUNG:** And it's the email from Sgt Peyton to you,  
8 so is there more than one email like that?

9                   **C/SUPT. CHRIS LEATHER:** No, there's only the one email that I  
10 forwarded to the CO with gun inventory information.

11                   **MS. RACHEL YOUNG:** And then COMM20813 is an email from  
12 Brenda Lucki to Lee Bergerman and Brian Brennan acknowledging receipt of firearms  
13 information.

14                   Does that have an exhibit number, Madam Registrar?

15                   **REGISTRAR DARLENE SUTHERLAND:** That's 3985. And I do  
16 have that document, Ms. Young.

17 **--- EXHIBIT No. 3985:**

18                   (COMM0020813) Email from Brenda Lucki to Lee  
19 Bergerman and Brian Brennan acknowledging receipt of  
20 firearms information

21                   **MS. RACHEL YOUNG:** Can we have a look at that, please?  
22 So you are not copied on this, so when you forwarded the email,  
23 you sent it to Lee Bergerman? Is that right?

24                   **C/SUPT. CHRIS LEATHER:** Yes.

25                   **MS. RACHEL YOUNG:** And did that explicitly mention the caveat  
26 from Pat Curran of SiRT that it was not to be shared outside the RCMP?

27                   **C/SUPT. CHRIS LEATHER:** My email did not.

28                   **MS. RACHEL YOUNG:** And why was that?

1                   **C/SUPT. CHRIS LEATHER:** Because the CO was on the call with  
2 me, with Mr. Curran, and it wasn't part of Sgt. Peyton's email to me. It was well  
3 understood what the expectations were and I turned the information over to Ms.  
4 Bergerman.

5                   **MS. RACHEL YOUNG:** So you didn't feel you needed to say it  
6 because she was on the call, she knew the conditions that were attached to it; right?

7                   **C/SUPT. CHRIS LEATHER:** I mean, it was frankly earlier that day,  
8 if we look at the timeline. It was on the 23<sup>rd</sup> that we spoke to Mr. Curran.

9                   **MS. RACHEL YOUNG:** And since you had received the request  
10 from Commissioner Lucki, you knew you were sending it to AC Bergerman, but the  
11 purpose was to ultimately be forwarded to the Commissioner; right?

12                   **C/SUPT. CHRIS LEATHER:** Yes, because Assistant  
13 Commissioner Bergerman had come to me to ask for an update on the status of the  
14 inventory and I went and, you know, chased it down essentially and got it to her. So we  
15 were very well connected in terms of the request and some urgency, I would say, if she  
16 was coming to see me about that. So what we see here is the email chain associated  
17 to that being passed along.

18                   **MS. RACHEL YOUNG:** In your mind, when you forwarded it, was  
19 it going to go anywhere past Commissioner Lucki?

20                   **C/SUPT. CHRIS LEATHER:** No.

21                   **MS. RACHEL YOUNG:** Did anyone ever come back to you and  
22 ask if it could be sent to anyone other than Commissioner Lucki?

23                   **C/SUPT. CHRIS LEATHER:** Nobody came to me to discuss that.

24                   **MS. RACHEL YOUNG:** Did anyone come back to you to ask to  
25 vet, for example, the firearms list? If there was contemplation of sending it out pursuant to  
26 a *Freedom of Information Act* request, or anyone else in H Division, to your knowledge?

27                   **C/SUPT. CHRIS LEATHER:** In H Division, no. And in fact, I don't  
28 even recall a discussion around disclosure period.

1                   **MS. RACHEL YOUNG:** COMM0020807 is an email from Lee  
2 Bergerman to Chris Lucki -- sorry, Chris Leather, Brian Brennan, and Brenda Lucki,  
3 April 23<sup>rd</sup>, 2020. It's re: weapon inventory.

4                   **REGISTRAR DARLENE SUTHERLAND:** And that will be marked  
5 3986.

6 **--- EXHIBIT No. 3986:**

7                   (COMM0020807) Email from Lee Bergerman to Chris  
8 Leather, Brian Brennan and Brenda Lucki, April 23<sup>rd</sup>, 2020

9                   **MS. RACHEL YOUNG:** And it says:

10                                 "We have permission to release internally. Getting it sent  
11                                 now. You should have it soon. Just talk to NWEST.  
12                                 They will send it shortly." (As read)

13                   You recall that?

14                   **C/SUPT. CHRIS LEATHER:** No, I didn't, but we have the ---

15                   **MS. RACHEL YOUNG:** Okay.

16                   **C/SUPT. CHRIS LEATHER:** --- caveat being associated to the  
17 phone call.

18                   **MS. RACHEL YOUNG:** Right. So that makes sense to you?

19                   **C/SUPT. CHRIS LEATHER:** It makes total sense to me and I'm  
20 glad to see it.

21                   **MS. RACHEL YOUNG:** And so do I understand you to be saying  
22 this means there's permission to release it within the RCMP, but not outside of it? Is  
23 that right?

24                   **C/SUPT. CHRIS LEATHER:** Yes, that's my understanding.

25                   **MS. RACHEL YOUNG:** And would you consider the Minister to be  
26 outside the organization? To be outside the RCMP?

27                   **C/SUPT. CHRIS LEATHER:** Yes.

28                   **MS. RACHEL YOUNG:** And would you consider the Prime



1 Minister to be -- the Prime Minister's Office to be outside the RCMP?

2 **C/SUPT. CHRIS LEATHER:** Yes.

3 **MS. RACHEL YOUNG:** I'm going to turn now to some questions  
4 about whether there was an After-Action Report done. Well, we know there wasn't an  
5 After-Action Report done on the mass casualty events. And we did talk about that in  
6 your witness interview for the Commission on July 6<sup>th</sup>. You confirmed there hadn't been  
7 one done. Just for reference, the topic starts at page 19.

8 Madam Registrar, could we please bring up, just to refresh C/Supt.  
9 Campbell -- Leather's memory, COMM59832?

10 **REGISTRAR DARLENE SUTHERLAND:** And that's Exhibit 3892.

11 **MS. RACHEL YOUNG:** Thank you. Top of page 20. Starting at  
12 the third paragraph. Page 20 of the document.

13 Yeah, so there I'm asking you:

14 "Was there an After-Action Report by H Division as a  
15 whole about the mass casualty events?" (As read)

16 I think we'd been talking about that the ERT team may have done  
17 an After-Action Report.

18 And so I was asking:

19 "Was there something done about what went well? What  
20 didn't go well? What we could do better?" (As read)

21 That kind of thing. And you said:

22 "Not that I'm aware of. I've not seen an After-Action  
23 Report for the Division." (As read)

24 And so I said:

25 "Who would be the person to initiate that, if there were to  
26 be one?" (As read)

27 You said:

28 "It could fall to, I would say, several -- you know, there

1 could be several people that could champion that or table  
2 that at, say, a senior command meeting. A commanding  
3 officer, obviously, I would say the CrOps Officer. I would  
4 also the say the admin and personnel officer could table  
5 something like that. You know, it wouldn't necessarily  
6 just come from one source." (As read)

7 So pausing there, so you're saying you could have ordered an  
8 After-Action Report because you were the CrOps Officer; right?

9 **C/SUPT. CHRIS LEATHER:** Or certainly tabled it for discussion.

10 **MS. RACHEL YOUNG:** And commanding officer was Lee  
11 Bergerman, so she could have done it?

12 **C/SUPT. CHRIS LEATHER:** Yes.

13 **MS. RACHEL YOUNG:** And who was the admin and personnel  
14 officer?

15 **C/SUPT. CHRIS LEATHER:** Supt Doyle.

16 **MS. RACHEL YOUNG:** What's Supt Doyle's first name?

17 **C/SUPT. CHRIS LEATHER:** Robert.

18 **MS. RACHEL YOUNG:** So carrying on with the transcript, on the  
19 same page, I said:

20 "And there were some. We know that there was one for  
21 the ERT team, for example. So you're not aware of one  
22 being filed right now I guess?" (As read)

23 You said:

24 "Well, no. And I would say that's mostly because there's  
25 a reliance on the report from the MCC, ESTC's report,  
26 and of course recommendations that come. And I'm sure  
27 we'll talk about it later in some of my responses. There is  
28 a certain deferral or conscious decision that's been taken

1 across a number of different areas to wait for the MCC's  
2 work product. And I'll just speech for myself, as it relates  
3 to an After-Action Report. For me, it would naturally flow  
4 from the recommendations, as it did with the MacNeil  
5 Report in New Brunswick, in terms of us rolling up our  
6 sleeves and addressing the recommendations that are  
7 made by the Commission. I can't speak for the CO and  
8 APO, but that was the position that I was taking, with the  
9 exception of what I just shared with you around the  
10 operational piece." (As read)

11 You recall that?

12 **C/SUPT. CHRIS LEATHER:** Yes.

13 **MS. RACHEL YOUNG:** And when you say the MCC there, you're  
14 referring to this Commission; right?

15 **C/SUPT. CHRIS LEATHER:** Yes, I am.

16 **MS. RACHEL YOUNG:** Okay. And so you did not table such an  
17 After-Action Report yourself; did you?

18 **C/SUPT. CHRIS LEATHER:** No, I didn't.

19 **MS. RACHEL YOUNG:** Supt Campbell testified here on Monday  
20 and Tuesday that he did, that he sought and was denied authorisation for an  
21 independent review, or for an after action report from Ottawa, and that you were aware  
22 of that. Do you know what I'm referring to?

23 **C/SUPT. CHRIS LEATHER:** Yes.

24 **MS. RACHEL YOUNG:** And so he had been referring to a  
25 mandate letter or a memo that it didn't appear that we had, and so I did pursue that with  
26 counsel for the Attorney General of Canada overnight. We did receive some  
27 documents, which I'm going to put to you. I have to give them to you on paper because  
28 we didn't receive them on time to process them electronically.

1 So I'm going to hand you four documents on paper. And of course,  
2 the Participants and the Commissioners have received copies of this this morning.

3 **C/SUPT. CHRIS LEATHER:** Thank you.

4 **MS. RACHEL YOUNG:** Madam Registrar, I'm going to ask that the  
5 following four documents be made exhibits. The first one is an email from Darren  
6 Campbell to John Robin and Jamie, it's S-O-L-E-S-M-E.

7 Chief Superintendent Leather, can you help me out with how to  
8 pronounce that?

9 **C/SUPT. CHRIS LEATHER:** Solem (ph).

10 **MS. RACHEL YOUNG:** Solem (ph)? Thank you.

11 Dated March 29th, 2021, and the subject line is Draft  
12 Request/Mandate H-Strong Critical Incident Response Review.

13 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3987.

14 **--- EXHIBIT NO. 3987:**

15 (COMM0060016) Email from Darren Campbell to John  
16 Robin and Jamie Solesme, dated March 29th, 2021. Subject  
17 line: Draft Request/Mandate H-Strong Critical Incident  
18 Response Review

19 **MS. RACHEL YOUNG:** The next document is an email from Jamie  
20 Solesme, forwarding the email I just referred to, to Phil Lue, Jamie McGowan, Tara  
21 Norman, David Elms, Sam Tease, Danny Brockelbank, that's B-R-O-C-K-E-L-B-A-N-K,  
22 dated Tuesday, March 30th, 2021.

23 **REGISTRAR DARLENE SUTHERLAND:** Three-nine-eight-eight  
24 (3988).

25 **--- EXHIBIT NO. 3988:**

26 (COMM0060018) Email from Chief Superintendent Jamie  
27 Solesme, forwarding the email from March 29th, 2021 to Phil  
28 Lue, Jamie McGowan, Tara Norman, David Elms, Sam

1 Tease, Danny Brockelbank, dated Tuesday, March 30th,  
2 2021

3 **MS. RACHEL YOUNG:** Three-nine-eight (398)?

4 **REGISTRAR DARLENE SUTHERLAND:** Three-nine-eight-eight  
5 (3988)?

6 **MS. RACHEL YOUNG:** Eight-eight. Thank you.

7 Next, is a document dated March 29th, 2021. At the top, it has  
8 Chief Superintendent Chris Leather to Superintendent John Robin,  
9 Superintendent Darren Campbell, and it's addressed to Chief Superintendent Jamie  
10 Solesme in Ottawa, and the subject line is Critical Incident Response Review Nova  
11 Scotia Mass Casualty Incident, April 18th and 19th, 2020, and it's stamped confidential.

12 **REGISTRAR DARLENE SUTHERLAND:** And that's 3989.

13 **--- EXHIBIT NO. 3989:**

14 (COMM0060019) Confidential document dated March 29th,  
15 2021 from Chief Superintendent Chris Leather to  
16 Superintendent John Robin, Superintendent Darren  
17 Campbell, addressed to Chief Superintendent Jamie  
18 Solesme in Ottawa. Subject line: Critical Incident Response  
19 Review Nova Scotia Mass Casualty Incident, April 18th and  
20 19th, 2020

21 **MS. RACHEL YOUNG:** The next document is an email with the  
22 subject line Re: CIC Review Scope, dated May 9th, 2021, from Darren Campbell to  
23 John Robin.

24 **REGISTRAR DARLENE SUTHERLAND:** Three-nine-nine-zero  
25 (3990).

26 **--- EXHIBIT NO. 3990:**

27 (COMM0035705) Email from Darren Campbell to John  
28 Robin, dated May 9th, 2021. Subject line: Re: CIC Review

1 Scope

2 **MS. RACHEL YOUNG:** So the first three documents we received  
3 by the Commission last night from counsel for the Attorney General of Canada at  
4 11:20 p.m., and the fourth document was received at 6:58 a.m. this morning. Have you  
5 had a chance to review these documents?

6 **C/SUPT. CHRIS LEATHER:** The only that I've seen is the memo.  
7 The other three emails, which are the forwards, I have not seen.

8 **MS. RACHEL YOUNG:** The -- the draft memo has your name on  
9 it, but it's not signed. So did you -- you had seen that at the time?

10 **C/SUPT. CHRIS LEATHER:** At the time, or about the 29th of  
11 March, yes, of 2021.

12 **MS. RACHEL YOUNG:** And so it appears this is a draft, at the  
13 moment we don't have a signed version. It -- the cover email from March of 2021  
14 indicates that this was circulated for comments. Was that circulated to you for  
15 comments as well?

16 **C/SUPT. CHRIS LEATHER:** Yes.

17 **MS. RACHEL YOUNG:** Did you have input into the draft before  
18 this draft was sent to Jamie Solesme?

19 **C/SUPT. CHRIS LEATHER:** In terms of a discussion, yes. Actual,  
20 you know, prepared edits or input, I don't recall.

21 **MS. RACHEL YOUNG:** The memo says:

22 "As you are aware, H-Division has requested an  
23 independent review with respect to the critical incident  
24 response." (As read)

25 So it makes it sound like that the request has already happened.  
26 Are you aware of a previous request before March of 2021?

27 **C/SUPT. CHRIS LEATHER:** No, I'm not.

28 **MS. RACHEL YOUNG:** And it does say "with respect to the critical

1 incident response". Was that different or narrower than an independent review of the  
2 entire H-Strong investigation or the entire mass casualty response?

3 **C/SUPT. CHRIS LEATHER:** Yes. So going back to the question  
4 you asked me in the course of my interview, that's what exactly crossed my mind while I  
5 was looking at that. When I was thinking about the question during the course of the  
6 interview, it was an after action report that would have spanned a number of areas not  
7 as specific to just the CIC component and response, or the OISP review of the H-Strong  
8 investigation.

9 **MS. RACHEL YOUNG:** But you didn't mention in your interview  
10 that there had been discussion of doing a review of the CIC response, did you?

11 **C/SUPT. CHRIS LEATHER:** Yes.

12 **MS. RACHEL YOUNG:** You did?

13 **C/SUPT. CHRIS LEATHER:** In my MCC interview?

14 **MS. RACHEL YOUNG:** Yes.

15 **C/SUPT. CHRIS LEATHER:** I -- I know it was only a few weeks  
16 ago, but...

17 **MS. RACHEL YOUNG:** It's all right. It says what it says, so we  
18 don't need to worry about it now, but I do want to ask you about it. So do you know  
19 whether this was ever finalised? Is there a signed final version that was sent to Ottawa  
20 making this request?

21 So just to -- just to carry on, though. After the March draft, the  
22 fourth document I filed, Exhibit 3990, is dated May 9th. So it looks like there's still some  
23 discussion. The email from John Robin to Darren Campbell, I appreciate you are not on  
24 this chain, but it says:

25 "Darren, I have drafted a narrower mandate of the  
26 review, which hopefully will -- will hopefully provide  
27 more clarity on scope and distinguish it further from  
28 the MCC. Let me know what you think or if we should

1 add anything." (As read)

2 So certainly, it appears it wasn't finalised before May 9th. Are you  
3 aware if it was ever finalised?

4 **C/SUPT. CHRIS LEATHER:** I don't believe it was ever finalised.

5 **MS. RACHEL YOUNG:** And who are the people that are on the  
6 email that Jamie Solesme forwarded the draft to? The forwarding was dated  
7 March 30th, 2021. Those are all people within the RCMP; correct?

8 **C/SUPT. CHRIS LEATHER:** They are, and they're all people that  
9 work for her -- well, Dave Elms, Jamie McGowan for sure, the other names I'm not a  
10 hundred percent certain of, I don't recognise them, but I believe they're part of her staff  
11 at Headquarters. They're not H-Division members.

12 **MS. RACHEL YOUNG:** By "her", you mean Jamie Solesme?

13 **C/SUPT. CHRIS LEATHER:** Jamie Solesme, from Jamie  
14 Solesme, yes.

15 **MS. RACHEL YOUNG:** And so she's it circulating within her office  
16 is what it looks like to you?

17 **C/SUPT. CHRIS LEATHER:** That's what it looks like to me.

18 **MS. RACHEL YOUNG:** And -- so was it that it was floated,  
19 essentially, with some people in Ottawa, but was there a decision that it should not be  
20 finalised and pursued further?

21 **C/SUPT. CHRIS LEATHER:** I think two things were going on. I  
22 think -- that's why it's marked draft because that was being floated to the level of  
23 Ms. Solesme, internal to C&IP, whilst Chief Superintendent Robin was trying to garner  
24 the support of C&IP, those above him that he reported to, who would be the ultimate  
25 decision-makers on whether or not this review would be allowable.

26 **MS. RACHEL YOUNG:** So when you say Chief  
27 Superintendent John Robin was trying to garner support, he was supportive of this  
28 idea?



1                   **C/SUPT. CHRIS LEATHER:** Yes.

2                   **MS. RACHEL YOUNG:** And were you supportive of this idea?

3                   **C/SUPT. CHRIS LEATHER:** Yes.

4                   **MS. RACHEL YOUNG:** And in your view, again, I -- you weren't on  
5 the main email, but when he is sending it back to Darren Campbell saying, you know,  
6 "Here's some ideas to narrow the scope", is it your impression or do you have any  
7 recollection where you know that perhaps John Robin thought if the scope was  
8 narrowed it might be more likely to be accepted or approved? Because he's saying,  
9 "perhaps, then, we can distinguish it from the Mass Casualty Commission".

10                   **C/SUPT. CHRIS LEATHER:** It's -- it's my belief or it would be  
11 supposition because I wasn't part of that conversation that John was trying to narrow  
12 the scope so it could be supported, salvaged in another version that would be  
13 acceptable to the decision-makers at Headquarters, and so he wanted to engage  
14 Darren on the finetuning of the draft of March 29th.

15                   **MS. RACHEL YOUNG:** Who decided that the draft should not  
16 proceed to be finalized?

17                   **C/SUPT. CHRIS LEATHER:** Well, Darren was working with John  
18 Robin, and Mr. Robin representing C&IP in the Division, that would be the normal  
19 course that this would take.

20                   I say that because this is not a normal situation in terms of reporting  
21 and having another Chief Superintendent in the Division, as we now do with Mike  
22 O'Malley, who replaced John. But they're here and represent C&IP inside the Division.  
23 That's an atypical deployment of a C&IP resource at that level, but it makes sense that  
24 Darren would be taking up this discussion which needed or required C&IP support with  
25 the very person that's been assigned here to deal with issues related to the mass  
26 casualty event, and so John was best positioned to continue to work on the next  
27 iteration, edits, defining the scope to hopefully get it to a point where it would be  
28 accepted and adopted for review.

1                   But my understanding is it wasn't and I did -- never did see sort of  
2 the end state or a wrap-up email on where this all ended, but I don't recall anything over  
3 and above this.

4                   **MS. RACHEL YOUNG:** Your name is on the draft memo, so you  
5 don't recall ever signing a final version. Is that right?

6                   **C/SUPT. CHRIS LEATHER:** No, I do not.

7                   **MS. RACHEL YOUNG:** And so even if there was a sense that it  
8 was going to get approval in Ottawa, why couldn't "H" Division still finalize the request?

9                   **C/SUPT. CHRIS LEATHER:** Well, because the request was not  
10 going to be supported by the very people we were asking to do the review, that's Ms.  
11 Solesme and her team, if it wasn't supported by Chief Superintendent Solesme's  
12 superiors, who were the same superiors for Chief Superintendent Robin.

13                   They all report up into the same Assistant Commissioner, and if it's  
14 not supported by either the Assistant Commissioner or Jamie and her staff, it wouldn't  
15 matter what you were putting down on paper. So this was a process of trying to get the  
16 document to a place where it would be accepted. And what you're seeing here is the  
17 paper trail associated to that and an indication, as you noted, on May 9th John was still  
18 trying to work with Darren to get it to a point where they would narrow it and it would be  
19 accepted by C&IP.

20                   **MS. RACHEL YOUNG:** And so essentially the request wasn't  
21 finalized because the three of you knew it would be futile. It wouldn't go anywhere. It  
22 wouldn't be approved. Is that right?

23                   **C/SUPT. CHRIS LEATHER:** I wasn't part of the end discussions,  
24 so whether there was an end discussion where -- even when and if this was downsized  
25 or rescoped, whether another version went forward with just Darren and John working  
26 on it, I doubt it, but it is possible. I'm not aware of that.

27                   I believe it died on the vine.

28                   **MS. RACHEL YOUNG:** I didn't understand Chief Superintendent

1 Campbell saying it was a draft. He said he'd sent a request to Ottawa. But is that a  
2 distinction within a difference, in your mind, or can you explain that?

3 **C/SUPT. CHRIS LEATHER:** I think that distinction does need to  
4 be made because if -- if, in fact, the revisions were completed in terms of scoping  
5 related to May 9th and it was redrafted and submitted, that would be very relevant. I'm  
6 not aware of that. I'm only aware of this draft version, and whether there was any  
7 subsequent versions, I don't have any knowledge of that.

8 **MS. RACHEL YOUNG:** Is it possible that he took your name off it,  
9 signed it and sent it, finalized it and you just weren't on that, or would you definitely  
10 have been in the loop if that happened?

11 **C/SUPT. CHRIS LEATHER:** Anything's possible, but it's very  
12 unlikely.

13 **MS. RACHEL YOUNG:** Did you have any discussions with him at  
14 the time concluding that there was no point in finalizing and sending the request?

15 **C/SUPT. CHRIS LEATHER:** No, I -- if anything, I would have  
16 encouraged both John and Darren to continue to pursue this because I thought it was  
17 important as described, so the opposite. I would have encouraged it.

18 **MS. RACHEL YOUNG:** And was Lee Bergerman a part of these  
19 discussions at all? Was she aware of it?

20 **C/SUPT. CHRIS LEATHER:** Not from me, but again, John had a  
21 dual -- John Robin had a dual reporting responsibility both to the Commanding Officer  
22 and to C&IP so, again, it's quite possible and, in fact, likely given what's being  
23 proposed, that there was a discussion with the Commanding Officer, but I wasn't part of  
24 that.

25 **MS. RACHEL YOUNG:** You don't know if she was aware.

26 **C/SUPT. CHRIS LEATHER:** No, I don't.

27 **MS. RACHEL YOUNG:** And do you know if Commissioner Lucki  
28 was aware that this idea was being floated?

1                   **C/SUPT. CHRIS LEATHER:** I do not know.

2                   **MS. RACHEL YOUNG:** Why does "H" Division have to seek  
3 permission from Ottawa to do this type of review or an after action report?

4                   **C/SUPT. CHRIS LEATHER:** Well, a couple reasons.

5                   First of all, we're asking for each -- sorry, we're asking for National  
6 Headquarters through Ms. Solesme's shop to coordinate the selection of external CICs,  
7 Critical Incident Commanders, with tenure and ability to come in and conduct the audit.  
8 That's not something that we would coordinate or organize ourselves.

9                   It would be inappropriate for us to do that because the policy centre  
10 would want to know and be the facilitators of identifying the appropriate SMEs from  
11 outside the Division to come and perform that analysis, so there's ---

12                   **MS. RACHEL YOUNG:** What's SME?

13                   **C/SUPT. CHRIS LEATHER:** Subject matter expert ---

14                   **MS. RACHEL YOUNG:** Okay.

15                   **C/SUPT. CHRIS LEATHER:** --- for critical incident response.

16                   So there's that practical policy aspect, but the obvious is we would  
17 want the support from C&IP proper and the Deputy Commissioner to undertake this  
18 given by 2021, March, we were certainly well aware that an inquiry had been called and  
19 to ensure that our National Headquarters didn't take issue with us wanting to conduct  
20 this review.

21                   **MS. RACHEL YOUNG:** I had understood you to be saying in your  
22 interview that, at least with respect to a whole big picture after action report, that that  
23 should wait till after the inquiry, but these emails about the critical incident response  
24 review were circulating after the inquiry had started, so was there a change of views  
25 about whether these things should happen in parallel or just if it was going to happen, it  
26 had to be something narrower in scope?

27                   **C/SUPT. CHRIS LEATHER:** I can only -- so what I recall as I'm  
28 looking at John's -- John Robin's email, it's obvious that there was a scoping problem.

1 Any concern that C&IP had, if they had one, about conducting, as  
2 you say, a parallel or review while the inquiry had been called is not a conversation I  
3 participated in in terms of receiving any feedback in that regard, but it's quite -- it's not  
4 possible -- it's almost certain that Mr. Robin did received feedback in that regard, but I  
5 don't know what that was.

6 **MS. RACHEL YOUNG:** Do you know whether Deputy  
7 Commissioner Brennan or Assistant Commissioner Dennis Daley were part of these  
8 conversations?

9 **C/SUPT. CHRIS LEATHER:** Not the conversations I was in, but I  
10 do know that Chief Superintendent Robin was having discussions with Dennis Daley  
11 about this proposal, draft.

12 **MS. RACHEL YOUNG:** At one point, I thought Assistant  
13 Commissioner Dennis Daley was going to come in to be the Assistant Commissioner at  
14 "H" Division after Lee Bergerman, but then he never actually landed here. Do you know  
15 what happened with that?

16 **C/SUPT. CHRIS LEATHER:** Well, as it turns out, it was  
17 announced last week that he is coming.

18 **MS. RACHEL YOUNG:** Oh, he is. So ---

19 **C/SUPT. CHRIS LEATHER:** So ---

20 **MS. RACHEL YOUNG:** And there was John Ferguson in the  
21 interim. Was that an ---

22 **C/SUPT. CHRIS LEATHER:** He's still here.

23 **MS. RACHEL YOUNG:** Okay. So he's Acting, currently?

24 **C/SUPT. CHRIS LEATHER:** Currently.

25 **MS. RACHEL YOUNG:** Okay. And do you know of any policies  
26 that pertain to these -- the issues about a review, of part of a response versus a whole  
27 response? Was any of that factoring in to people's thinking process with circulating this  
28 draft proposal for a review?

1                   **C/SUPT. CHRIS LEATHER:** I hadn't contemplated it.

2                   **MS. RACHEL YOUNG:** Shouldn't "H" Division be able to conduct  
3 its own after action report if it thinks one is required?

4                   **C/SUPT. CHRIS LEATHER:** I think it would be difficult without the  
5 full support from National Headquarters to undertake a review of that scope without their  
6 support and understanding of what it was that we were contemplating and with their full  
7 support because, first of all, there's a reporting responsibility, so we're duty bound to  
8 have those discussions. And it's fair to say for those in C&IP have a broader  
9 perspective and would be having and part of conversations that we would not  
10 necessarily be part of, so we wouldn't have the full picture. But what I can say is, I  
11 wasn't aware of what that full picture was to reiterate because I wasn't part of the  
12 discussions Mr. Robin was having with Dennis Daley, where I would expect that the  
13 feedback that was being provided from C&IP was being received there.

14                   **MS. RACHEL YOUNG:** We looked at the press conference you  
15 had on June 4<sup>th</sup>, 2020, and you were talking about discussions around a review, and I  
16 understood you to be saying here earlier, before lunch that it's better to have a review  
17 soon after and not a ---

18                   **C/SUPT. CHRIS LEATHER:** Yes.

19                   **MS. RACHEL YOUNG:** --- year later. And these emails are almost  
20 a year later. And so had there been discussions that entire year, or did it get parked?  
21 Can you explain what happened there?

22                   **C/SUPT. CHRIS LEATHER:** I think that's a fair assessment.  
23 There were early preliminary discussions. They were parked and then reinvigorated  
24 when Mr. Robin landed in the division, because he also, like, Chief Superintendent  
25 Campbell, is a strong advocate of reviews, given their professional backgrounds, and he  
26 had a strong advocate in Chief Super Robin to, excuse me, propose that.

27                   **MS. RACHEL YOUNG:** And I certainly understand the advantages  
28 of an independent review, people outside H-Division being involved. But if there wasn't

1 support for that, would it still not have some value for H-Division to have a look at  
2 lessons learned, what went well and what didn't regardless of whether support could be  
3 garnered for an external review?

4 **C/SUPT. CHRIS LEATHER:** Well, I think any assessment like that  
5 would not only be subject to criticism by our superiors at headquarters, but the validity  
6 of the report would be not at the same level in terms of objectivity if it's being done by  
7 local CICs. Not to say that it wouldn't bring any value, but we would almost be setting  
8 ourselves up for criticism because of the nature of how we outlined the authors of the  
9 report and identify them. And one of the first criticisms anyone would have was why did  
10 you not go outside for an objective look at this. So to go through all that didn't make a  
11 lot of sense without the proper resources or subject matter experts being identified and  
12 in place to conduct the review.

13 **MS. RACHEL YOUNG:** Moving on to a different topic, yesterday  
14 Chief Superintendent Campbell said that you were part of meetings before Lisa Banfield  
15 and her co-accused were charged December 4<sup>th</sup>, 2020, that you had meetings in  
16 November to discuss it, not with the Crown, but just talking about more the public  
17 interest aspect of whether those charges should be laid, considering the implications of  
18 it. Do you recall those meetings in November of 2020? That was you, Chief  
19 Superintendent Campbell and Inspector Murray Marcichiw?

20 **C/SUPT. CHRIS LEATHER:** I do.

21 **MS. RACHEL YOUNG:** And I believe if we could just see Chief  
22 Superintendent Leather's notes, COMM59352 at page 13, please? These are notes for  
23 November 16<sup>th</sup>, 2020.

24 **REGISTRAR DARLENE SUTHERLAND:** Did you say page 16,  
25 Ms. Young?

26 **MS. RACHEL YOUNG:** Page 13, please. November 16<sup>th</sup> is the  
27 date.

28 We see the date stamp on top. We don't see a time, but it says

1 MCU CT's at court.

2 **C/SUPT. CHRIS LEATHER:** Command Triangle.

3 **MS. RACHEL YOUNG:** Met with Crown. So I'm not going to ask  
4 you anything about advice that you received from the Crown or that you sought, but it  
5 does say verbal charge approval Canada. That's not vetted. Announced charges  
6 Canadian side. So when it says charge approval, whose approval is that talking about?

7 **C/SUPT. CHRIS LEATHER:** It's difficult for me to answer that  
8 without seeing the redacted portions of the notes. I don't want to make a comment  
9 about something that's not the same case.

10 **MS. RACHEL YOUNG:** Where it says Canadian side, assuming  
11 that this is left in there because it is about this case, that that would be as distinct from,  
12 for example, the FBI investigation or the ATF investigations that were going on in the  
13 United States?

14 **C/SUPT. CHRIS LEATHER:** I would agree with that.

15 **MS. RACHEL YOUNG:** And so you recall these discussions. By  
16 this point, November of 2020, the public inquiry had been constituted. The Orders in  
17 Council were dated October 21<sup>st</sup>, 2020, so you recall that the inquiry had started at that  
18 point?

19 **C/SUPT. CHRIS LEATHER:** Yes.

20 **MS. RACHEL YOUNG:** And so when you had these discussions in  
21 November of 2020, did you discuss that it might impact Lisa Banfield's ability to fully  
22 cooperate with the inquiry if she faced criminal jeopardy?

23 **C/SUPT. CHRIS LEATHER:** The meeting was a briefing for me to  
24 hear around the update of the criminal investigation. And we didn't go, from my  
25 recollection, into great depth to talk about the impact of the charges, should they be  
26 brought against Ms. Banfield, as it relates to the Commission. It was discussed. But  
27 what was also discussed was we have a responsibility to investigate and to bring the  
28 evidence forward, whatever it may be. Therein lies the reason for the consultation by



1 the CT with the Provincial Prosecution Service.

2 **MS. RACHEL YOUNG:** Plus the CT would mean Command  
3 Triangle there ---

4 **C/SUPT. CHRIS LEATHER:** Command Triangle.

5 **MS. RACHEL YOUNG:** Okay. But did you weigh the significance  
6 of a public inquiry versus charges of supplying ammunition, which I would suggest is a  
7 relatively minor charge in the context here?

8 **C/SUPT. CHRIS LEATHER:** Well, I'm not sure that it's the police's  
9 job to weigh that. It's a discussion with the Crown to ensure that they have the full facts  
10 and fruits of the investigation. And the desire to prosecute or not lies elsewhere, of  
11 course. So we -- our primary objective is to meet that investigative requirement. The  
12 flip side of that, can you imagine if we hadn't brought the case forward, or hadn't  
13 completed the investigation because of the inquiry being called, without any formal  
14 direction from the government or from the Crown, somewhere in authority to direct us to  
15 do otherwise. We received no such direction. We would carry on with our duty and  
16 mandate and present the evidence to the Crown.

17 **MS. RACHEL YOUNG:** In the province of Nova Scotia, charging  
18 decisions are in the hands of the police; right?

19 **C/SUPT. CHRIS LEATHER:** Yes.

20 **MS. RACHEL YOUNG:** The RCMP can lay charges without Crown  
21 approval?

22 **C/SUPT. CHRIS LEATHER:** Yes.

23 **MS. RACHEL YOUNG:** And you're aware that the Crown  
24 ultimately diverted those charges, and they were dismissed yesterday?

25 **C/SUPT. CHRIS LEATHER:** I am.

26 **MS. RACHEL YOUNG:** In having these discussions about whether  
27 the RCMP should lay charges, did you consider that the Commission's mandate had a  
28 paragraph G2 that directed the Commissioners to,

1 "Perform their duties in such a way as to ensure that  
2 the conduct of the joint public inquiry does not  
3 jeopardize any ongoing criminal investigation or  
4 proceeding, or any other investigation, and provide  
5 notice to the government institution responsible for  
6 any ongoing investigation or proceeding about any  
7 potential jeopardy identified by the Commissioners  
8 that could result from the conduct of the joint public  
9 inquiry." (As read)

10 Did that factor in that it could affect the Commission if charges were  
11 laid?

12 **C/SUPT. CHRIS LEATHER:** Again, it was discussed, but the  
13 depth of the conversation that you're talking about, hopefully, surely, took place  
14 between the representatives of the Command Triangle and the Prosecution Service, to  
15 which I was not part of and can't speak to. Those discussions would have occurred  
16 after the meeting that I had with Marcichiw and Campbell.

17 **MS. RACHEL YOUNG:** Was this before John Robin arrived in H-  
18 Division?

19 **C/SUPT. CHRIS LEATHER:** You could help me with the date  
20 again on ---

21 **MS. RACHEL YOUNG:** I don't know off the top of my head, but  
22 what I wanted to know was whether you discussed or considered that if criminal  
23 charges were laid, it could result in the RCMP delaying or holding back production of  
24 documents that were to be subpoenaed by the Mass Casualty Commission. Did that  
25 factor into the thinking?

26 **C/SUPT. CHRIS LEATHER:** Not into the discussion I had  
27 participated in.

28 **MS. RACHEL YOUNG:** Getting into a new area, structure of

1 policing, Administration Audits and Standards.

2                               Commissioners, I'm happy to continue. I don't know if you wanted  
3 to take a break? It's 2:30.

4                               **COMMISSIONER MacDONALD:** You're okay, Chief  
5 Superintendent?

6                               **C/SUPT. CHRIS LEATHER:** Yes, sir.

7                               **COMMISSIONER MacDONALD:** Let's continue on.

8                               **MS. RACHEL YOUNG:** C/Supt Leather, I understand as part of  
9 your responsibilities, you met with Nova Scotia Department of Justice on a regular basis  
10 to administer the Provincial Policing Contract, the PPSA, at an operational or  
11 administrative level? That was part of your job dealing with the province?

12                              **C/SUPT. CHRIS LEATHER:** Yes, mostly on administrative  
13 matters.

14                              **MS. RACHEL YOUNG:** And one of your contacts that you spoke  
15 to a lot was Hayley Crichton, who is the Executive Director of the Public Safety  
16 Division? Is that right?

17                              **C/SUPT. CHRIS LEATHER:** Yes.

18                              **MS. RACHEL YOUNG:** In the Department of Justice. Would you  
19 say you met with her perhaps weekly? Or even more often?

20                              **C/SUPT. CHRIS LEATHER:** I would say monthly to every couple  
21 weeks.

22                              **MS. RACHEL YOUNG:** And do you deal with her and others on  
23 the financial side of the RCMP's Provincial Policing Contract?

24                              **C/SUPT. CHRIS LEATHER:** Yes.

25                              **MS. RACHEL YOUNG:** And part of that was to ensure the  
26 RCMP's provincial policing operations were on budget?

27                              **C/SUPT. CHRIS LEATHER:** Yes.

28                              **MS. RACHEL YOUNG:** Is it your responsibility to keep the

1 province informed of RCMP vacancies that might affect the level of policing in the  
2 province?

3 **C/SUPT. CHRIS LEATHER:** I think it's fair to say there's a  
4 collective responsibility between the commanding officer, myself as a Criminal  
5 Operations Officer, and the Admin Personnel Officer. But technically, human resource  
6 issues and budgetary matters, while we're the largest pressure for the Division, is the  
7 responsibility of Admin and Personnel, Planning, and Budget and Finance to have that  
8 kind of level of engagement with the Province and their provincial colleagues. And that  
9 rolls up under the commanding officer of the Division, because it is in the administrative  
10 sphere of the Division.

11 But, again, because we're the largest consumer of the budget, of  
12 course myself and others in Criminal Operations are key stakeholders, if you will, in  
13 those conversations with Department of Justice.

14 **MS. RACHEL YOUNG:** At the leadership level then would be the  
15 commanding officer potentially having contact with the Minister of Justice on provincial  
16 policing issues?

17 **C/SUPT. CHRIS LEATHER:** Yes. More often the Deputy Minister,  
18 but also with the Ministry, yes.

19 **MS. RACHEL YOUNG:** In her Commission interview, which, just  
20 for the record, we don't need to bring it up, it's COMM0051428, around page 18 to 20, is  
21 where Hayley Crichton talks about this topic. She described vacancy and leave  
22 management as an overarching issue with the RCMP based on her discussions with  
23 colleagues across the country, not just in Nova Scotia. Do you agree with that?

24 **C/SUPT. CHRIS LEATHER:** Yes.

25 **MS. RACHEL YOUNG:** And we know that section 5 of the *Police*  
26 *Act* in Nova Scotia requires that the Province ensure adequate policing standards and  
27 that's part of the responsibility. Would you agree with that?

28 **C/SUPT. CHRIS LEATHER:** Yes.

1                   **MS. RACHEL YOUNG:** They need to ensure that. I don't have the  
2 exact wording in front of me. But you understand that the Public Safety Division was  
3 involved in ensuring that provincial policing expectations are met; right?

4                   **C/SUPT. CHRIS LEATHER:** Yes. They provide us with their  
5 expectations formally in their mandate letter to us yearly and we have biannual formal  
6 engagement with the Province, where we describe to them things such as you're  
7 describing: vacancy patterns, our budget, operational pressures. And there's a cycle of  
8 formal engagement with the Province in that sense. And more informally, as you  
9 described earlier, say between myself and Ms. Crichton. And these are the very  
10 matters that we discuss.

11                   **MS. RACHEL YOUNG:** And of course the Province of Nova Scotia  
12 doesn't set RCMP policy; right?

13                   **C/SUPT. CHRIS LEATHER:** Correct.

14                   **MS. RACHEL YOUNG:** And the RCMP ultimately reports to the  
15 Commission of the RCMP federally?

16                   **C/SUPT. CHRIS LEATHER:** Yes.

17                   **MS. RACHEL YOUNG:** So how do you reconcile the Province's  
18 responsibility to set police standards under the *Nova Scotia Police Act* with the fact that  
19 the RCMP sets its own policies and is accountable to the Commissioner?

20                   **C/SUPT. CHRIS LEATHER:** It's a balancing act. It's -- and it's  
21 challenging because we're often squeezed between the two. We are governed by our  
22 policies, of course, both divisionally and national policy. But yet our marching orders, if  
23 you will, come from the Province. They're the contracting partner. They describe what  
24 our priorities and objectives should be across all areas of policing except for federal  
25 policing. That direction comes from Ottawa directly. And therein lies some of the rub,  
26 but is also why it's so important that commanding officers and her team, and Criminal  
27 Operations, have to maintain constant contact and relations with the Province through  
28 the Public Safety Division at Department of Justice because of the competing interests

1 that we are trying to manage.

2 And when we see issues arising, or expectations coming to us from  
3 the Province that we think are going to create difficulties for us in terms of potential  
4 policy or even conflict with national policy, that's an example of where we have to -- the  
5 CO and I in particular have to engage with our counterparts to work through those  
6 challenges.

7 **MS. RACHEL YOUNG:** And just so we all understand who the  
8 players are, when you say contracting partner, you're referring to the Province of Nova  
9 Scotia when you're talking about the contract being the PPSA; right?

10 **C/SUPT. CHRIS LEATHER:** Yes.

11 **MS. RACHEL YOUNG:** And the other signatory to the contract is  
12 the federal government, the Government of Canada, as opposed to the RCMP? Is that  
13 correct?

14 **C/SUPT. CHRIS LEATHER:** That's correct. Public Safety  
15 Canada.

16 **MS. RACHEL YOUNG:** But do I understand that most of the time  
17 it's the RCMP dealing with the Province and not a different representative of the  
18 government as a whole? Is that correct?

19 **C/SUPT. CHRIS LEATHER:** Yeah, the engagement between  
20 Public Safety Canada and the RCMP is almost exclusively in Ottawa. And where the  
21 interests of this province's Department of Justice and Public Safety Canada come  
22 together is at CMC, Contracting Management Committee, I could be wrong in terms of -  
23 - but that's where all the Department of Justices meet with Public Safety Canada to  
24 discuss, at the most strategic level, trends, issues, challenges for the RCMP with the  
25 contracting partners. Again, which is all the provincial governments, except for Quebec  
26 and Ontario, where we're the provincial police.

27 So very little contact though outside of those semi-annual meetings  
28 that they have. And our representatives are not the divisional COs, but in fact the

1 Deputy Commissioner and the Commissioner is where that connection takes place.

2 **MS. RACHEL YOUNG:** Is the RCMP involved in the process of  
3 updating provincial policing standards with the Nova Scotia Department of Justice?

4 **C/SUPT. CHRIS LEATHER:** Yes, we're contributing to that  
5 initiative.

6 **MS. RACHEL YOUNG:** And those standards would also apply to  
7 municipal police forces; right?

8 **C/SUPT. CHRIS LEATHER:** Yes.

9 **MS. RACHEL YOUNG:** And how does that work out? How does  
10 that get reconciled? Everyone's different involvement there?

11 **C/SUPT. CHRIS LEATHER:** Well, to the Department of Justice's  
12 credit, they created a working group which was comprised of members from, I don't  
13 want to say all the municipal services, but most are represented at the table, at the  
14 Deputy Chief or Chief level, along with senior officers from my staff. And actually  
15 C/Supt. Campbell is a member of that committee as well. And they've been meeting for  
16 over a year to identify the standards, work through the draft versions that were  
17 proposed by the government, providing feedback, and working towards the finalization  
18 and implementation of these standards in the coming months. It's been a long, and I  
19 think at times, difficult process, but it's nearing completion. And I can't give the  
20 provincial government enough credit to have finally rustled that down and to do it with  
21 full input and contribution from all those that will be affected was, of course, the only  
22 way to go about seeing that completed.

23 **MS. RACHEL YOUNG:** And so this is -- the last two years has  
24 been a big overhaul of provincial policing standards in Nova Scotia, which have not  
25 been updated in some time, and the idea is this is on the cusp of coming forward and  
26 being made official. Is it in the form of regulations, to your knowledge, that the plan is?

27 **C/SUPT. CHRIS LEATHER:** Well, once the standards are  
28 completed, they'll be published and adopted, and with those standards will be the

1 accountabilities and expectations that go along with them in terms of our service  
2 delivery in our, meaning not just the RCMP, but all police services across the board.

3 **MS. RACHEL YOUNG:** When we interviewed Ms. Crichton, she  
4 said she thought that would be done by June of 2022, which has come and gone. Do  
5 you have any update as to when that will be finalized?

6 **C/SUPT. CHRIS LEATHER:** In a matter of weeks, but I don't have  
7 an exact date.

8 **MS. RACHEL YOUNG:** And I understood from her that not only  
9 would there be new policing standards that would apply to all police forces in Nova  
10 Scotia, but that baked into this new regime would be a plan to regularly update them so  
11 that it wouldn't be another long time before they're updated, for example, updating them  
12 on a rolling basis every two years or so. Is that right?

13 **C/SUPT. CHRIS LEATHER:** That makes sense to me. And of  
14 course, with the changes in the law and even the recommendations coming out of this  
15 committee, it only makes sense -- sorry, Commission -- it only makes sense that there  
16 would be an opportunity for the committee that's working on it to raise their hand to say  
17 we need to revisit a particular standard if the province themselves don't recognize that  
18 themselves, which they almost certainly will, because they'll be responsible as the  
19 gatekeepers for the standards to keep an eye on the law and the changes in the law  
20 and the impacts that it may have on the standards that they've implemented.

21 **MS. RACHEL YOUNG:** And just to give people an idea of the  
22 types of standards we're talking about, this could apply to, for example, standards for  
23 type of investigation like sexual assault cases or handling of a certain kind of evidence?  
24 Can you just give a few brief examples so we know what you're talking about?

25 **C/SUPT. CHRIS LEATHER:** Those are good examples. Major  
26 crime investigations, Forensic Ident Services, police dog services or K9, depending on  
27 where you're coming from. And it will lay out how to access those resources, but also  
28 the standards that are required for a police service to have a valid police dog service.



1                   It'll have to be that it meets standards that are established and  
2 agreed to by the province and is shared with us.

3                   And this is really the only way to ensure consistency and quality of  
4 service is if we have one standard for all police services regardless of where you live or  
5 where you happen to reside in the province. You know that if police dog services or  
6 Forensic Ident have been required for you or your business, you know and we know  
7 and the government knows the level of service that member of the public is entitled to.

8                   Right now, there's a real disparity in terms of service delivery,  
9 depending on where you live and how populated the area are that you happen to reside  
10 in, and this will hopefully level the playing field and really up the standards in terms of  
11 our service delivery to the public.

12                   **MS. RACHEL YOUNG:** And the RCMP's been involved in this  
13 process every step of the way over the last couple of years; right?

14                   **C/SUPT. CHRIS LEATHER:** Yes.

15                   **MS. RACHEL YOUNG:** And so as far as you anticipate and as far  
16 as you know, the RCMP will be supporting these standards? It'll be a good thing, in  
17 your view?

18                   **C/SUPT. CHRIS LEATHER:** An excellent thing, and any concerns  
19 or feedback that we've had along the way we've been able to provide, and it's been as  
20 the other Chiefs and Deputies have included in the discussion and considered by the  
21 province when finalizing their standards.

22                   **MS. RACHEL YOUNG:** So when you were going through this  
23 process and deciding if the draft standard was good enough, did you compare it with the  
24 comparable RCMP standards or policies or the national policies so that you could  
25 ensure some level of comparability there?

26                   **C/SUPT. CHRIS LEATHER:** Yes. National standards and even  
27 standards from larger policing organizations in places like BC and Ontario in particular,  
28 who have well established, decades-old policing standards which have evolved and, in

1 many cases, are the gold standard and which we would like to emulate here.

2 **MS. RACHEL YOUNG:** I'm going to ask you briefly about funding  
3 of police positions and how that works under the PPSA, which is not an easy read to the  
4 layperson. This was a 20-year agreement that goes from 2012 to 2032, so we're  
5 exactly halfway through now; right?

6 **C/SUPT. CHRIS LEATHER:** Yes.

7 **MS. RACHEL YOUNG:** And that's standard across the country?  
8 These are 20-year agreements, typically, to your ---

9 **C/SUPT. CHRIS LEATHER:** Yes.

10 **MS. RACHEL YOUNG:** --- knowledge?

11 Okay. And so is it correct that there's an annex or a document  
12 associated with the PPSA that lists a number of positions that the Provincial Police  
13 Service should have?

14 **C/SUPT. CHRIS LEATHER:** Yes. It's referred to as a -- for us, an  
15 Annex A, as an attachment to the PPSA, which is established by the provincial  
16 government in consultation with Public Safety Canada in terms of what our  
17 establishment, our numbers, can be based on the population of the province, the  
18 geography, et cetera. You know, those are just a couple factors that they consider.

19 And this is -- this is standard across the country again where we  
20 are the provincial police service that these annexes assist for planning purpose,  
21 especially.

22 **MS. RACHEL YOUNG:** We did have a report on the structure of  
23 policing in Nova Scotia early on in these proceedings, and there's an Annex A that  
24 appears to be blank, so we're going to be looking for something that has something on  
25 it. But can you tell us, to your knowledge, what is the number of positions on paper in  
26 the Annex A and how that corresponds with reality?

27 **C/SUPT. CHRIS LEATHER:** My understanding is that's protected  
28 information and it would require the release of the provincial government and/or Public

1 Safety Canada. I don't believe I'm in a position to offer that.

2 **MS. RACHEL YOUNG:** And so perhaps without getting into  
3 numbers, are you able to say whether you know whether the full complement that is  
4 theoretically allowable under the PPSA has ever been fulfilled or funded by the Province  
5 of Nova Scotia?

6 **C/SUPT. CHRIS LEATHER:** I can't speak to ever, but certainly my  
7 tenure it is not.

8 **MS. RACHEL YOUNG:** Can you give us an idea of the percentage  
9 of theoretically available positions that are actually funded by the province?

10 **C/SUPT. CHRIS LEATHER:** I think the problem with that is easy  
11 math would help to determine what the Annex A is based on our current establishment.

12 **MS. RACHEL YOUNG:** Okay. We'll come at that information  
13 another way.

14 Who would have a -- who would have the power to fund those  
15 positions?

16 **C/SUPT. CHRIS LEATHER:** The primary funder is the Province of  
17 Nova Scotia.

18 **MS. RACHEL YOUNG:** And who makes the decision to say, "Yes,  
19 here's your money"?

20 **C/SUPT. CHRIS LEATHER:** Well, ultimately it's the Cabinet of the  
21 provincial government based on submissions from us through Department of Justice  
22 and in -- as I understand it, a Treasury Board submission in the province once they've  
23 collected all of our multi-year financial planning and our budgetary information which we  
24 go through on an annual basis with the province year over year.

25 **MS. RACHEL YOUNG:** So the RCMP is bound to provide a  
26 certain level of service. If there were a case where the RCMP wasn't being given  
27 enough money to do that, is this an enforceable contract in the sense that the federal  
28 government could say, "Give us our money if you want us to do this service"?

1                   **C/SUPT. CHRIS LEATHER:** I've never heard of the federal  
2 government making such a statement, and I'm not aware, frankly, of their authorities if it  
3 ever came down to such a discussion.

4                   **MS. RACHEL YOUNG:** Since it's the RCMP, you told us, mainly  
5 dealing with the province and not a representative from Ottawa, what power, if any,  
6 does the RCMP have to go to the province -- because the RCMP isn't a signatory -- to  
7 say, "We don't feel we're being properly funded under the PPSA"?

8                   **C/SUPT. CHRIS LEATHER:** Well, these would be part of the  
9 conversations that the Commanding Officer and I would be having with our counterparts  
10 at the province, and it's inferred as well when we submit our budget proposals and our  
11 multi-year financial plan submissions when we're asking for additional resources, it's  
12 because we don't feel we are sufficiently resourced. Otherwise, we wouldn't be making  
13 the submission.

14                   So there's a formal submission in writing and there's the briefing  
15 and the dialogue, the context that goes along with that when we engage with our  
16 counterparts in government. So that happens, like I said earlier, formally twice a year in  
17 the semi-annual reporting that we do, and more informally half a dozen times or so  
18 during the course of our regular engagement with the Province.

19                   **MS. RACHEL YOUNG:** I'm going to ask you a big-picture question  
20 and then try to ground it so that we can understand in a context that's relevant to the  
21 mass casualty. The big-picture question is; can you describe how funding and  
22 government's arrangements impact the efficacy of operations from the top down?

23                   **C/SUPT. CHRIS LEATHER:** You know, a complex question with  
24 probably not a very sophisticated answer would be if we don't have sufficient funding to  
25 fill the cars, the specialized policing units, then of course it has an impact on efficacy.

26                   If we can demonstrate and show that we have significant deficits or  
27 we're depleted across the board in whether it's general duty policing, uniform policing,  
28 or specialized policing services, year over year, and we can demonstrate that part of

1 that is because there are budgetary constraints on us and it's not just attributable to our  
2 off-duty sick and absenteeism, will both contribute drastically to our effectiveness and  
3 our efficiencies.

4 **MS. RACHEL YOUNG:** So I just want to get at how the RCMP is  
5 different from a business, for example, because intuitively you'd think more money,  
6 more people, more equipment, it's got to be better but, for example, yesterday a  
7 participant raised with C/Supt. Campbell that the Commission's heard evidence that  
8 there are only four members out of six on a shift -- so this is the grounding question,  
9 down to reality -- in Colchester County the night of April 18<sup>th</sup> and 19<sup>th</sup>, 2020. And one of  
10 the officers said this is a regular occurrence, that he's never seen it more than five, even  
11 though there's supposed to be six on that shift. And C/Supt. Campbell said if that's  
12 what the officer says from his experience, he has no reason to doubt that.

13 So if the RCMP, just hypothetically, if you were maybe in a multi-  
14 year planning meeting or became aware of chronic short-staffing like this, couldn't you  
15 simply move members over to that detachment, say, "Oh, they need two more people a  
16 shift in Colchester County," or just hire more people? Can you just explain how that  
17 works?

18 **C/SUPT. CHRIS LEATHER:** Well, first of all, those are the very  
19 discussions that we do have, because year over year this is part of the story that we've  
20 been telling, but we also recognize the anomaly for us in terms of the impact that  
21 Portapique has had on our resourcing capabilities, our human resourcing capabilities.  
22 So it's a pressure but out of the norm. If you did any sort of financial projecting, say,  
23 over the last 10 years, well, of course you see this massive spike or dip, depending on  
24 how you're looking at it, for obvious reasons. So that makes the conversations,  
25 perhaps, a little more difficult.

26 But not a day goes by, including today, where detachments aren't  
27 short-staffed and looking for members to work overtime from across the Division.  
28 Again, this is well-known by our contracting partner, by the Province. And so we are

1 now getting to a point where, as recently as a couple of weeks ago, we're looking at  
2 redeploying some of our specialized policing resources to frontline policing in order to  
3 meet our frontline policing requirements.

4           These are difficult conversations because you'll recall earlier, I  
5 talked about meeting our mandate as given to us by the Province. Well, that will suffer  
6 because you cannot continue, or we can't continue on all fronts to provide the service  
7 delivery that the Province expects with our current human resource numbers, so we will  
8 have to shift resources on either things like hubbing detachments, which means  
9 bringing members all into one location, which impacts response times, or transitioning  
10 members out of specialized units into the frontline. Well, then of course there's a  
11 downstream effect to that on the specialized unit not being able to provide the service  
12 it has been traditionally to the citizens and to the other police services.

13           But these are, of course, temporary fixes, right? It gets us through  
14 these difficult times before our recruiting can catch up and, fingers crossed, some of our  
15 off-duty sick members return to work because they've become well again. But there is  
16 no well to go to and there aren't -- there aren't folks coming out of Depot to fill the  
17 positions in this division or anywhere else, which is what you alluded to earlier.

18           So there's no magic fix to this. So I'm certain for this Division it's  
19 going to mean a protracted plan of reallocation of plainclothes or specialized unit  
20 members to the frontline. I see no other way out of this.

21           **MS. RACHEL YOUNG:** In terms of reallocation between districts,  
22 the Commission interviewed two District Policing Officers who were in those positions at  
23 the time of the mass casualty event, C/Supt. Janis Gray, who's in Halifax, and there was  
24 also DPO Archie Thompson, who was the DPO for Northeast Nova at the time of the  
25 events. And they did talk about how the DPOs in Nova Scotia would talk to each other  
26 on an ongoing basis, and especially after the mass -- during and after the mass casualty  
27 say, "Can we move some people around?" But is that sort of a week-to-week type of  
28 thing, or are you able to just take one position from one district and move it to another if

1 you see that there's people needed in a different area?

2 **C/SUPT. CHRIS LEATHER:** So two different issues there.

3 Certainly on a temporary basis if one District Policing Officer requests assistance from  
4 another, it's not uncommon that they will share resources, and I encourage them to do  
5 so; they all report to me in my side of the house.

6 But what I was describing in my long-winded fashion just a few  
7 minutes ago around the more protracted issues and where I think we're headed, these  
8 are conversations, of course, we have to have with the Province before we push play,  
9 essentially, on that plan because it will have an impact on the objectives and mandate  
10 that we've been given. And we look to them, as well, for their input in terms of  
11 strategizing on ways we could either amend the objectives and the mandate and areas  
12 that they're prepared to see less service delivery. Because that's where -- what we're  
13 coming down to here. So it's a collective discussion and one that we've already started  
14 with the Province.

15 **MS. RACHEL YOUNG:** And just to remind he participants, those  
16 transcripts of those two interviews I have referred to have been made exhibits already.

17 I'm just checking with the Commissioners; it's almost 3 o'clock, I'm  
18 moving to a different area, I can continue or take a break.

19 **COMMISSIONER MacDONALD:** Sure, we'll take a 15-minute  
20 break. Thank you.

21 **MS. RACHEL YOUNG:** Thank you.

22 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

23 The proceedings are now on break and will resume in 15 minutes.

24 --- Upon breaking at 2:58 p.m.

25 --- Upon resuming at 3:18 p.m.

26 **REGISTRAR DARLENE SUTHERLAND:** Welcome back.

27 The proceedings are again in session.

28 **COMMISSIONER MacDONALD:** Thank you.

1 Ms. Young?

2 **MS. RACHEL YOUNG:** Good afternoon, Commissioners. We're  
3 ready for the witness.

4 **COMMISSIONER MacDONALD:** Thank you.

5 We'll have the witness come back.

6 **--- C/SUPT. CHRIS LEATHER, Resumed:**

7 **COMMISSIONER MacDONALD:** Thank you, Chief

8 Superintendent. Ms. Young will continue her questioning.

9 **MS. RACHEL YOUNG:** Thank you, Commissioner MacDonald.

10 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG, (Cont'd):**

11 **MS. RACHEL YOUNG:** Good afternoon again, C/Supt. Leather.

12 I just want to make sure I understood something you said before  
13 the break about resources, and if resources become constrained to a certain point that  
14 you may need to use people who are in specialized positions to cover general duty  
15 shifts; is that correct?

16 **C/SUPT. CHRIS LEATHER:** Yes, from the provincial side. So I  
17 was not referring to federal policing resources who are primarily in plainclothes. We  
18 have a number, obviously, of provincial sections which are not general duty, that's what  
19 I was referring to.

20 **MS. RACHEL YOUNG:** To make sure I understand how this might  
21 operate in real life, yesterday C/Supt. Campbell said in the aftermath of the events, one  
22 of the improvements he felt he had made was to increase the number of fulltime ERT  
23 members because, like CICs, people who are trained to be on an ERT team can have  
24 regular day jobs, for example, as general duty members, and he did succeed, although  
25 taking, you know, people from other parts of the budget and increasing that  
26 complement. Are you saying that, for example, that type of change might have to be  
27 reversed so people being taken off being full-time ERT and put back on general duty  
28 positions?



1                   **C/SUPT. CHRIS LEATHER:** The likelihood of us, I would say,  
2 interfering with a process that's taken us the better part of two years to implement and a  
3 lot of planning and proposing to the provincial government, it would be about the very  
4 last place that I would look to discuss. Also, because of the critical importance of that  
5 particular program to public safety and the division, highly unlikely.

6                   **MS. RACHEL YOUNG:** Can you give an example of where you  
7 might have to take people from?

8                   **C/SUPT. CHRIS LEATHER:** An example where we might take  
9 people from, and we did so after Portapique for a period of time, is from Traffic  
10 Services. These folks are already in uniform, for lack of a better term, and they're  
11 working shifts and, on the road, but instead of attending to their unique and trained  
12 traffic duties they would be folded into or could be folded into detachment policing and  
13 added to the watches or shifts that are already in place, with the least amount of impact.

14                   But the downstream effect of that is obvious, road safety will  
15 potentially suffer. And they're not only called on for enforcement purposes but for the  
16 expertise that they bring to fatal motor vehicle collision investigations, providing subject  
17 matter testimony in court for traffic matters. So it's never a position we want to take.  
18 But that's an example of where we did go for several months after Portapique, and my  
19 hat's off to that team, they showed extreme flexibility and cooperation and worked in  
20 that GD capacity for several months, and we may be looking for them to do the same  
21 thing here very soon.

22                   **MS. RACHEL YOUNG:** Before the break, we were talking about  
23 policing standards and the changes that are being made in Nova Scotia on that front  
24 imminently. Is there a connection between policing standards and auditing of police  
25 services?

26                   **C/SUPT. CHRIS LEATHER:** Yes. For the policing standards to be  
27 fully accountable, or for the police services to be fully accountable to the -- to the  
28 standards, there must be a proper audit regime implemented by the Province and it will

1 give the police services the opportunity to adjust, of course, to the results of the audits  
2 that are completed by the Province in terms of making the improvements so they can  
3 meet the standard. So the standards are the first step, the audit feature is the important  
4 second step to ensure accountability and that the standards are maintained across the  
5 board.

6 **MS. RACHEL YOUNG:** And just to make sure we know what we're  
7 talking about, an audit would be checking into how a certain police detachment did  
8 something, making sure it's up to snuff, up to standards, and that kind of thing?

9 **C/SUPT. CHRIS LEATHER:** Right, but it would be a formal  
10 process where I would expect the Province would, if they're following the models in  
11 other areas of the country, announce to the police service or to the division "We would  
12 like to audit the following either detachment or program against the following standards  
13 that we've established. We'll be coming through in three or four months time." I don't  
14 expect any of these to be surprise or spot audits, and -- and then they'll conduct their  
15 audit and we'll receive the recommendations or report based on that, and there will be  
16 after action reporting. And this is a cycle that you would expect to see continue across  
17 the province and to be ongoing, you know, not just for a period of time and then -- and  
18 then shelved, but this audit feature has to be ongoing and sustained right across the  
19 province for us and for our municipal partners.

20 **MS. RACHEL YOUNG:** When you say cycle, so the rest of that  
21 circle of the checking is getting those results, feeding it back in, perhaps, to training and  
22 improving so that whatever gaps or errors are identified are fixed; right? And some  
23 examples might be the handling of exhibits or how to handle sexual assault cases,  
24 things like that?

25 **C/SUPT. CHRIS LEATHER:** If it's confidential informers, again,  
26 more at the program level, although Police Dog Service Program audit, making sure  
27 that the certifications, the training, the hours are in place and that there's a record of  
28 that. Because again, it's all about service delivery and accountability to the public, and

1 this is how we would ensure that. Standards are the first step, the audit feature is the  
2 necessary check to the implementation of the standards.

3                   You know, we may try to implement a standard and be doing the  
4 very best we think to find out that we're of course off track in a certain area. We may  
5 pick up that on an internally directed review of some sort that we initiate, but we may  
6 not, and so we welcome these external subject matter experts coming in to review our  
7 programs and our standards once they're implemented.

8                   **MS. RACHEL YOUNG:** There's no point on having perfect  
9 standards on paper if nobody's following them; right?

10                   **C/SUPT. CHRIS LEATHER:** There has -- there has to be a follow-  
11 up.

12                   **MS. RACHEL YOUNG:** And are you involved in ensuring that  
13 H-Division complies with regular audits to check on whether it's investigating various  
14 types of cases properly?

15                   **C/SUPT. CHRIS LEATHER:** I would expect, particularly as it  
16 relates to the Operational aspects, which most of the policing standards do relate to,  
17 although there will be some that are administrative or on records-keeping and that,  
18 would have a strong nexus to the Criminal Operations Office, and I would expect that  
19 would be the input for such a request coming from the Province, you know, perhaps  
20 through the Commanding Officer but quickly over to Criminal Operations to ensure that  
21 we're aware and that we can begin to inform and address the fact that there's an audit  
22 coming in a particular detachment or area.

23                   **C/SUPT. CHRIS LEATHER:** Does the RCMP submit to audits by  
24 the Nova Scotia Department of Justice to ensure compliance with provincial policing  
25 standards?

26                   **C/SUPT. CHRIS LEATHER:** We would, yes, and we have  
27 historically, but there's been a break here of several years where there haven't been  
28 any provincially directed audits conducted on the RCMP.

1                   **MS. RACHEL YOUNG:** We did hear from, or at least there was a  
2 Commission interview, two transcripts that have been made exhibits from Sharon  
3 Flanagan, who works under Hayley Crichton, who we talked about in the Public Safety  
4 Division of the Nova Scotia Department of Justice. Ms. Flanagan is the one who has  
5 been doing a lot of auditing over the years. So she did describe how for various staffing  
6 and resourcing reasons there were audits on and off over the years, but you're aware  
7 that these audits were conducted from time to time by the Province's Public Safety  
8 Division; right?

9                   **C/SUPT. CHRIS LEATHER:** Yes, historically.

10                  **MS. RACHEL YOUNG:** And as you say, at times the RCMP did  
11 submit to those audits, just like the municipal police forces did; right?

12                  **C/SUPT. CHRIS LEATHER:** Yes.

13                  **MS. RACHEL YOUNG:** And just to give the -- Ms. Flanagan's  
14 second interview transcript, we don't need to bring it up right now, but it's, for the record,  
15 it's COMM55662, and she talks about it at pages 10 to 12. She told the Commission in  
16 a witness interview that the RCMP participated in the Nova Scotia audit with sexual  
17 assault investigations, but then there was a change in senior RCMP management, and  
18 she was asked to stand down with respect to domestic violence investigation audits.

19                         Do you know whether this change in RCMP management refers to  
20 you starting as CrOps officer?

21                  **C/SUPT. CHRIS LEATHER:** It would certainly be helpful if I had a  
22 date. I recall having a conversation with the Department of Justice in late 2020,  
23 perhaps early 2021, where the Province was -- signalled to us their intention to  
24 introduce an audit function, an audit regime across the province for policing standards.  
25 And in simplest terms my comments and the comments of my colleagues, including  
26 Superintendent Doyle I referred to earlier, the APO, where you have to have policing  
27 standards developed and implemented before you can do an audit because what is it  
28 actually that you would be auditing if we don't have either standards, or the standards

1 are so antiquated that they require modernization. So it's safe to say that Department  
2 of Justice heard us. It's part of the reason why they decided to, rightfully so, create the  
3 standards first, and then begin to implement the audit feature, which, by the way, for the  
4 audit, they've hired a third-party consultancy firm, which both Insp Alton (Phonetic) and I  
5 are a part of the Consultation Group on how to develop an effective audit regime for the  
6 province.

7 So the audit function is still being built. It's not as though the  
8 province has an audit function that's been developed to address the modernized  
9 standards. Both are a work in progress, and I would say the audit function is behind  
10 standards by several months.

11 **MS. RACHEL YOUNG:** Ms. Flanagan did say she had her own  
12 audit matrix that she was using, but that obviously the new standards haven't come in  
13 yet, so there wouldn't be a new template. But she said she was told that the RCMP  
14 would do its own audit instead. Does that sound right to you?

15 **C/SUPT. CHRIS LEATHER:** We have the ability to do our own  
16 audits because we have review services within the organization, but I'm not sure. I  
17 wasn't part of that conversation. It doesn't make sense to me that we would tell the  
18 Province that we wouldn't accept or welcome an audit, so long as the standards were  
19 implemented and in place and we knew what the standards were that they were going  
20 to be measuring. Without that, as I already indicated, was there some resistance? Yes.  
21 Because it -- we're putting -- what was being proposed to us was putting the cart before  
22 the horse.

23 **MS. RACHEL YOUNG:** So there was a change; right? At one  
24 point the RCMP was submitting to provincial audits, and at a certain point decided not to  
25 participate; right?

26 **C/SUPT. CHRIS LEATHER:** No, I would describe it more as the  
27 audit function or the Province stopped, Policing Standards did not evolve, and in the  
28 only discussion we had about restarting the audit function, myself and Doyle said we

1 would not be supportive of audits until standards were in place so we knew what you  
2 could measure. If you provided us with updated or new standards and gave us a  
3 chance to implement that, then of course we would welcome an audit.

4 **MS. RACHEL YOUNG:** So I take it once new standards are in  
5 place, which the hope is that will be very soon, then the RCMP will start cooperating  
6 with provincial Department of Justice policing audits?

7 **C/SUPT. CHRIS LEATHER:** We look forward to it.

8 **MS. RACHEL YOUNG:** Chief MacNeil of Truro mentioned that  
9 sometimes municipal forces audit each others practices as a check and balance  
10 because it's more, just like you said with After-Action Reports, it's more credible if it's an  
11 external review. Does the RCMP ever do this with other police forces? To check each  
12 other's work that way?

13 **C/SUPT. CHRIS LEATHER:** Ever? Good question. I'm not aware  
14 of any audits that we've invited a municipal service to conduct on our programs. We  
15 would -- if we were going to do that, if we were going to do that and invite a police  
16 service in, it would likely be an outside, you know, RCMP provincial group or even more  
17 likely, the OPP that we would bring in, which has more stringent standards and has an  
18 audit section.

19 **MS. RACHEL YOUNG:** Rather than a Nova Scotia municipal  
20 police force?

21 **C/SUPT. CHRIS LEATHER:** Not to say that we would never do  
22 that, but I think there are better options.

23 **MS. RACHEL YOUNG:** To paraphrase Ms. Flanagan, she said the  
24 municipal police chiefs were not happy about the RCMP stopping its participation in the  
25 provincial domestic violence audits. Are you aware of that controversy?

26 **C/SUPT. CHRIS LEATHER:** I'm not aware of that controversy.

27 **MS. RACHEL YOUNG:** I'm going to take you to some documents  
28 that the RCMP produced on this topic very recently, just I think last Friday. This

1 includes some of your emails, which I assume you're aware of.

2                   There's a bundle of documents that were exhibited on Monday  
3 called "Audit Documents". It's COMM0059946.

4                   If that could be put on screen, please, Madam Registrar?

5                   **REGISTRAR DARLENE SUTHERLAND:** Ms. Young, there is a  
6 hold on that document, I believe.

7                   **MS. RACHEL YOUNG:** Oh, okay. Yeah. All right. So they are in  
8 exhibit. I know what that is. I think there's one page being reviewed. So let me just  
9 describe this document to you, see if you remember it, and we'll get as far as we can  
10 without looking at it.

11                   On page 7 of the PDF counter, this is an email from David McLean  
12 of the Province to you, subject line "Re: DOJ Auditing Process, December 1<sup>st</sup>, 2020".  
13 Do you remember providing that email? Do you know what's about?

14                   **C/SUPT. CHRIS LEATHER:** Not just with that, no.

15                   **MS. RACHEL YOUNG:** Not off the top of your head. Okay. and  
16 so that will be filed. The content says what it says.

17                   Then on page 9, there's an email from Rob Doyle to you regarding  
18 "DOJ Audit Process, December 4<sup>th</sup>, 2020".

19                   And so you're having conversations in these emails about the risks  
20 associated with submitting to the DOJ audit process. Does that ring any bells?

21                   **C/SUPT. CHRIS LEATHER:** Yes, it does. At the time, as I  
22 explained earlier, we did see the risk associated with the audits, given the non-existent  
23 or antiquated standards that were existing at the time.

24                   **MS. RACHEL YOUNG:** And on page 19 of the same -- and I'm not  
25 -- I know which page it is that's being reviewed, I'm not reading from any of those pages  
26 -- or from that page. Page 19, there's meeting notes with you, meeting December 7<sup>th</sup>,  
27 2020, between Nova Scotia DOJ and you, RCMP H Division CrOps. And it talks about  
28 that the people from Audit say:

1                                    "We're going to establish a program here in the Division,  
2                                    where likely we do this twice a year province wide at  
3                                    seven key detachments. All the detachments will be  
4                                    allowed to participate. Seven collections -- locations,  
5                                    which is more officiant than at headquarters." (As read)

6                                    Do you know if that happened? Or is that something waiting for the  
7                                    new standards?

8                                    **C/SUPT. CHRIS LEATHER:** Waiting for the new standards.

9                                    **MS. RACHEL YOUNG:** Okay. Also in that bundle at page 28,  
10                                   there's a letter from Mark Furey to Lee Bergerman dated January 20<sup>th</sup>, 2021 to say that:

11                                    "The Department of Justice has struck an internal  
12                                    committee to carry out a preliminary analysis of policing  
13                                    service delivery across Nova Scotia. And so that's  
14                                    referring to a review that will pertain to both RCMP  
15                                    contract policing jurisdictions, as well as municipal police.  
16                                    And that's not a judgement of the RCMP or its frontline  
17                                    officers." (As read)

18                                    Are you familiar with that correspondence?

19                                    **C/SUPT. CHRIS LEATHER:** It does ring a bell, yes.

20                                    **MS. RACHEL YOUNG:** Yes. And Commissioner Bergerman  
21                                    replied. That's at page 32. She responded January 29<sup>th</sup>, 2021, saying she's:

22                                    "Looking forward to positive discussions. The terms of  
23                                    reference would be important." (As read)

24                                    And so on.

25                                    And there's also a reply at page 33 from Chief Cecchetto on behalf  
26                                    of the Nova Scotia Chiefs of Police to Dave McLean about the analysis and she has  
27                                    some questions.

28                                    So you're aware of those conversations happening around that time



1 frame?

2 **C/SUPT. CHRIS LEATHER:** Yes.

3 **MS. RACHEL YOUNG:** Okay. Also yesterday it was made an  
4 exhibit, COMM589948. It's Sexual Assault Audit Documents.

5 **REGISTRAR DARLENE SUTHERLAND:** And that's Exhibit 3956.

6 **MS. RACHEL YOUNG:** Can we see that on screen, please?

7 So this is referring to a draft audit template. Do you want to just have a look at this and  
8 see if it looks familiar? This is part of the audit of police agency exhibits, and talking  
9 about audits that are to commence January 20/21, 30 days advance notice to police  
10 agencies.

11 So were you familiar with that process?

12 **C/SUPT. CHRIS LEATHER:** I'm familiar with the document, yes.

13 **MS. RACHEL YOUNG:** And did the RCMP submit to the audit on  
14 exhibits that was taking place at this time?

15 **C/SUPT. CHRIS LEATHER:** We didn't participate in it. I don't  
16 recall hearing anything more about this particular audit initiative after that meeting in  
17 December.

18 **MS. RACHEL YOUNG:** And so just to wrap up then, in your view,  
19 in this period where there on and off audits and the RCMP had some resistance, as you  
20 called it, is hopefully going to be behind us soon when the new standards come in? Is  
21 that right?

22 **C/SUPT. CHRIS LEATHER:** There's no doubt with the new  
23 leadership team in place at Department of Justice and our common vision when it  
24 comes to the importance of policing standards and a proper audit function, that we are  
25 all in. We've been shoulder to shoulder with him in the creation of the standards.  
26 We've been invited to participate in the consultation for the audit function. And we'll  
27 continue to do so, because we believe in the standards and the audit feature. So I look  
28 at that as a unfortunate, perhaps misstep, to try to initiate an important function, the

1 audit function, without standards in place, and I believe we fully recovered from that.

2 **MS. RACHEL YOUNG:** So this was maybe putting the cart before  
3 the horse, wanting to restart the audits before the standards were in place?

4 **C/SUPT. CHRIS LEATHER:** That's exactly what it is.

5 **MS. RACHEL YOUNG:** And just so the Participants know, the  
6 page at issue in that bundle I just mentioned was page 13, and so for the benefit of my  
7 colleagues at the Department of Justice, that's being reviewed for potential privilege, but  
8 the rest of the bundle I don't anticipate will be any issue to go into relativity soon.

9 Changing topics, we did discuss in your Commission interview the  
10 Issues Management Team, what that was and so on. This is within H-Division a group  
11 that was, as you called it, stood up after the events to deal with certain issues. And so  
12 this was a group of senior officers and others dealing with matters which didn't pertain  
13 directly to the investigation but were in some way related to it; is that accurate?

14 **C/SUPT. CHRIS LEATHER:** Well, related because either the  
15 investigation surfaced the issue or the tragedy itself, even elements that were not part of  
16 the investigation surfaced and required immediate attention, and so this unit, as you  
17 say, was stood up to identify and report on.

18 **MS. RACHEL YOUNG:** And the origin story of this IMT was partly  
19 -- you know, you described this meeting on April 28<sup>th</sup>, that there were complaints or  
20 unhappiness from the Minister and the Prime Minister's office that there's a lack of clear  
21 reporting up, and you identified there was a desire for that clear reporting up. You can  
22 look at your transcript. It's COMM0059832, Exhibit 3892, if we can go to page 131, the  
23 last 2 paragraphs. And so we had been discussing this topic, and I said,

24 "You mentioned that Commissioner Lucki said that  
25 those two officials were disappointed, meaning the  
26 Minister and the Prime Minister, and the lack of -- I  
27 think you said timely and clear or crystal-clear  
28 reporting. So meaning reporting up, I guess. And so

1 is that desire for clear reporting up part of the reason  
2 why the Issues Management Team was formed? (As  
3 read)

4 You said,

5 "Yes, it was, because of -- I refer to the lack of  
6 horsepower that we had in CrOps support and we  
7 were under intense pressure and scrutiny to enhance  
8 and improve our reporting to headquarters on all  
9 matters related to the tragedy." (As read)

10 You recall that?

11 **C/SUPT. CHRIS LEATHER:** I do.

12 **MS. RACHEL YOUNG:** And so that's accurate?

13 **C/SUPT. CHRIS LEATHER:** Yes.

14 **MS. RACHEL YOUNG:** The day after the meeting on April 20<sup>th</sup>,  
15 2020 with Commissioner Lucki, you sent an email to say the IMT was being formed. If  
16 we can have COMM0035705 on screen and make it an exhibit, please?

17 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3991.

18 **--- EXHIBIT NO. 3991:**

19 (COMM00335703) Email from Chief Superintendent Chris  
20 Leather to Dennis Daley dated April 29, 2020

21 **MS. RACHEL YOUNG:** This is an email from you to Dennis Daley,  
22 dated -- or this is dated April 29<sup>th</sup>, 2020, the day after the call with Commissioner Lucki.

23 Can we make it bigger? Top of the screen is Dennis Daley's reply,  
24 but can we scroll down to Chief Superintendent Leather's email?

25 And so you say,

26 "It became very clear during our telephone call with  
27 the Commissioner and Deputy Commissioner  
28 yesterday evening..." (As read)

1 So that's the now infamous April 28<sup>th</sup>, 2020 call; right?

2 **C/SUPT. CHRIS LEATHER:** Yes.

3 **MS. RACHEL YOUNG:** "...that we are not meeting their  
4 reporting requirements/needs. Very soon, we will  
5 need input and support from C&IP..." (As read)

6 And that's Contract and Indigenous Policing; right?

7 "...on the myriad of current and future issues. We're  
8 constructing an Issues Management Team in the  
9 division and have drafted in Superintendent  
10 Dimopoulos from J-Div and Santosuosso from B-Div,  
11 given their historical involvement in Moncton and  
12 IHIT/MCU, to assist and oversee this." (As read)

13 Do you recall that?

14 **C/SUPT. CHRIS LEATHER:** I do.

15 **MS. RACHEL YOUNG:** Some of the issues the IMT dealt with  
16 were the 2011 bulletin about the perpetrator, which we discussed in your interview and  
17 a little bit today, the fact that Alert Ready wasn't used during the events, and that the  
18 perpetrator's neighbour, Brenda Forbes, had complained about him in 2013; right?

19 **C/SUPT. CHRIS LEATHER:** Yes.

20 **MS. RACHEL YOUNG:** These were issues for the RCMP because  
21 they had implications for how the RCMP might be perceived or criticism that it might  
22 encounter; right?

23 **C/SUPT. CHRIS LEATHER:** Certainly those issues, yes.

24 **MS. RACHEL YOUNG:** Why did the IMT become involved in  
25 managing media statements? I'm just going to show you an email from Cindy Bayers  
26 dated May 6<sup>th</sup>, 2020. It's COMM0020276. If that could be made an exhibit?

27 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3992.

28 **--- EXHIBIT NO. 3992:**

1 (COMM0020276) Email from Cindy Bayers dated May 6<sup>th</sup>,  
2 2020

3 **MS. RACHEL YOUNG:** Could that be made a little bigger? The  
4 topic is approvals of media responses. This is -- so I think you already referred to Ms.  
5 Bayers as the 2IC, so the second in charge after Lia Scanlon of the Strategic  
6 Communications?

7 **C/SUPT. CHRIS LEATHER:** Yes.

8 **MS. RACHEL YOUNG:** And she says, "Hi, all." And this is --  
9 doesn't actually say who it's to, but a group of people.

10 "For media responses related to H-Strong that are not  
11 directly related to the investigation, i.e., questions  
12 about resourcing during response, communication to  
13 public, role of other police services, wellness, et  
14 cetera, should be approved by Costa, Derek or Chris  
15 L." (As read)

16 That's you?

17 **C/SUPT. CHRIS LEATHER:** Yes.

18 **MS. RACHEL YOUNG:** "For the responses, please send to Costa  
19 Dimopoulos with copy to Derek Santosuosso, Chris  
20 Leather and H-Div, H-Strong CrOps. Thank you.  
21 Cindy." (As read)

22 So that was soon after, but it looks like about a week after the  
23 formation of the group. And so media statements on those types of issues are being  
24 directed through the IMT; right?

25 **C/SUPT. CHRIS LEATHER:** Yeah, because it didn't make sense  
26 that H-Strong and the CT from H-Strong support services would have a responsibility to  
27 report on those issues which were outside of the scope of the criminal investigation, or  
28 were related, but not central to their investigation. And we could say a number of the

1 things that the IMT did report on obviously had some relevance to H-Strong, but they  
2 weren't central to the investigation. It was ensuring again that we had a line of sight on  
3 the issues, quicker and more effective reporting on them, the more horsepower  
4 comment that I made earlier in terms of the two folks that we had drafted in and the  
5 team that worked for Chief Superintendent Santosuosso ensured or was designed to  
6 ensure more timely reporting on those key issues.

7 **MS. RACHEL YOUNG:** Why were you managing the IMT?

8 **C/SUPT. CHRIS LEATHER:** Well, as I said in my interview, it was  
9 destined to rule up under either the Commanding Officer's suite or mine. The CO and I  
10 discussed it, and she thought, given the operational nature of most of what has been  
11 described there, that it should come under myself.

12 **MS. RACHEL YOUNG:** Is this part of the core function of a CrOps  
13 officer typically?

14 **C/SUPT. CHRIS LEATHER:** Well, this is not a typical response  
15 and certainly the development of an IMT is not something that had been established  
16 that we could find elsewhere. It was something that we established, for the reasons  
17 we've already discussed, to address the volume, hence significant issues that were  
18 surfacing and had surfaced. And so there was no template or model for us to follow. It  
19 was proposed and quickly supported by the Commanding Officer and the decision was  
20 taken that it would align with Criminal Operations.

21 **MS. RACHEL YOUNG:** We touched in your interview on how this  
22 group was funded. This is senior group two superintendents were pulled in from out of  
23 province. I think you indicated that you had made a business case to the province to  
24 fund it, but that was denied; is that right?

25 **C/SUPT. CHRIS LEATHER:** The two superintendents, I'm not sure  
26 that they were part of the business case. Certainly, the team that supported Chief  
27 Superintendent Santosuosso was because there was a lot of data management, of file  
28 coordination that had to go along with this.

1                   The two Superintendents were offered to us by their Commanding  
2 Officers given their extensive experience and background to assist the Division during  
3 this difficult time, and we gladly accepted their offers of support, and thank goodness  
4 they came.

5                   **MS. RACHEL YOUNG:** Who was paying their salaries?

6                   **C/SUPT. CHRIS LEATHER:** It would have been costed back to  
7 the province.

8                   **MS. RACHEL YOUNG:** Would you agree that's a significant  
9 expenditure of resources when you've been saying how short staffed the RCMP is  
10 provincially?

11                   **C/SUPT. CHRIS LEATHER:** These are two Superintendents that  
12 are unlikely to be deployed in frontline policing. In fact, that would not occur. And  
13 again, given their unique skill set and the need that we had that couldn't be clearer from  
14 the April 28th call, it only made sense. They were in geographical proximity to where  
15 we are, one coming out of Newfoundland, the other one out of New Brunswick, and their  
16 backgrounds, they were an excellent fit for what our needs were here. And we needed  
17 assistance immediately to begin to respond to the pressure that we were under from  
18 Ottawa to report.

19                   **MS. RACHEL YOUNG:** On the Brenda Forbes 2013 complaint, I  
20 understood you to say in your interview that you weren't involved in the IMT's  
21 investigation or management of the complaint that she made. Do you recall that?

22                   **C/SUPT. CHRIS LEATHER:** I recall seeing either a situation report  
23 or a memo that highlighted commentary from Superintendent Dimopoulos around the  
24 investigation, and then I learned Superintendent Dimopoulos did meet with Laura  
25 Seeley, Sergeant Laura Seeley, from Major Crime to discuss his concerns with the  
26 investigation up to that point, and they did meet and there was a discussion. And -- but  
27 I have to say from that point forward, Superintendent Dimopoulos, Sergeant Seeley  
28 would have to answer to what actions they took in terms of investigative steps or in

1 terms of follow-up as it related to the discussion.

2 **MS. RACHEL YOUNG:** There was another individual on the IMT,  
3 Chris Romanchych, R-o-m-a-n-c-h-y-c-h. Who's that.

4 **C/SUPT. CHRIS LEATHER:** "Romanchuk", as it's pronounced, is  
5 a Sergeant from Traffic Services, actually, who was assigned early on to the IMT as the  
6 NCO IC, or Non-Commissioned Officer in Charge, of the unit, but shortly after was  
7 commissioned and transferred to Alberta. I think he was only with us for two or three  
8 months.

9 **MS. RACHEL YOUNG:** We have some documents related to the  
10 IMT's investigation into the Brenda Forbes complaint.

11 Madam Registrar, I wonder if we could make the following  
12 documents exhibits. We have COMM11711, which is email correspondence between  
13 Costa Dimopoulos, Laura Seeley, S-e-e-l-e-y, Angela McKay, M-c-K-a-y, Darren  
14 Campbell, Gerry Rose Berthiaume and Shawn Stanton, a chain that dates between  
15 June 3rd and 18th, 2020 regarding Forbes.

16 **REGISTRAR DARLENE SUTHERLAND:** And that's already been  
17 previously marked as Exhibit 1182.

18 **MS. RACHEL YOUNG:** Thank you.

19 Next is a CrOps to CrOps request for "K" Division Brenda and  
20 George Forbes interview May 15th, 2020. It's COMM0011801.

21 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 3993.

22 **--- EXHIBIT No. 3993:**

23 (COMM0011801) CrOps to CrOps request for "K" Div  
24 Brenda and George Forbes interview, May 15, 2020

25 **MS. RACHEL YOUNG:** Next, COMM0008540 SITREP authored  
26 by Chris Romanchych, approved by Chief Superintendent Leather, June 5th, 2020.

27 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3994:

28 **--- EXHIBIT No. 3994:**



1 (COMM0008540) SITREP authored by Chris Romanchych,  
2 approved by C/Supt Leather, June 5, 2020

3 **MS. RACHEL YOUNG:** COMM008552 SITREP authored by Chris  
4 Romanchych, approved by Chief Superintendent Leather, May 14th, 2020

5 **REGISTRAR DARLENE SUTHERLAND:** 3995.

6 **--- EXHIBIT No. 3995:**

7 (COMM0008552) SITREP authored by Chris Romanchych,  
8 approved by C/Supt Leather, May 14, 2020

9 **MS. RACHEL YOUNG:** COMM20351 SITREP authored by Costa  
10 Dimopoulos, recommended by Chief Superintendent Leather, approved by CO  
11 Bergerman, May 14th, 2020

12 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3996.

13 **--- EXHIBIT No. 3996:**

14 (COMM0020351) SITREP authored by Costa Dimopoulos,  
15 recommended by C/Supt Leather, approved by CO  
16 Bergerman, May 14, 2020

17 **MS. RACHEL YOUNG:** COMM8530 SITREP authored by Chris  
18 Romanchych, approved by Chief Superintendent Leather, May 16th, 2020.

19 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 3997.

20 **--- EXHIBIT No. 3997:**

21 (COMM0008530) SITREP authored by Chris Romanchych,  
22 approved by C/Supt Leather, May 16, 2020

23 **MS. RACHEL YOUNG:** COMM8535 SITREP authored by Chris  
24 Romanchych approved by Chief Superintendent Leather May 30th, 2020.

25 **REGISTRAR DARLENE SUTHERLAND:** 3998.

26 **--- EXHIBIT No. 3998:**

27 (COMM0008535) SITREP authored by Chris Romanchych,  
28 approved by C/Supt Leather, May 30, 2020

1                   **MS. RACHEL YOUNG:** And there's another sitrep dated June 9th,  
2 2020, COMM8544.

3                   **REGISTRAR DARLENE SUTHERLAND:** And that's already been  
4 marked as Exhibit 3919.

5                   **MS. RACHEL YOUNG:** 3999?

6                   **REGISTRAR DARLENE SUTHERLAND:** No, 3919.

7                   **MS. RACHEL YOUNG:** 3919. Thank you.

8                   And so Chief Superintendent Leather, to the extent that you  
9 approved or recommended sitreps on this topic, you'd agree with me, I take it, that you  
10 had some involvement at the time with looking into this matter?

11                  **C/SUPT. CHRIS LEATHER:** Yes.

12                  **MS. RACHEL YOUNG:** Did you look into, at the time, whether  
13 there was adequate examination of what appeared to be a credibility difference between  
14 Constable Maxwell and Brenda Forbes as to exactly what was said between them in  
15 2013? Did you have anything to do with that?

16                  **C/SUPT. CHRIS LEATHER:** As it relates to the sitrep or generally  
17 speaking?

18                  **MS. RACHEL YOUNG:** As it relates to what exactly it was that she  
19 reported back in 2013.

20                  **C/SUPT. CHRIS LEATHER:** I did not take any further look at that.  
21 I knew that it was being reviewed both by H-Strong and it had been surfaced, as we've  
22 already discussed, in the situation report. It was in the hands of a tenured  
23 Superintendent, a senior Sergeant, and I had every confidence that they would follow  
24 up.

25                  **MS. RACHEL YOUNG:** And if it were reported that in 2013, an  
26 RCMP member said that if a neighbour reported having heard about domestic violence  
27 the RCMP required the victim to report it herself or have a direct witness report it  
28 directly, does that accord with your understanding of what would be required to trigger

1 an RCMP investigation into a domestic violence allegation?

2 **C/SUPT. CHRIS LEATHER:** No, that doesn't.

3 **MS. RACHEL YOUNG:** Turning to provincial policing, we did  
4 discuss in your interview that the RCMP provides support to municipal police services,  
5 and that's at pages 83 to 84 of your July 6th interview, which we don't need to bring up  
6 now. But we have heard from yourself and other witnesses there's concern about the  
7 cost of the RCMP lending its specialized services to municipal police services who may  
8 not have all these specialized teams and that that doesn't get reimbursed by the  
9 municipalities to the province or by the province to the RCMP.

10 And so what criteria does the RCMP use when determining  
11 whether or not to provide requested assistance or specialized services when requested  
12 by a municipal service?

13 **C/SUPT. CHRIS LEATHER:** Criteria. Well, certainly as it relates  
14 to critical incidents, I'm not aware of a single time where we have not provided  
15 assistance, whether it was ERT or police dog services, so long as those units were  
16 available. So I can say with great certainty that those teams have never been on the  
17 table for discussion.

18 Where we start to have difficulties, and I spent a great deal of time  
19 before the last intermission talking about our resource constraints and sustainability  
20 issues, of course, it's no different for our specialized servicing teams, the very teams  
21 that we're contemplating reducing to populate the front lines, that we cannot continue on  
22 the trajectory that we're on to provide the specialized policing services to the municipal  
23 policing partners without either some sort of cost recovery regime implemented or  
24 further integration from those smaller services to help offset some of the resourcing  
25 challenges that we deal with in providing these supports. And there really aren't a  
26 number of options to consider.

27 If the expectation is from the government that we continue to  
28 provide those services, we need to make change.

1                   **MS. RACHEL YOUNG:** And to start that change, around January  
2 of 2021 you started a process of tracking those requests; right?

3                   **C/SUPT. CHRIS LEATHER:** Yes.

4                   **MS. RACHEL YOUNG:** And that was essentially to get the facts  
5 first so the province could see and then presumably you could build a business case or  
6 some other argument to say, you know, this is -- these are the resources we've  
7 expended on these things, so we need to figure out how that finds its way back into our  
8 budget. Is that accurate?

9                   **C/SUPT. CHRIS LEATHER:** Well, that's partially accurate. That's  
10 certainly an important element as it relates to our accountability to the contracting  
11 partner in the province, and I would say good stewardship of the program for myself and  
12 for the Commanding Officer to have a clear understanding of what specialised policing  
13 services were providing year over year.

14                   But the other element is being able to ensure that there's proper  
15 accountability measures in place and so we don't get those unnecessary requests for  
16 service. When you, in any area of policing, require a formal submission, a document,  
17 it's not a complex matter, it's a single page, it would take less than a minute to  
18 complete, but it ensures that there's accountability at the Deputy Chief or Chief level of  
19 those police services, that they do in fact require that level of assistance, that  
20 specialised policing assistance.

21                   So it's both for accountability purposes, between ourselves and our  
22 partners, and ensuring, frankly, that those chiefs and deputies know that their  
23 subordinates are not making requests without their awareness, and also, for our  
24 accountability to the Province around we budget and spend our specialised policing  
25 services funding.

26                   **MS. RACHEL YOUNG:** When you say good stewardship of the  
27 program by you and the Commanding Officer, do you mean the program, meaning  
28 provincial policing?

1                   **C/SUPT. CHRIS LEATHER:** Provincial policing, but more  
2 specifically, specialised policing services, which are almost exclusively within the  
3 Support Services Officer's realm, which, as we know, is -- was Chief  
4 Superintendent Campbell's area of responsibility.

5                   **MS. RACHEL YOUNG:** And when you say making sure that these  
6 services are required when they're requested, do you mean, for example, proportionate  
7 with the seriousness of an offence or investigation, like not sending a full forensic  
8 workup for a papercut type of thing?

9                   **C/SUPT. CHRIS LEATHER:** Right. I'm not going to suggest for a  
10 minute that we got those sorts of requests, but we certainly got low, what I would  
11 describe as low-level property crime type requests for Forensic Ident Services to travel  
12 several hours to fingerprint paper bags and windows and things like that for shoplifting  
13 and rather insignificant property crime type of offences, which, A, is a significant waste  
14 of a highly-trained Forensic Ident Service member; and B, demonstrates a need for  
15 those services to have Scenes of Crimes Officers, which are essentially GD or general  
16 duty members, cross-trained in doing more simplistic forensic examinations.

17                   As an example: So a desire to have some of the municipalities  
18 take more responsibility for creating their own SOCO trained members within their own  
19 services to provide, because, for instance, we don't send fully trained FIS members to  
20 outlying detachment areas to conduct those kinds of examinations, so we would expect  
21 the same from our partners.

22                   **MS. RACHEL YOUNG:** For your own RCMP investigations you ---

23                   **C/SUPT. CHRIS LEATHER:** Yes.

24                   **MS. RACHEL YOUNG:** --- would conduct the same calculus?

25                   **C/SUPT. CHRIS LEATHER:** Right. It's -- we're applying the same  
26 methodology and thresholds for when we would call FIS. And we wouldn't expect that  
27 to be implemented overnight. This, as you noted, was implemented over a year ago  
28 now, and the whole idea was to signal our intention to move down this path with greater

1 accountability because we had greater accountability thrust on us and that we look  
2 forward to further engagement with the chiefs as we move down that pathway whilst the  
3 policing standards are being developed. These -- this is ---

4 **MS. RACHEL YOUNG:** That's all -- that's all that's happened so  
5 far, though, right, is just the signalling of it and the tracking, but there hasn't actually  
6 been any cost recovery yet; right?

7 **C/SUPT. CHRIS LEATHER:** Right.

8 **MS. RACHEL YOUNG:** Okay.

9 **C/SUPT. CHRIS LEATHER:** And cost recovery is not something  
10 that we can do. The provincial government has to cost recover on our behalf.

11 **MS. RACHEL YOUNG:** Right.

12 **C/SUPT. CHRIS LEATHER:** And that's their purview, not ours.

13 **MS. RACHEL YOUNG:** Would you agree that municipal police  
14 services also provide support to the RCMP; right?

15 **C/SUPT. CHRIS LEATHER:** Yes.

16 **MS. RACHEL YOUNG:** And when they do that, they don't charge  
17 the RCMP or the Province for it; right?

18 **C/SUPT. CHRIS LEATHER:** No, they don't.

19 **MS. RACHEL YOUNG:** During the events, H-Division got backup  
20 from J-Division, and there were some offers of assistance from municipal police forces.  
21 Can you tell us why those weren't accepted?

22 **C/SUPT. CHRIS LEATHER:** Why we accepted the assistance  
23 from J-Division?

24 **MS. RACHEL YOUNG:** Rather than the municipal police forces,  
25 both during and after the events.

26 **C/SUPT. CHRIS LEATHER:** Well, I think it's most to do with  
27 interoperability concerns. Until we have established protocols and we can say with  
28 great confidence that we have arrived at a place where we have high functioning

1 interoperability, communications, we have table-topped these situations, there is  
2 consistent training and expectations, I think it's fraught with risk in a sustained way. Is  
3 to say here and there, as required, we should of course continue to assist each other,  
4 and we do every day in this province. Truro is helping our Bible Hill members and vice-  
5 versa; Amherst and our Amherst detachment, back and forth, and I'm talking about GD  
6 level cooperation.

7                   But if we're looking at a sustained major event, such as this, I  
8 understand the apprehension on the part of the Risk Managers, or those that were  
9 making decisions, about who to call for assistance in a sustained fashion when there is  
10 concerns about communications, understanding of each other's practices. So that's not  
11 saying the RCMP is in any way more advanced or superior, that's saying in fact we may  
12 not be at the level perhaps of one of the other services. They have expectations of our  
13 members working together, and when they come together to work in a high-risk  
14 scenario if they're not reading from the same page, if they're not aligned in terms of their  
15 thinking, their training, and how they address the situation, what an awful place to  
16 experience that breakdown. And so I know that this was a concern of some of the  
17 people that were drafting in resources from around the province.

18                   **MS. RACHEL YOUNG:** But I understand that in terms of  
19 specialised services during the event, like an ERT team for example, but what about in  
20 the aftermath just when so many people in the RCMP were exhausted or traumatised,  
21 had to go off sick ---

22                   **C/SUPT. CHRIS LEATHER:** No.

23                   **MS. RACHEL YOUNG:** --- there were offers to backfill general  
24 duty members, or even just for municipal police officers to look after routine calls to  
25 lighten the load on the RCMP general duty members, why would that offer be turned  
26 down?

27                   **C/SUPT. CHRIS LEATHER:** That's a good question, and I could  
28 tell you this became a live conversation more recently around the Freedom Convoy and

1 the implications for this province. And as we know there were issues, not just in Halifax,  
2 they were scattered about the province in terms of civil disobedience ---

3 **MS. RACHEL YOUNG:** I'm just going to pause you there to make  
4 sure everyone knows what you're talking about. So you're talking about the Trucker  
5 Convoy in Ottawa, and there was a request for H-Division to send officers to back up  
6 Ottawa, is that what you mean?

7 **C/SUPT. CHRIS LEATHER:** Well, that is true, but that's not  
8 actually what I'm talking about. I'm talking about the spill off or the inspired Freedom  
9 Convoy individuals here ---

10 **MS. RACHEL YOUNG:** In Nova Scotia.

11 **C/SUPT. CHRIS LEATHER:** --- in the -- in the province ---

12 **MS. RACHEL YOUNG:** Okay.

13 **C/SUPT. CHRIS LEATHER:** --- that were taking their lead from or  
14 inspired by the activities in Ottawa. That's what I was more specifically referring to.

15 And what it did in a very collaborative and effective way was to  
16 bring together the chiefs, myself, Inspector Auld, who's in Criminal Operations with me,  
17 to have these meaningful discussions about sustained relief to one another, either  
18 between municipal services or municipal to provincial or vice-versa, and working  
19 through and identifying the authorities that are required to actually do that.

20 Now, we're talking about a fluid but perhaps a more planned event  
21 that gives you the time to have those kinds of discussions, but what it did for me is it  
22 surfaced, and I believe for the chiefs as well, a number of considerations that we really  
23 hadn't wrestled with before and agreed that we needed to have further discussions on,  
24 and more at the senior executive level. So whether it be fishery disputes, or a freedom  
25 convoy or God forbid another mass casualty event, there's a playbook to go to and  
26 these interoperability issues and the authorities that are required from the government,  
27 not only the provincial government, but the municipal governments have a say in this,  
28 has all been ironed out in terms of what the processes are to get those authorities in



1 place quickly and -- so that's -- call it the administrative side of the house. But flowing  
2 from that is on the ground, how do we effectively deploy and interact and communicate  
3 at the level we need to. And we're not there. We're getting there. There's been some  
4 bumps recently that will have set those discussions back, but that's what needs to  
5 happen to get us to a place in this province where we can have that level of interaction  
6 and coordination. And it's a work in progress.

7 **MS. RACHEL YOUNG:** Are you aware that there was perhaps a  
8 sentiment on the part of the municipal police forces that it was the RCMP feeling  
9 superior, that they wouldn't take help from municipal police forces?

10 **C/SUPT. CHRIS LEATHER:** I'm aware of that sentiment.

11 **MS. RACHEL YOUNG:** Do you think that the new policing  
12 standards will help if there is any concern about whether everyone's at the same level?

13 **C/SUPT. CHRIS LEATHER:** I don't think -- well, I'm not sure  
14 policing standards will help or detract from that conversation. Those conversations  
15 need to advance at the tables with the Police Chiefs and the H-Division RCMP. In other  
16 words, it's a policing, it's a senior executive policing issue, less than an issue involving  
17 the province. So the provincial police and the municipal police need to get their act  
18 together, so they can properly and effectively be interoperable. And progress was  
19 made and is being made, but there's work to be done until there's a -- we could say an  
20 effective end stay, and we're not there.

21 **MS. RACHEL YOUNG:** And I understand part of interoperability is  
22 to work in an integrated fashion at times; right? Maybe it's an oversimplification, but I  
23 gather in Nova Scotia there are different examples of integration. For example, that  
24 could happen at the team level with Street Crimes Units where provincial and municipal  
25 officers might work together on projects, for example; is that right?

26 **C/SUPT. CHRIS LEATHER:** Yes, there's what I would describe as  
27 permanent arrangements, whether it's the Street Crime Units or the CID in Halifax,  
28 Criminal Investigations Division, where there is a permanent arrangement. And so the

1 discussions like we were having with the Chiefs about interoperability have already  
2 been had. And those units have evolved over decades and they've worked out some of  
3 the issues that we're talking about in a more fluid, dynamic, operation response setting.  
4 So they really are very different issues, because I think it's important to understand the  
5 distinction between those permanent JFOs, or Joint Force Operations, or combined  
6 units, where you have the time to work through the MOUs and the governance  
7 associated to that, to unpredictable requirements for operational integration and  
8 interoperability where you need to have processes and a guide map to go to. All the  
9 Chiefs, the CrOps and the CO all need to be on the same page for those because of the  
10 fluid nature of those kinds of deployments, which are, thankfully, occur less frequently,  
11 but when they do, are, arguably, more intense and higher risk endeavours than what  
12 we're talking about on the integrated policing side.

13 **MS. RACHEL YOUNG:** And there could also be predictable but  
14 short-term, such as projects; right? Like, investigating a particular drug shipment that's  
15 anticipated or things like that?

16 **C/SUPT. CHRIS LEATHER:** Yes.

17 **MS. RACHEL YOUNG:** Well, that might be federal, but a particular  
18 crime or gang or something like that?

19 **C/SUPT. CHRIS LEATHER:** But you would know, Ms. Young, that  
20 those usually allow the police executives, the Crowns involved to have a series of pre-  
21 discussions to get the right people to the table in terms of the makeup of the team, the  
22 MOUs in place, or the LOAs, Letters of Agreement, and make all those administrative  
23 arrangements and create a team often from our very best over days or weeks before  
24 they actually launch. Of course, on the operational deployment side, we don't have the  
25 benefit of that time, so you have to have those pre-existing plans and templates on that  
26 binder behind your head, on the shelf, as it were, to pull out, and we all know where to  
27 go, and who to call, and how to convene to have those discussions if it's a sustained. If  
28 it's less of a sustained operation, then that binder and that know-how certainly needs to

1 be in the OCC, the Communications Centre, so those folks, the risk managers in  
2 particular, know that it's supported, and that when they're calling New Glasgow, Truro,  
3 whatever municipal service for assistance, it's seamless. The interaction takes place  
4 because we've established that the training and communications are where they need  
5 to be.

6 **MS. RACHEL YOUNG:** And ideally, for the good of law  
7 enforcement generally, if everyone is after the bad guys, and bad guys don't respect  
8 borders, you'd want intelligence sharing; right? Like, if the RCMP has been following  
9 someone who they know is in the territory of a municipal police service, it would be  
10 desirable for them to tell those local police; right? Does that kind of information sharing  
11 require MOUs, or would you say that happens mutually anyway, or not?

12 **C/SUPT. CHRIS LEATHER:** Well, I think it happens organically,  
13 because normally, those municipal services have members in those Street Crime Units.  
14 So that's the other benefit of having integration is, at the street level, the folks that are  
15 part of that very municipal service are obviously staying the duration of their street crime  
16 enforcement time just in that jurisdiction. They too are moving into RCMP territory. So  
17 that's the benefit of having integrated teams. That's where the exchange of information  
18 occurs at that street level. And those same teams have joint management teams that  
19 discuss criminal intelligence updates, crime trends in the area. You know, the benefits  
20 of integration are endless really, in terms of dealing with those transient crime targets,  
21 and that's most of them.

22 **MS. RACHEL YOUNG:** And what about Halifax? That's a different  
23 situation where there's the Halifax Regional Police, and then they work closely with the  
24 Halifax Detachment, I guess it would be, or ---

25 **C/SUPT. CHRIS LEATHER:** Detachments.

26 **MS. RACHEL YOUNG:** Yeah, they're integrated; are they not?

27 **C/SUPT. CHRIS LEATHER:** Well, the only integration in the  
28 Halifax model is in CID. That's a truly integrated unit. About a 70/30 split between HRP

1 having 70 percent, us about 30 percent of the members. But in terms of general duty  
2 policing, Police Dog Services or Canine, ERT, dive team, those areas are not  
3 integrated, sadly. I mean, I hope one day we get to a point where they are. There are -  
4 - and I know you will have received in testimony good examples elsewhere in the  
5 country where similar geographic areas have had great success with integrated teams.

6 **MS. RACHEL YOUNG:** Yes, I do want to ask you about that. And  
7 just how much interaction did you have with Chief Kinsella of Halifax Regional Police on  
8 an ongoing basis in your capacity as CrOps officer?

9 **C/SUPT. CHRIS LEATHER:** Limited. On and off. The -- typically,  
10 communications are with the District Policing Officer for Halifax District. You referred to  
11 Chief Superintendent Gray earlier. She would be the normal -- was during her tenure,  
12 the normal contact for the Chief, working in the Goderich, in Headquarters building and  
13 across the hall from, so there's that ---

14 **MS. RACHEL YOUNG:** Janis Gray? Is that what you said? Did  
15 you say Janis Gray or ---

16 **C/SUPT. CHRIS LEATHER:** Janis Gray.

17 **MS. RACHEL YOUNG:** So would she be ---

18 **C/SUPT. CHRIS LEATHER:** Chief Superintendent ---

19 **MS. RACHEL YOUNG:** --- his counterpart?

20 **C/SUPT. CHRIS LEATHER:** --- Janis Gray would be the contact  
21 person because she's actually in Halifax's -- or was, during her tenure, in their  
22 headquarters, across the hall from Chief Kinsella, and part of the command policing  
23 decisions for all of Halifax Region.

24 **MS. RACHEL YOUNG:** And does the Halifax Police use of  
25 Versadex instead of PROS as a database complicate interoperability?

26 **C/SUPT. CHRIS LEATHER:** Yes.

27 **MS. RACHEL YOUNG:** Can you explain how?

28 **C/SUPT. CHRIS LEATHER:** You know, less so for Halifax District

1    itself because our members use Versadex as well, but where we run into difficulties is  
2    once we go outside of Halifax, I think there may be one other police service -- no, the  
3    other police services use PROS, as we do. So there isn't that one database where you  
4    can conduct your searches and -- and for our members, if we're looking for simple  
5    things like relief for our Halifax duty members, say, coming in from the other districts,  
6    well, they actually can't assist unless they're Versadex trained.

7                    So there's -- you know, that's where the rubber meets the road.  
8    Well, what's the true impact? There's an impact in terms of operational deployments  
9    into the district that a database issue -- a downstream effect of the database issue has  
10   created for us in the Division.

11                   **MS. RACHEL YOUNG:** I think you were going to compare it to  
12   other jurisdictions, because some other people speak highly of the integration model in  
13   British Columbia, for example. From your vantage point, how did you find the integrated  
14   model worked, as between Halifax District RCMP and BC?

15                   **C/SUPT. CHRIS LEATHER:** Well, I did work in BC, and I also  
16   worked in the GTA for 20 years, and so I was not only a member of OPP and RCMP  
17   integrated units. You know, the difference there is they were plainclothes units, and  
18   what we're talking about here is more on the support service side.

19                   For me, you know, beyond CID would be the first areas we ought to  
20   explore for integration. There are tried, tested, and true models that exist in other  
21   jurisdictions where support service units are highly capable, functioning well together,  
22   and frankly, are more efficient. I don't want to say they're more effective, that perhaps  
23   would be unfair to the teams that are not integrated, but it really -- it's a force multiplier.  
24   It brings all these other advantages to these teams in terms of experience, the  
25   dynamics, and the different perceptions that those members have, and when they're  
26   done their stint or secondment to those units, it's of course what they bring back to their  
27   home agency in terms of what they learned and shared with their policing partners while  
28   they were in those integrated units.

1                   **MS. RACHEL YOUNG:** And contacts, I assume?

2                   **C/SUPT. CHRIS LEATHER:** Contacts, methods, techniques, ---

3                   **MS. RACHEL YOUNG:** Skills?

4                   **C/SUPT. CHRIS LEATHER:** --- skills, exposure, training that they  
5 may not have received had they stayed strictly in their home agency. The list of  
6 benefits goes on.

7                   And, of course, it builds stronger -- or ought to, and has in most of  
8 the units I've worked in, built stronger relations between the services because you break  
9 down those walls of lack of familiarity and awkwardness that you might feel when, all of  
10 a sudden, you're thrust into a situation where you're working with members from  
11 another agency.

12                   **MS. RACHEL YOUNG:** Would you agree with me that if there's  
13 positive relationships on a day-to-day basis when there's not a crisis going on, you're  
14 more likely to turn to each other during a crisis?

15                   **C/SUPT. CHRIS LEATHER:** Yes, of course, and it's the  
16 relationships that you make during those secondments in those integrated units that you  
17 take with you for the rest of your service, and you now have those built-in contacts  
18 within those services for the remainder of your career. And you will call upon them, as I  
19 have, as you move through your service.

20                   **MS. RACHEL YOUNG:** Based on your experience in other  
21 provinces, do you have any insights or advice, now that you're leaving Nova Scotia, for  
22 how the Province could move towards more integration or a more efficient positive  
23 sharing of police services?

24                   **C/SUPT. CHRIS LEATHER:** Well, I think there has to be, and  
25 there has been, a change in the senior leadership of the RCMP, which will remove --  
26 ought to remove any excuse from the municipal Chiefs' side that would stop them from  
27 wanting to engage with the RCMP in the Division, to build strong relations and to move  
28 towards a more integrated policing model. And, you know, as sad as I am for leaving,

1 I'm happy for the person coming in behind me, they will have a clean slate and an  
2 opportunity to engage with the municipal Chiefs without any of this ---

3 **MS. RACHEL YOUNG:** Baggage?

4 **C/SUPT. CHRIS LEATHER:** --- baggage that we've all carried  
5 around for the last two years, especially.

6 **MS. RACHEL YOUNG:** So it's positive that you're leaving, that's  
7 what you're saying?

8 **C/SUPT. CHRIS LEATHER:** For some, it depends who you ask.

9 **MS. RACHEL YOUNG:** And Lee Bergerman is retired; Janis Gray  
10 is retired, and Darren Campbell has also left the province.

11 **C/SUPT. CHRIS LEATHER:** Yes, and that's noteworthy. It's  
12 noteworthy in terms of relationships with the municipal police because, for me, again, to  
13 repeat myself, it takes away any excuse or reason why both agencies can't come to the  
14 table in a meaningful way in the very near future to drive the policing standards and  
15 interoperability and further integration of policing in this province.

16 **MS. RACHEL YOUNG:** I want to ask you about a couple of  
17 instances of your interactions with municipal Chiefs that we've -- Commissioners have  
18 heard oral testimony about, and I just wanted to give you a chance to share your own  
19 recollection in person rather than simply filing a transcript.

20 Just two things. One was a phone call that you may recall with the  
21 Nova Scotia Chiefs on April 30<sup>th</sup>, 2020 about Alert Ready. We did talk about it in your  
22 interview of July 6<sup>th</sup>, and I think I put to you what Chief MacNeil of Truro described.

23 And this is in his transcript; we don't need to bring it up unless you  
24 want to see it, but it's COMM3767 Exhibit P-001032. This was actually in his interview  
25 at page 119, although he did testify before the Commission as well. In his transcript he  
26 said:

27 "So the Alert Ready, again, it was much like the  
28 bulletin driven from the RCMP side of the house. Lee

1                   Bergerman and Chris Leather had a conference call  
2                   with all the chiefs. And basically, she was trying to  
3                   paint the narrative that the Alert Ready system  
4                   doesn't work. It's not effective. It's not friendly for law  
5                   enforcement. And we all need to get on board as  
6                   Nova Scotia chiefs and say this publicly that we would  
7                   never use it, [it's] not set up to do what the public  
8                   thinks it will do."

9                   And then to remind Chief Cecchetto, who at the time was the Chief  
10                  of Kentville Police said, and this is COMM15891, Exhibit 1031, at page 72, she said:

11                                "We then were asked ... we had a meeting called by  
12                                the RCMP via teams with all Chiefs, and we were  
13                                asked if we were willing to basically support them on  
14                                saying the Alert Ready system was flawed."

15                   And that she believed that you and Lee Bergerman were the  
16                   leaders of that call. What is your recollection of that call and what you were saying

17                                **C/SUPT. CHRIS LEATHER:** Well, what I was saying -- and I  
18                   remember the call in the CO's boardroom, was -- and this was, if I heard the dates  
19                   correctly, after the first deployment of the Alert Ready in April of 2020.

20                                **MS. RACHEL YOUNG:** Yes, the call was April 30<sup>th</sup>, and the first  
21                   deployment was April 24<sup>th</sup>.

22                                **C/SUPT. CHRIS LEATHER:** Oh, within days. We had, by then,  
23                   completed our analysis of the impacts, as best we could, and we felt we needed to  
24                   share that with the Chiefs. And, for me, it was a call to signal to them these unexpected  
25                   consequences that none of us predicted. I was a decision-maker on the deployment of  
26                   that alert, and I can tell you Inspector Auld and I had discussions -- he at the time was  
27                   working in Halifax District -- about its use, and not once did that come up in the  
28                   conversation, and when I look -- and I did -- after the deployment, nor could I find any



1 literature that described this overload aspect and the risk associated.

2                   So it was a -- for me, a cautionary tale for the Chiefs to say we're  
3 not saying we should not use alerting; we're saying be aware of the risks associated to  
4 its deployment. And second part of that, we need to start, whether it's us or us as in  
5 EMO and us and DOJ, to educate the public so we don't get -- describe them as  
6 nuisance calls, but calls where people are loading the lines up with calls about what to  
7 do next. That was a whole public education piece that we talked about this morning.

8                   And, you know, the sentiments there remind me, the same  
9 sentiments we had over a year -- several months later when we -- when I organized a  
10 call with the Chiefs of Police about the Officer Safety Bulletin and provided them with a  
11 timeline. And what we were trying to do was to be transparent with the Chiefs of Police  
12 to highlight to them risks in the case of alerting; what we determined in our, call it  
13 investigation of the existence of the Bulletin and which agencies were impacted by it,  
14 but instead, if I'm being frank, both calls were twisted to be something they were not.

15                   **MS. RACHEL YOUNG:** And that's why I'm asking, to give you a  
16 chance to say your side. Just back to the Alert Ready system conversation with the  
17 Chiefs, for example, my impression of their perception was that they thought the RCMP  
18 was trying to discount the effectiveness of the Alert Ready system to reduce criticism for  
19 not having used it on April 18<sup>th</sup> and 19<sup>th</sup> 2020. Is that what you were trying to do in that  
20 call?

21                   **C/SUPT. CHRIS LEATHER:** No. Perhaps it is how it was  
22 perceived. Well, obviously it was perceived that way if that's the testimony that's been  
23 received. But that was not the intention of the call, nor was that the message. And  
24 what can you say about that? That was not what we said. And if that was the  
25 takeaway, it's unfortunate and it speaks to -- it speaks to bigger issues in terms of  
26 relationships, trust, and that's what it does, because, again, it's not just that call in  
27 isolation. It's then the call several months later dealing with a completely different issue.  
28 And actually, some of the same Chiefs, but some different as well. And it was obvious

1 that some of those sentiments continued, and it made for a difficult call, unnecessarily  
2 difficult, when all it was in that call, which the CO was not part of, the one about the  
3 timeline around the officer safety bulletin, an uphill battle from start to finish on all items.

4 **MS. RACHEL YOUNG:** Chief Kinsella was under the impression  
5 you were trying to blame Halifax Police, ---

6 **C/SUPT. CHRIS LEATHER:** Well Chief ---

7 **MS. RACHEL YOUNG:** --- because Halifax was to close the case?

8 **C/SUPT. CHRIS LEATHER:** Well the irony is Chief Kinsella wasn't  
9 even on the call. It would be difficult for him to assess the phone call when he wasn't  
10 even present. One of his deputies was on the call. I know he had a lot to say after the  
11 call in his email exchanges with me.

12 **MS. RACHEL YOUNG:** Yes, that was in May of 2020, I think.

13 **C/SUPT. CHRIS LEATHER:** But -- I think you're right, in terms of  
14 the date. But it's a little late. And frankly, difficult to have a conversation with someone  
15 in that amount of detail who wasn't a participant.

16 But what we did do is we shared the timeline with the Chiefs in  
17 advance of the call in an effort to discuss and to look for a communication strategy  
18 coming out of that, should the other Chiefs want to participate. It was obvious that  
19 Truro, Amherst, Halifax, and ourselves were all touched by, if you will, that officer safety  
20 bulletin for one reason or another. And wouldn't the Chiefs like to know that? And  
21 some, as the minutes show, were appreciative of the timeline and the discussion. But  
22 others took the immediate posture and went on the defense of that we were trying to,  
23 I'm not sure what, blame or shift the responsibility to them, and that was not the  
24 intention at all of the phone call.

25 **MS. RACHEL YOUNG:** And there was another phone call about  
26 the bulletin that, as you know, was very ill-received. That was the call where you and  
27 C/Supt Janis Gray phoned Chief David MacNeil of Truro. He's given evidence to the  
28 Commission about that call. And we did discuss it in your July 6<sup>th</sup> email. We discussed

1 Chief MacNeil's recollection that you and Janis Gray called him about the bulletin, and  
2 his evidence is in COMM59832, Exhibit 3982, pages 110 to 114.

3 So just to quickly refresh your memory and then give you a chance  
4 to say your side of the story, Chief MacNeil said you requested to look at Truro's  
5 records and holdings regarding the bulletin, and his impression was that you would  
6 have liked to see the bulletin not surface. That's the impression he was left with. And  
7 there's also COMM3767 Exhibit 1032, which is the transcript of his interview at page  
8 112.

9 So the question is, were you and C/Supt Gray trying to bury the  
10 bulletin to avoid criticism of the RCMP for not having investigated the perpetrator further  
11 in 2011?

12 **C/SUPT. CHRIS LEATHER:** Well the opposite it true. And I think  
13 that's borne out in the call that I had with the Chiefs of Police. If my intention was to  
14 bury the bulletin, we wouldn't have consulted with and invited the Chiefs to a call to  
15 discuss it. So just on the basis of that, that description doesn't make sense to me.

16 But in terms of what we actually said, it was a call to the Chief to let  
17 him know that the H Strong investigators would be interested in speaking with Cpl.  
18 Densmore, the author of the officer safety bulletin from many years before. You know,  
19 was he still in their employ? Would he be accessible to investigators?

20 As I said earlier, given the importance of what was stated in that  
21 bulletin, is there still an opportunity to interview the person or persons who provided the  
22 information? And this was an attempt to clear the pathway for the investigators meeting  
23 with Cpl. Densmore and determining whether there was anymore information that Truro  
24 Police could provide us with that would assist the homicide investigators with their  
25 investigation.

26 **MS. RACHEL YOUNG:** Were you displeased that Truro Police  
27 released the bulletin pursuant to the FOIP request?

28 **C/SUPT. CHRIS LEATHER:** Well I -- you know, going back to the

1 conversation, if we could have done some sort of joint press release or some sort of  
2 release, doubtful a press conference, although it could have been built into a press  
3 conference perhaps, that that would have been the most transparent and effective way  
4 to communicate the existence of a bulletin with the public, and it's what I was  
5 advocating for.

6 And wouldn't it be nice to have the other Chiefs as, we call it  
7 signatories on that release, given the impacts to their service? We already know the  
8 outcome of that particular discussion.

9 But back to the conversation with Chief MacNeil, it was nothing  
10 more than -- it was a very short call and it was more logistics based. But any threat to  
11 bring the Command Triangle, to do searches, to look for records in their holdings  
12 doesn't even make sense to me in terms of the nature of the conversation that we had  
13 with the Chief and the Deputy who was also on the call on the other end, Deputy Hearn  
14 was on the call from Truro.

15 And I really don't even know what more to say about that, other  
16 than my version of the call is very different than Mr. MacNeil's.

17 **MS. RACHEL YOUNG:** Leaving aside the planning around any  
18 public communication around the bulletin substantively, did you initiate any internal  
19 investigation into Cst Wiley's apparent failure to speak to the perpetrator before the file  
20 was closed, as he had told Halifax Police he would?

21 **C/SUPT. CHRIS LEATHER:** No, and I wouldn't be the one that  
22 would initiate such an investigation. That would be a Code of Conduct investigation.

23 **MS. RACHEL YOUNG:** Who would be the person?

24 **C/SUPT. CHRIS LEATHER:** His line officer. So I mean, I believe  
25 he's not in the Division any longer, so it would have to be something that we would have  
26 to prepare as a division and share with I think O Division in Ontario to conduct an  
27 investigation.

28 All I can say is I was never engaged in a discussion about that. Did

1 others closer to his district where he worked, or perhaps even did Support Services  
2 contemplate that? Perhaps. But it's not something I considered.

3 **MS. RACHEL YOUNG:** Given all of the policing executive  
4 conversations you've been involved with in the last two years, and before that, do you  
5 have any insights to share with the Commissioners that might assist them in drafting  
6 meaningful and effective recommendations?

7 **C/SUPT. CHRIS LEATHER:** I do. And I have noted them. If it  
8 would be okay with the Commissioners if I could refer to my notes for that?

9 My recommendations cover a number of the areas that we've  
10 already spoken to, so I'm not sure if you want me to just focus on a specific area?

11 **MS. RACHEL YOUNG:** You don't need to repeat anything you've  
12 already said today, or in your interview transcript.

13 **C/SUPT. CHRIS LEATHER:** Critical Incident Media Training for  
14 Police Executives. And I know that it came up in the testimony yesterday from C/Supt.  
15 Campbell. I surely would have appreciated such training if it's available, and I believe it  
16 is by the FBI and perhaps other training academies for police executives.

17 I would strongly advocate for that for any criminal -- like from an  
18 RCMP perspective, for any Criminal Operations Officer or Commanding Officer to have  
19 that training literally as part of their job description. If they don't arrive with it, they  
20 should be assigned to that training standard.

21 I briefly mentioned earlier in my testimony around a deployed  
22 media staff member with, again, just myself. Had I had more fulsome material with me  
23 to help me with the Q&As or, if that isn't possible because of the time, to have someone  
24 from the communications staff more readily available for those more numerically or  
25 data-based information so there's less likelihood that you misstep when you're referring  
26 to the number of victims, the ages of victims, the number of scenes when you're going  
27 strictly by memory. That would have been extremely helpful.

1                   Transitional planning requirements for the Criminal Operations  
2 Officer position and Commanding Officer. I know that when I left the GTA command  
3 position in "O" Division, I flew back to Toronto and spent a day and a half with my  
4 successor. I had no such transition here in the Division.

5                   Transitional planning should include a briefing binder checklist and  
6 an in-person transition between those senior executives. The corporate memory loss,  
7 whether it relates to the McNeil recommendations, other key material that my  
8 predecessor learned over her four-year tenure, I've only become to learn through my  
9 own reading and file reviews, which has been self-directed. And it puts anyone coming  
10 into a position like that at a real disadvantage, and I hope that our organization will  
11 consider the importance of stronger transitional planning.

12                   I already talked this morning, so I won't repeat the deployed analyst  
13 to the command post setting or the OCC setting to support the risk managers. I think  
14 it's something that we should look at very seriously as perhaps an extension of the CIC  
15 program or as an extension of Support Services in the Division.

16                   Technology. From the standpoint of information sharing in those  
17 first few days, it would have been -- and I'm not sure the technology exists, but there's  
18 this perception that when information is learned by an affiant working in a back room  
19 somewhere in the legal applications support team or investigator in the field doing a  
20 query and learning something, for instance, about the perpetrator or witnesses or  
21 others, that information often doesn't get shared. Not often. Doesn't get shared. Gets  
22 shared in a slow way.

23                   Yes, of course there are briefing cycles, but if there was ever a way  
24 to more quickly share and receive information -- and this is specific to the  
25 communications responsibilities, less to do with investigative -- that would have been  
26 beneficial.

27                   Think about in terms of almost like a ticker tape, old school, where  
28 information is coming into the communications section where they're receiving, albeit

1 raw information, but the most timely information perhaps with some vetting. But what  
2 learned and I read in the Foundational Document is we collectively knew about a lot of  
3 information that was not getting through to either key decisionmakers or those persons  
4 such as myself who had to stand up and provide briefings to the public. And so is there  
5 technology available to us that would enhance our capability to information share key  
6 updates to supplement and assist with the talking points and communication strategy?

7 I'm not sure where that would be situated, but those are my  
8 observations today.

9 **MS. RACHEL YOUNG:** Thank you, Chief Superintendent Leather.  
10 Those are my questions for you today.

11 **COMMISSIONER MacDONALD:** Thank you, Ms. Young, and  
12 thank you, Chief Superintendent Leather, for your attendance today.

13 The process we are following and will follow with you is that you will  
14 be subject to questioning by various -- counsel for the various Participants, and I'm sure  
15 they will be meeting after today into the evening to discuss a way that that can be done  
16 as efficiently as possible. And we'll do that tomorrow.

17 We'll adjourn, then, with my thanks to you, sir, for being here today  
18 and, of course, for tomorrow, for counsel, all counsel and all Participants who are  
19 involved in the proceedings today.

20 You're still under oath, of course, and, as such, we would ask you  
21 not to discuss your testimony with anybody over the break until tomorrow. And we  
22 would ask you to come back, then, and of course, welcome everybody else back at 9:30  
23 tomorrow morning.

24 **C/SUPT. CHRIS LEATHER:** Thank you, sir.

25 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

26 The proceedings are adjourned until July 28th, 2022 at 9:30 a.m.

27 --- Upon adjourning at 4:47 p.m.

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**CERTIFICATION**

3

4 I, Maxime Roussy, a certified court reporter, hereby certify the foregoing pages to be an  
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6 swear.

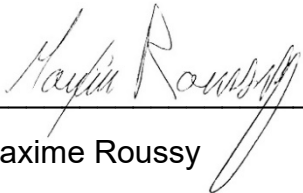
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8 Je, Maxime Roussy, un sténographe officiel, certifie que les pages ci-hautes sont une  
9 transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et  
10 je le jure.

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\_\_\_\_\_  
Maxime Roussy