

Public Hearing

Audience publique

Commissioners / Commissaires

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

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

Dr. Kim Stanton

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II Appearances / Comparutions

Ms. Rachel Young	Commission Counsel / Conseillère de la commission
Ms. Jane Lenehan	Counsel / Conseillère
Ms. Nasha Nijhawan	Counsel / Conseillère
Mr. Ron Pink	Counsel / Conseiller
Ms. Patricia MacPhee	Counsel / Conseillère
Mr. Andrew Gough	Counsel / Conseiller

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Halifax, Nova Scotia

--- Upon commencing on Thursday, August 25, 2022 at 2:07 p.m.

REGISTRAR STEPHANIE WEBBER:: Good afternoon. 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: 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.

(SHORT PAUSE)

COMMISSIONER FITCH: This afternoon, we'll hear from Halifax Regional Police Chief Dan Kinsella about lessons learned, changes made, and opportunities for additional improvements, based on the role of the Halifax Police in responding to the mass casualty.

I will now ask senior Commission Counsel Rachel Young to begin.
Ms. Young?

MS. RACHEL YOUNG: Good morning, Commissioners, Participants, and everyone.

Commission Counsel calls Chief Daniel Kinsella of the Halifax Regional Police to the stand.

--- CHIEF DAN KINSELLA, Sworn:

REGISTRAR STEPHANIE WEBBER:: Thank you, be seated.

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

MS. RACHEL YOUNG: Good afternoon, Chief Kinsella.

CHIEF DAN KINSELLA: Good afternoon.

1 **MS. RACHEL YOUNG:** You're Chief of Police of Halifax Regional
2 Police?

3 **CHIEF DAN KINSELLA:** Yes, I am.

4 **MS. RACHEL YOUNG:** How long have you been in that position?

5 **CHIEF DAN KINSELLA:** Just over three years. I started in July of
6 2019.

7 **MS. RACHEL YOUNG:** What was your job before that?

8 **CHIEF DAN KINSELLA:** Before that I was the Deputy Chief of
9 Police for the Hamilton Police Service in Hamilton, Ontario.

10 **MS. RACHEL YOUNG:** How long were you there?

11 **CHIEF DAN KINSELLA:** I was, in total, 33 years. I started my
12 policing career in 1986.

13 **MS. RACHEL YOUNG:** How long were you Deputy Chief?

14 **CHIEF DAN KINSELLA:** Two and a half years.

15 **MS. RACHEL YOUNG:** You've already provided answers to 95
16 questions in writing from the Commission, pursuant to a subpoena in lieu of a voluntary
17 witness interview.

18 I'd like to make those answers exhibits now, please, Madam
19 Registrar. The first set of answers is dated July 27th, 2022; that's COMM0061317.

20 **REGISTRAR STEPHANIE WEBBER::** That will be Exhibit 4254.

21 **--- EXHIBIT NO. 4254:**

22 (COMM0061317) Chief Dan Kinsella's answers to
23 Commission's questions, dated July 27, 2022

24 **MS. RACHEL YOUNG:** Thank you. And the second set of
25 answers is dated August 19, 2022; COMM0063041.

26 **REGISTRAR STEPHANIE WEBBER::** And that will be Exhibit
27 4255.

28 **--- EXHIBIT NO. 4255:**

1 (COMM0063041) Chief Dan Kinsella's answers to
2 Commission's questions, dated August 19, 2022

3 **MS. RACHEL YOUNG:** Chief Kinsella, did you write those
4 answers, or did a team assist you in putting them together?

5 **CHIEF DAN KINSELLA:** I had assistance putting them together.

6 **MS. RACHEL YOUNG:** Did you review them, and are they
7 accurate?

8 **CHIEF DAN KINSELLA:** Yes.

9 **MS. RACHEL YOUNG:** Today I'm going to ask you to expand on
10 some of your answers, including on the topics of public alerting; wellness supports for
11 Halifax Regional Police personnel; the dynamics of municipal policing; and policing
12 standards in Nova Scotia.

13 As you know, we're here in the aftermath of the events of April 18th
14 and 19th, 2020. During the mass casualty, did Halifax Regional Police fulfil all the
15 requests the RCMP made of it?

16 **CHIEF DAN KINSELLA:** Yes, we did. And we were in contact
17 with them fairly early on, and the requests that they did ask of us, we were able to
18 complete.

19 **MS. RACHEL YOUNG:** You answered some questions already in
20 writing about the public alerting system, and you indicated that your -- the main goal of
21 Halifax Police in the situation you were actually in was containment, so making sure the
22 perpetrator did not cross the boundary into Halifax Regional Municipality.

23 If he had, would you have requested the Emergency Management
24 Office to issue a public alert?

25 **CHIEF DAN KINSELLA:** So the answer is just not simply, "Yes" or
26 "No." I have to provide a little bit of context, so if I could do that, just for a couple of
27 minutes?

28 The -- you know, the Alert Ready is a tool that was available at the

1 time. And the shifting dynamics of the call was very fluid. We had the perpetrator
2 popping up in different areas of Nova Scotia; Wentworth, Debert, different areas.

3 As the call evolved, we began to get information that suggested
4 that he was getting closer to HRM, and our jurisdiction in particular due to the location of
5 his businesses. So the real time to be contemplating that alert, in my view, would have
6 been much earlier in the situation as it unfolded. There was various points in time, I
7 believe, where it could have been used.

8 To your direct question of whether we would have done it, you
9 know, we were -- as you say, we were doing containment; that was the primary goal.
10 We were also assisting family members. We had a number of areas secured within
11 HRM and -- or, sorry; in our jurisdiction in HRP, and we most certainly would have
12 considered that as an option, particularly had we gotten a call from EMO that said, you
13 know, "Would you guys like to do an Alert Ready?" And it's, you know, really
14 inconceivable that we would not have considered it. But every use of the Alert Ready, I
15 think, because of the type of tool it is in importance to gravity and impact would have to
16 be evaluated. But at that particular moment, that should have been contemplated, in
17 my view, much earlier.

18 **MS. RACHEL YOUNG:** And it was a tool you did know about in
19 April of 2020; right?

20 **CHIEF DAN KINSELLA:** That's correct.

21 **MS. RACHEL YOUNG:** When you say assisting family members,
22 you're referring to assisting family members of the perpetrator or Ms. Banfield that you
23 felt were under threat from the perpetrator?

24 **CHIEF DAN KINSELLA:** Yes, and we had received information
25 from the RCMP that suggested there may be some harm coming to those people. They
26 were quickly identified and quickly secured.

27 **MS. RACHEL YOUNG:** In your second set of answers, which is
28 COMM0063041, which is Exhibit 4255 now -- perhaps we could see that on screen

1 looking at number 5, which is expanding on answer 39 from the first set of questions.

2 You said you were aware of the Alert Ready system prior to the
3 events and that it could be used for a variety of purposes. And you mentioned some
4 purposes there like a pandemic or weather event or another crisis situation.

5 Were you aware that it could be used to alert people to ongoing
6 criminal activity?

7 **CHIEF DAN KINSELLA:** Well, the answer is yes, but I think you
8 have to look at it in totality. It is an alerting system. It can be used to cross many
9 platforms, many different types of alerts, whether it be TV, radio, otherwise. It was
10 interesting to note, and it was a topic of conversation for us, around it being used just
11 previously for the pandemic, which we found quite interesting and we had that
12 conversation.

13 And prior to that, as I think we all knew -- it's the same system
14 that's used for Amber Alerting, so my understanding was -- though I don't know that
15 there specifically was and I -- you know, I don't know -- I know for sure there was not a
16 box for "active shooter" only to be used in that situation. But I knew that it was to be
17 used for alerting and I knew that it could be used for any type of alerting, could be
18 tailored, so that was the knowledge that I had.

19 **MS. RACHEL YOUNG:** So it could be used to alert people to a
20 mobile active shooter?

21 **CHIEF DAN KINSELLA:** It certainly could.

22 **MS. RACHEL YOUNG:** Since the events, the Halifax Regional
23 Police and the RCMP have taken on the ability to issue an alert directly rather than
24 going through the Emergency Management Office. In your view, what's the ideal
25 number of institutions with authorized users that should be able to issue an alert?

26 **CHIEF DAN KINSELLA:** Well, my view and having participated in
27 the senior officials committee -- I was a bit of a late add-on, but I did get involved. And
28 my view of the Alert Ready system is it should be used by and overseen by one

1 governing body. There's a number of reasons for that, particularly the appropriate use
2 of it.

3 And I think what we need to do as a province is we need to come
4 together and decide what is the threshold and when, in fact, it will be used. We've done
5 -- we've done a lot of the work in that area, but I think the one governing body is the way
6 that we should do it. That's the way it should be done.

7 It was done that way EMO. It is also done that way in New
8 Brunswick and done by the RCMP, as I understand.

9 I did suggest, in the absence of EMO keeping it, that the RCMP in
10 Nova Scotia consider taking it on. There wasn't interest in that.

11 I then offered to take it as the Halifax Regional Police to do it for the
12 province. Obviously, I'd have to explore, you know, funding and all of those kind of
13 things, but I felt so strongly about it that I felt that it should be held by one organization.
14 I was prepared to do it.

15 There was no appetite for that to happen at the time. I was left with
16 the decision of becoming a direct issuer as the HRP or having this fragmented model
17 and being part of it, which I'm part of anyway, but now currently HRP has the ability to
18 issue Alert Ready and we have people trained and we exercise on it and we're prepared
19 if and when we should need to use it.

20 **MS. RACHEL YOUNG:** So there was one issuer with EMO, so you
21 were content with that and you would -- were able to issue alerts or ask them to do if
22 you needed to before; right?

23 **CHIEF DAN KINSELLA:** That's correct. We personally did not
24 have any issuing issues with having EMO continue to do it.

25 **MS. RACHEL YOUNG:** And then -- but when there were
26 discussions that you were part of about downloading that to the police or having the
27 police have direct access, your preference would have been to have one police force do
28 it for the whole province; right?

1 **CHIEF DAN KINSELLA:** Absolutely. One police force, one
2 governing body, stay with EMO. There was some complications with EMO that they
3 described in regards to, you know, ability to do it in the middle of the night, but they do
4 have a duty officer system, those kind of things. And that would have -- it still today is
5 my preference.

6 And even when we were doing the planning stage, even though
7 that's changed now, I had suggested initially that let's give us ability to issue Amber
8 Alerts. That wasn't initially palatable by the larger group. However, that has come to be
9 now and I think it's a better option to be able to issue all alerts for the police service of
10 jurisdiction, in our case HRP, or the RCMP. Other services in Nova Scotia still have the
11 ability through Shubie Radio to issue alerts and -- but I still believe one governing body
12 is the best way to go to ensure consistency, to ensure we maintain the impact of the
13 Alert Ready.

14 **MS. RACHEL YOUNG:** So when you say there was an appetite for
15 the RCMP to be the sole issuer, do you mean appetite from the RCMP? Like they didn't
16 want to take on being the sole issuer?

17 **CHIEF DAN KINSELLA:** At the -- yes. At the committee level, that
18 wasn't -- I had suggested. It wasn't picked up by the committee, the rest of the
19 committee that was there, whether it be -- I'm sure the RCMP had a large say in it. I
20 also believe the DOJ had a say in it. But from the committee's perspective, it isn't
21 something that they wanted to pursue.

22 **MS. RACHEL YOUNG:** And when you say DOJ there, you mean
23 the Nova Scotia Department of Justice?

24 **CHIEF DAN KINSELLA:** Yes.

25 **MS. RACHEL YOUNG:** And when you say there wasn't an
26 appetite for HRP to be the only issuer either, are you referring to that same committee?

27 **CHIEF DAN KINSELLA:** Yes.

28 **MS. RACHEL YOUNG:** Okay. Has Halifax Regional Police ever

1 issued an alert or asked EMO to issue an alert since you've been Chief?

2 **CHIEF DAN KINSELLA:** Not in my time, no.

3 **MS. RACHEL YOUNG:** Why not?

4 **CHIEF DAN KINSELLA:** We have contemplated it on numerous
5 occasions, but we haven't had an incident where, in my view, it met the threshold to
6 issue.

7 **MS. RACHEL YOUNG:** I'm going to ask you now about supports
8 for Halifax Regional Police Personnel.

9 As you may know, paragraph B11 of the Commission's mandate
10 directs the Commissioners to, among other things, inquire into the information and
11 support provided to police personnel. In the subpoena, you were asked in question 45
12 what post-event support systems and programs are in place for HRP members, for
13 example, an Employee Assistance Plan.

14 And in your answer, which is COMM0061317, you did list half a
15 dozen programs that are available. And my question to you today is, were employees
16 reminded of the availability of these programs in the aftermath of the events as a group
17 or one on one for those who were involved in the response?

18 **CHIEF DAN KINSELLA:** I'm sorry. Just the last part of it, one on
19 one just in relation to the event?

20 **MS. RACHEL YOUNG:** So for example, was there a mass email to
21 employees saying remember you have access to this or did supervisors, for example,
22 approach someone they knew had been a part of it and say, "Hey, remember, like if you
23 need to talk to someone, you have these programs"?

24 Perhaps we can just pull up the document. It's 61317, and it's
25 question and answer 45.

26 And that's -- the first answer is Exhibit 4254.

27 While we wait for the document, is that something you turned your
28 mind to at all?

1 **CHIEF DAN KINSELLA:** Yes, absolutely.

2 So first responder mental health, I think, is a -- you know, a very
3 high-level topic. We're in tune to what's going on there and trying to provide the best
4 supports in place for members not specifically related to the mass casualty, but certainly
5 part of it, and certainly in advance of that.

6 Now, having said that, we have a long way to go, I believe, as
7 police organizations and other first responder organizations to make sure that we
8 continue to be responsive to first responders' trauma, the things that they are left
9 dealing with and, you know, affected by.

10 So it is always, you know, top of mind and we have people working
11 on it in our HR department and wellness. We have people working on it in training
12 through our reintegration program to get people back to work. But beyond that and --
13 you know, more importantly, and I'll get back to the post-event, is how do we make a
14 difference up front. How do we proactively try to make a difference, try to, you know,
15 spot things in advance, try to give people the opportunity to put their hand up to seek
16 out help if they require it and encourage people to do that?

17 We do that, in my view, you know, pretty good, but we can always
18 do better. And we recently -- not directly related to mass casualty, but as part of it, our
19 EFAP program, we recently started a pilot project where we added one additional staff
20 coordinator so they could, you know, do more outreach, do more interaction, go to
21 phones, have conversations with people.

22 Specific to the mass casualty event, we did have a team assembled
23 and offer post-event support. We had senior officers deployed to each of the stations.
24 So when members came back from the day's events, when they were checking in, we
25 had senior officers there ready to engage. We had our EFAP mobilized. They were
26 certainly around. I can't speak specifically to an email that went out specific to the
27 event, but I can say that that with some regularity, we regularly remind our members
28 that support is there for them. We encourage them to reach out. And you know, seek

1 out the help if we need it.

2 We also have, with our EFAP program, our two current
3 coordinators, very skilled individuals, very dedicated. They're regularly reaching out to
4 people to the point of monitoring calls that occur over the past 24 hours and past 48
5 hours if there's a traumatic call. And they know about it, they read daily logs, they are
6 inquiring with supervisors. They may reach out to individuals that are involved or had
7 been on those calls.

8 So we have that kind of engagement on a regular basis as well.

9 Additionally, we have our wellness coordinator that, you know,
10 really concentrates on those wellness issues, fitness, eating right, sleeping right, all
11 those kinds of things.

12 We also have, as I mentioned in my response, we have the Safe
13 Guard Program for specific units, such as Forensic Identification. The -- we have that
14 program in place proactively, as well as annually. But specific to the event, we did have
15 a number of, you know, reach outs in place for people. And we did have people, some
16 of our members, take advantage of that and take some time off after.

17 **MS. RACHEL YOUNG:** We do see the list on screen now, and
18 you've mentioned some of those programs. And so it wasn't left to the employee to --
19 the onus wasn't on them to reach out, they were kind of encouraged to seek help if they
20 needed it?

21 **CHIEF DAN KINSELLA:** They were, certainly. And there was a
22 number of reach outs, as I mentioned, from senior staff, our EFAP program. I can't
23 speak specifically to NCOs, but I believe they were attune to it as well.

24 It's fundamental to ensuring that the conduit is always there, and
25 we don't want the member to feel they're isolated or on their own or have to do all the
26 work themselves. But we do encourage that engagement, we do encourage people to
27 come forward if we're not able to have those conversations.

28 **MS. RACHEL YOUNG:** The next question/answer, 46, the

1 question was:

2 "How does an HRP officer get access to mental health
3 support?" (As read)

4 And then the answer is five bullet points. So it says:

5 "EFAP, peer support available 24 hours per day, seven
6 days a week." (As read)

7 What does EFAP stand for?

8 **CHIEF DAN KINSELLA:** Employee Family Assistance Program.

9 **MS. RACHEL YOUNG:** And then the next one is:

10 "EFAP, referral for the professional services. Employees
11 on group benefit plan. WCB services if it's the result of a
12 work place incident or injury." (As read)

13 That's Workers Compensation Board. And:

14 "WCB online support for Nova Scotia First Responders."
15 (As read)

16 And I take it if an employee were to access these services, it would
17 be anonymous, so it ---

18 **CHIEF DAN KINSELLA:** Yes.

19 **MS. RACHEL YOUNG:** --- would be private and confidential?

20 **CHIEF DAN KINSELLA:** Absolutely.

21 **MS. RACHEL YOUNG:** And so in terms of proactive steps, you've
22 described some people being deployed to detachments. So they were there kind of
23 when people came back in. Did supervisors have duties to flag concerns or their
24 mandatory psychological appointments and things like that?

25 **CHIEF DAN KINSELLA:** Well the expectation would be that
26 through the outreach of supervisors, EFAP coordinators, they would have those
27 conversations with people to say, you know, "Are you all right? Is there anything we
28 can do to help? Do you need any support?" I'm not aware of any mandatory

1 psychological assessments that we do at HRP or that we would demand someone do
2 that. We would certainly make it available.

3 The referral for professional services generally is done through the
4 EFAP coordinators. We also have a number of volunteers. You know, they kind of
5 work under and with the coordinators. So taking phone calls, reaching out, having
6 coffee. Those kinds of things to have those conversations.

7 In my experience, you know, you have to develop that relationship
8 with people. They need to be -- need to know that they can trust coming forward. And I
9 believe our program works fairly well. And as I mentioned earlier, we're always looking
10 at, you know, different ways and different things to do. And I mentioned the
11 reintegration program. That wasn't something we created. We got it from the
12 Edmonton Police Service. And it seems to be working quite well.

13 **MS. RACHEL YOUNG:** Next I'd like to have your insights on
14 various aspects of municipal policing, and for you to bring it off the page a bit for the
15 Commissioners and help them understand what it's like on the ground.

16 In your second set of questions, COMM63041, in answer number 9,
17 you said you were a:

18 "Strong proponent of policing services maintaining direct
19 routes within the communities they serve." (As read)

20 So do you mean by that that you're a proponent of the municipal
21 policing model?

22 **CHIEF DAN KINSELLA:** Well certainly -- that's the model that I
23 have been in for 36 plus years. And I believe that it is best to have those connections
24 with the community, to know your area, to own it, so to speak, and have a good
25 understanding of, you know, your patrol area, the people that are in it. We use those
26 examples all the time in downtown Halifax and in other areas of Halifax where people
27 know, to some degree, whether it be their community response officer or the beat
28 officer, they know them.

1 So I am a proponent of it. I think it is best if, to the extent that we
2 can, we have people get to know the community that they're serving, they understand
3 the community.

4 And it's also important to remember that we don't do this in isolation
5 as municipal police, or as police officers, whether it be federal or otherwise, or
6 university, you know, security, or anything like that. We don't do it in isolation. We have
7 to work with our community. We need our community to be involved. And that's
8 something that we have to continually work on and strive to achieve.

9 **MS. RACHEL YOUNG:** I'd like you to help us understand that a bit
10 more, because of course Halifax is the biggest municipality in Nova Scotia, and there
11 are many small municipalities in the province. And so presumably there will always be
12 a need for municipalities to access provincial police services for specialized policing
13 services. And so things like an ERT team, which, you know, is hard enough for the
14 Province to fund, never mind each municipality. And so are there pros and cons of the
15 municipal model versus regional and provincial?

16 **CHIEF DAN KINSELLA:** Well I think certainly it's worth exploring
17 any model, if we're looking at revamping, what is occurring.

18 As -- you know, as the largest municipal police service in Atlantic
19 Canada, the Halifax Regional Police has the ability to do most things. There are still
20 some things that, you know, we need to reach out to our partners for, and we do on a
21 regular basis. So we have those agreements and we continue to do that.

22 But I think, you know, the -- you have to really understand and
23 really look at the geography in Nova Scotia, the community makeup, the tightness -- the
24 tightknitness of communities, and then the broad geographical area that needs to be
25 covered. And that's why I think we have, you know, towns and municipalities with small
26 police services, but it meets the need. It's responsive to what the community is looking
27 for in those particular areas.

28 To your point of needing the provincial policing model, we're --

1 Nova Scotia is going to need that. I don't see that going away any time soon. You
2 know, should it be distinct and different from federal policing? I think that's something
3 that should be considered and we should look at.

4 Regional hubs are also another that, you know, could be created.
5 And you could take, you know, the larger police services, Cape Breton and Halifax,
6 have some funding model to try to achieve economies of scale, and create specialized
7 services that could cover half the province each, if that's possible. Or do it in
8 conjunction with wherever we land on the provincial policing model to ensure that, you
9 know, if we break the province up into three areas, we can cover the three areas.

10 But your point, it's funding. And the money would need to be there,
11 would need to come from somewhere.

12 Municipalities tend to, you know, want to invest in policing and they
13 want return on investment. I think all police services do. Federally, the RCMP want that
14 as well. And we should all want that. Smaller services want that as well.

15 But with the unique dynamics of the province that we live in, we
16 need to have the ability to respond to, you know, any kind of crisis, particularly
17 specialized critical incidents. We need to be able to mobilize those teams and have
18 them deploy.

19 **MS. RACHEL YOUNG:** When you say -- you were talking about
20 provincial policing. You said that it could be distinct and different from federal policing.
21 Do you mean the possibility of a provincial police force that's not the RCMP?

22 **CHIEF DAN KINSELLA:** Well I think it should -- we should
23 consider that. We should have that conversation. It shouldn't be done in isolation and
24 we need a number of people at the table to have that conversation and what is the best
25 way that it would look. It could continue to be the RCMP in, you know, whatever fashion
26 we arrive at. And I look forward to the recommendations that will come from the
27 Commission and working together. Because clearly, we collectively, and when I say
28 "we", I mean all of us in law enforcement in the province, we need to work together and

1 we need to be able to respond. We have to have mechanisms in place for that, you
2 know, whether that be a phone call to send, you know, officers and cruisers, whether
3 that be, you know, give a call and get your ERT team ready.

4 And I can tell you that we regularly, and we work with the RCMP.
5 They'll go to do a call in, you know, somewhere in J-Division to back up what's going on
6 there. They'll let us know and we'll cover off. And they would do the same for us. And -
7 - you know, so Cape Breton would also do it, I'm sure.

8 And -- but we do need to have the ability to respond, we need to
9 respond quickly, we need to know who's in charge, we need to know that the
10 appropriate things are being done investigatively. Scene control, you know, all of those
11 kinds of things that need to happen.

12 And you know, based on our geography, based on our population
13 and the way it's spread out, it's something that we can certainly look at. And you know,
14 I'm a proponent of having those discussions. I'm not an expert on policing models. I
15 know the policing model that I've grown up in for 36 years, and that's the municipal
16 policing model. But we do have to be able to adapt. We have to change. We try to do
17 that with HRP, and certainly, we tried to do it in Hamilton. So there has to be that
18 opportunity for growth. We have to be open to the concept of doing things differently.

19 **MS. RACHEL YOUNG:** Even in the municipal policing model it
20 sounds like what you're saying is there is give and take in terms of the resources
21 beyond the formal Memorandums of Understanding, but people do just call each other
22 for help informally as well. Is that right?

23 **CHIEF DAN KINSELLA:** That's correct.

24 **MS. RACHEL YOUNG:** So Halifax Regional Police, that
25 jurisdiction is the urban core, essentially, and then there is Halifax District RCMP, which
26 covers the surrounding suburban areas, is that right, or the rest of the HRM?

27 **CHIEF DAN KINSELLA:** Yeah, a mix of suburban and rural, I
28 would say, and we probably have a mix of urban and suburban. So we do Bedford,

1 Dartmouth, Halifax proper, the Sambro loop. The RCMP do Cole Harbour, Lower
2 Sackville, Tantallon, and Musquodoboit and Sheet Harbour. I might have missed on in
3 there, but I think that's the coverage.

4 **MS. RACHEL YOUNG:** We've heard the comment repeatedly that
5 relationships are good at the rank and file level and maybe more strained at the officer
6 level between the different forces. I think you touched on that.

7 If we could see your first set of answers, 61317, Answer 81, that's
8 at page 17. And I think because it had become a theme we asked you about that, and
9 you agreed with that statement that -- you said:

10 "My understanding is that the relationships among
11 the rank and file members are good at the
12 Operational level. At the senior officer level
13 operationally the level is good. All are willing to assist
14 when called upon. At the strategic level, the federal
15 level objectives can be different than those at the
16 municipal level. Different municipalities have needs
17 that may be better served by a municipal police force
18 or police service." (As read)

19 So why do you think that is? Well, first of all, why do you think it is
20 that everyone seems to get along on the ground and not as we go up the ranks?

21 **CHIEF DAN KINSELLA:** Well, I think, you know, like any first
22 responder profession, policing is no different than firefighting or, you know, EHS and
23 there's others. There is a, I believe, a strong desire by people working at the frontline,
24 people that are delivering what I would call law enforcement services to genuinely
25 commit to public safety, to help people, and I think when that needs to happen it does
26 happen.

27 And I -- you know, we have very specific examples within our setup
28 here in HRM. You know, we regularly have officers that are on both sides patrolling

1 near geographic borders that separate jurisdiction and regularly will jump over the
2 border to back up each other. And whether it be, you know, HRP has a canine dog
3 that's close, we will go, generally. You know, the RCMP likes to be notified about that
4 and make the call, which is totally understandable. But the dispatchers, our
5 Communications people in our IES, you know, they can see where people are, they
6 know who's close to the border and who's close to calls. And we have had a number of
7 occasions where that occurred. So that's what I would call the frontline activity.

8 There's also some pitfalls to that as well. You know, there's some
9 customer service issues that may arise, there's, you know, people getting, you know,
10 different levels of service for one reason or another. So there is that to consider as well.

11 And -- but I truly believe that on the frontline, and even at the senior
12 level, that we are willing to help and assist in a crisis. Even when we're not we could be
13 doing -- executing, you know, warrants for high risk offenders or guns or whatever the
14 case may be. Sometimes warrants have to be done simultaneously. We'll do one part
15 of it, RCMP will do the other. That planning happens, you know, in a different area than
16 I'm involved in, but I know that it does occur and I know that it happens with some
17 regularity. And I think that's why we want to help.

18 I think when we get into strategy planning and what's your priority
19 versus what's my priority, what's the priority of, you know, Downtown Halifax in regards
20 to things that need to be investigated versus what's going on in Cole Harbour,
21 sometimes those things can be different. And when -- when you're the person that's
22 investigating or sent to look after those kind of calls, you generally just want to go and
23 do that kind of call. When you're the higher level, you know, manager determining
24 where resources are deployed, sometimes we can have difference of opinions and what
25 that should look like and how that should happen. It's the same for long-term strategic
26 thinking.

27 And sometimes, you know, federal alignment is not in conjunction
28 with -- with what's going on in the municipality. I can share an example of that if you'd

1 like it, but these are the realities of what's occurring.

2 **MS. RACHEL YOUNG:** Example would be good, if you -- because
3 I don't know, when you say "federal" there, are you referring to the enforcement of
4 federal offences, I mean, offences covered by the federal RCMP, or do you mean
5 federal objectives, like National Headquarters in Ottawa, RCMP objectives versus
6 H-Division objectives?

7 **CHIEF DAN KINSELLA:** It could be that. I'll just give a simple
8 example. It doesn't involve crimes but it involves historic trauma.

9 In 2019, when I arrived here, in July and even before, I had
10 previously read the Wortley Report; I knew that I was going to get the Wortley Report
11 when I came here. And after reading the Wortley report, I knew that it was important to
12 consider doing an apology to the African Nova Scotian community.

13 **MS. RACHEL YOUNG:** Can you just explain for those who don't
14 know what that report is?

15 **CHIEF DAN KINSELLA:** The Wortley Report was commissioned
16 by HRM to look at street checks within I believe just HRM at the time, and it involved
17 both Halifax Regional Police and the RCMP. And there was a number of
18 recommendations that came out of that report which ultimately led to the banning of
19 street checks in the province. First there was a moratorium, and then there was a ban.
20 And along with that were a number of recommendations that spoke to, you know,
21 increasing our community outreach, training that was required.

22 And part of it was, you know, the consideration of police services to
23 deliver a apology for the historic trauma that's been inflicted over the years, the
24 disproportionate street checking that was identified through the Wortley Report.

25 And when I got here, that's what I was contemplating even before.
26 I began to do community outreach, and I spoke to a great number of people in the
27 community to kind of get feedback so I had a good understanding, remembering that I
28 came from a different province with 33 years of policing there.

1 And this was where I would say sometimes our goals and
2 objectives are not aligned. I had a conversation with senior RCMP Halifax District staff,
3 let them know that I was heading towards likely delivering an apology, asked them to
4 consider joining in and be part of that apology, we could do it together. Ultimately, they
5 decided that wasn't the way they were going to go at the time. I ended up delivering the
6 apology.

7 But if you -- if you look at it from a different perspective, I felt an
8 apology was needed. I certainly thought it was needed on behalf of the Halifax
9 Regional Police. I had done a lot of background work to get there. The member from
10 the Halifax District, and I'm sure there was other conversation, did not feel the need to
11 go down that route. So that's one small example.

12 The other example, I'll just touch on a real quick criminal one.
13 Within our Integrated Criminal Investigation Division we have a GIS section, which is,
14 you know, General Investigative Section. And fundamentally, we have two very
15 different views. When I say "we", the Halifax Regional Police and the Royal Canadian
16 Mounted Police. Fundamental differences on the investigations that should go to that
17 section, right? Now, we're working on that, we have new staff in there; we have a new
18 inspector that's arrived, so, you know, we're having those kinds of discussions.

19 And that's okay if we do things differently, but we have to have the
20 ability to ensure that we're delivering the service that we need to do. And some of the
21 things that we send to GIS, the General Investigative Section, are done for very good,
22 sound investigative reasons. And the RCMP doesn't send some of those things.
23 They're able to keep them at the divisional level, they're the general patrol level. And
24 there's various reasons for that.

25 Those are fundamental differences, and they affect the people on
26 the ground because you have investigators are getting a certain type of investigation
27 from the HRP jurisdiction and then they're not getting the same ones from the RCMP
28 jurisdiction. So people are saying kind of what's up.

1 So those kinds of discussions have to happen. And, you know,
2 we've made it work, certainly since I've been here, and my understanding is that they
3 made it work from the time that integration occurred.

4 **MS. RACHEL YOUNG:** So in that example, the types of
5 investigations, people aren't on the same page when it comes to triaging incoming
6 cases of what the best way or what the best group to investigate in; do I understand that
7 correctly?

8 **CHIEF DAN KINSELLA:** Yeah, it's a difference of opinion, right?
9 And that's essentially it. And the other piece of it is, you know, where do you find the
10 middle road? You try to have those discussions to find a middle road, but sometimes
11 we have to do certain things a certain way because of the community and the
12 population we serve. The RCMP or other services may do things different. They're
13 able to do things a certain way because of the communities that they serve and the time
14 that officers may have and those kind of things.

15 **MS. RACHEL YOUNG:** Can you scroll down a bit in this same
16 document to question-answer 83, please? And here you're asked:

17 "What actions has HRP taken in response to the
18 findings and recommendations of the 'Defunding the
19 Police: Defining the way forward for HRM' report?"

20 (As read)

21 And your answer was:

22 "We report to and are working with the Board of
23 Police Commissioners, and by their decision the
24 implementation of this report falls to the Board. We
25 will participate in the follow-up." (As read)

26 I just wanted to ask you if you could clarify your response a bit.
27 While implementation may fall to the Board, presumably it has operational and staffing
28 implications that you as Chief will be tasked with overseeing and following up on.

1 **CHIEF DAN KINSELLA:** Right.

2 **MS. RACHEL YOUNG:** So can you tell us if you've thought
3 anymore about how that's going to work?

4 **CHIEF DAN KINSELLA:** Yeah. So I'll just go back, just a little bit
5 to, you know, other reports that we've had to deal with; I've mentioned Wortley. We
6 also recently had an IT audit report with a number of recommendations; Wortley had a
7 number of recommendations.

8 And the reason I bring those two up is because Wortley is a
9 multistakeholder approach. It was, you know, identified and put forward for the Halifax
10 Regional Police and the Royal Canadian Mounted Police, but it has far more reaching
11 impacts across the province. And the Department of Justice is involved; there's other
12 stakeholders that are involved. And sometimes those -- addressing those
13 recommendations takes a little bit longer because you have to do it in consultation with
14 others.

15 The IT audit report, for example, was internal from HRM, and a
16 number of recommendations came out of the IT audit, and that was specific to HRP.
17 We took a project management approach, I set the staff aside, we had regular
18 meetings; we began to implement the recommendations and move forward with it.

19 The defunding report -- and I'm going somewhere with this. The
20 defunding report and its multiple recommendations has been kind of requested by the
21 Board. The Board is looking at that. They've had input. And some of the
22 recommendations in the defunding report are very sound, they're very reasonable
23 things that we definitely have to look at, particularly in the area of our response to
24 mental health issues for people in mental health crisis and those experiencing it.

25 There are other issues -- other recommendations that we might
26 have to have some conversation on, and you know, I obviously work for the Board, I
27 report to the Board. They have carriage of the report. They're -- they have a
28 subcommittee that's working on it. I'm responsive to it; I'm certainly going to work with

1 them and support them. We may not get there, quite frankly, on every one of the
2 recommendations, but certainly we can move forward on some of them.

3 And, again, those have to be done in consultation with our policing
4 partners, the RCMP, because they may have a different view on which ones can be
5 done and which ones cannot be done as well.

6 So I hope that helps provide a little context.

7 **MS. RACHEL YOUNG:** Yeah. So just to understand the
8 distinction, then, between your actions and implementations for this report versus others
9 is that you don't have carriage of the implementation as much on this one because the
10 Board is taking the lead on that, as opposed to other reports where you were tasking
11 out the implementation, is that right?

12 **CHIEF DAN KINSELLA:** That's essentially correct. The Board --
13 you know, I'm willing to help the Board. The Board has not said to me, "Chief, here,
14 take these recommendations and implement them." They have said, "We're going to
15 look at them; we're going to see..." And with very good reason. There's a number of
16 things in there that others will need to consult on. You know -- and I don't know them all
17 off the top of my head, but they are things -- there are some things in there that should
18 not be strictly the purview of the HRP. We need to get input; we need to see what
19 people think; we need to see where we go forward with it.

20 And the IT audit is very different. The IT is specific to what's going
21 on in the IT department of HRP, and that was very directed, "Chief, here's your
22 recommendations. What say you?" And I move forward with the team, and we're
23 working hard to implement those recommendations.

24 Wortley is a different example again because it is pretty much
25 across the province. And, you know, one of the things is to know your rights. If you're
26 going to get stopped in Halifax or you're going to get stopped in another part of the
27 province, everybody should know and the treatment shall be the same, everybody's
28 rights should be the same. So I think that aspect of it is important.

1 And that's why I gave those three different examples, because I
2 believe they're three very different ones, kind of a provincial, lots of stakeholders, lots of
3 people on the table; individual for HRP, we've identified an issue and we need to fix
4 the issue. The funding report consultation, Board is interested, the community's
5 certainly interested, other members of the community might be interested.

6 One of the recommendations is to, you know, have a different type
7 of response, perhaps, for officers without use of force equipment, you know, in certain
8 circumstances. So we would have to look at that. We would have to have that
9 discussion. And ---

10 **MS. RACHEL YOUNG:** And have you thought about this
11 Commission of Inquiry? Will Halifax Police be looking at that and figuring out if there
12 are parts of that that apply and how to implement them?

13 **CHIEF DAN KINSELLA:** Certainly we will. We'll absolutely be
14 taking those recommendations, and actually, I look forward to them. And -- I don't
15 know, I'm not creating the recommendations, I'd love to have input on them where I can,
16 but what I would say, it is going to take a multistakeholder approach. You're going to --
17 we're going to need everybody at the table to have those discussions, including the
18 community, perhaps family representation, those kind of things so we come together
19 and, you know, make sure we consider them.

20 I don't know exactly what's going to come out of it, some of them
21 may not be doable, but we certainly have to have the discussion. But I would say,
22 knowing the work that's gone into it so far, this will be, you know, really about policing in
23 Nova Scotia going forward, and I certainly want to be part of that and I know the HRP
24 does as well.

25 **MS. RACHEL YOUNG:** As the Chief of Police of Halifax, you're
26 also a member of the Nova Scotia Chiefs of Police Association, right?

27 **CHIEF DAN KINSELLA:** Yes.

28 **MS. RACHEL YOUNG:** And so you're very alive to not just the

1 relationship between HRP and the RCMP but also the RCMP and other municipal police
2 forces, right?

3 **CHIEF DAN KINSELLA:** Yes.

4 **MS. RACHEL YOUNG:** And can so you can tell us, for those who
5 don't know, what your current and past roles with the Nova Scotia Chiefs of Police
6 Association are?

7 **CHIEF DAN KINSELLA:** Yes. And just before I mention that, I'll
8 just say to remind everyone that I arrived here in July of 2019. I don't have some of the
9 historical context that perhaps other Chiefs or other officers within the province.

10 I enjoy being active in associations, and the work of the NSCPA I
11 think is valuable work, it's important work, and when I had the opportunity, I became a
12 member right away when I arrived. Soon after, I had the opportunity to become the
13 Secretary on the Executive, so I took on that role, and then recently became the
14 Treasurer. There's a bit of a -- you know, a graduating response as people move on .
15 And Chief Cecchetto was -- who was the Past President; she's retired, Rob Walsh
16 became the President; Chief Dave MacNeil is currently the Past President, just because
17 individuals were retiring in between, and Dwayne Pike is now the Secretary, from
18 Amherst, and Scott Feener is the Vice Chair, or the Vice President of the Association.

19 **MS. RACHEL YOUNG:** And he's the Chief of Police of
20 Bridgewater?

21 **CHIEF DAN KINSELLA:** He is.

22 **MS. RACHEL YOUNG:** The Commission's heard about the Nova
23 scotia's Chiefs of Police's vote to amend its constitution to change the RCMP's role
24 from active to associate member. You're aware of that vote, of course.

25 **CHIEF DAN KINSELLA:** Yes, I am.

26 **MS. RACHEL YOUNG:** And you did touch on this in your written
27 answers, 75 and 76, to your first set of questions. What's your understanding of the
28 reason for this decision of the Nova Scotia Municipal Chiefs?

1 **CHIEF DAN KINSELLA:** So, you know, essentially, and I can't
2 speak both before 2019, but I very quickly got a sense of the dynamics with smaller
3 police services. Obviously, I very quickly learned how Halifax fits in, but it wasn't clearly
4 self-evident. It took a little bit of time. And then very quickly understood the rule of the
5 RCMP and, you know, how they were participating.

6 And so, you know, what I saw, and I can only speak from my
7 observations and my interactions, is there was a feeling amongst the municipal chiefs of
8 wanting the ability to represent themselves, to be able to, you know, advocate for what
9 they need in the province, separate and apart from what the RCMP was looking at.

10 And further to that, you know, when you have those discussions
11 and what small town chiefs are -- have -- I'm speculating here. I'm just giving an
12 example. But it goes back an unalignment of goals and objectives at various levels
13 within organizations.

14 And when you have small town chiefs or, sorry, not small town
15 chiefs, but chiefs of other municipal services that may be a bit smaller advocating for
16 something and that doesn't fit with the goals and objectives of perhaps the RCMP, there
17 may be some pressure, some influence, something to say, well, you know, "Let's not
18 bring that forward. Let's leave that somewhere else."

19 Again, I sit in a very nice position as the chief of HRP. I can do
20 most things on my own. But that is certainly a feeling of my take away of a feeling from
21 the Nova Scotia chiefs.

22 Additionally, they -- the chiefs, and I feel the same, we want to be
23 able to have a separate voice free and different from the RCMP. They have different
24 issues, they have different things they have to deal with, as do we.

25 So we needed to have ability to speak separately and have those
26 conversations, whether it be with the Department of Justice or otherwise.

27 The other piece of that is, as a member, and as an executive
28 member of the NSCPA, we didn't just say, "Okay. You're going to associate status."

1 We had conversations. And when I say “we,” I mean primarily Chief Walsh and Chief
2 Feener. But I know those conversations happen, mostly with C/Supt. Leather. And
3 those conversations were, “Here’s how we’re feeling. This is what we’re looking at.
4 How can we work together to make this change. You know, are you guys willing to
5 make some change? Are you willing to do something different?”

6 They couldn’t get agreement on that, and I don’t know all the details
7 of it, but they couldn’t get agreement on that. Even to the point of offering them to go to
8 associate status temporarily to kind of separate out the two areas.

9 And, you know, there’s been a lot of talk about them being kicked
10 out and these kinds of things.

11 It really wasn’t that way. I can tell you I was there. It was a very
12 difficult day. And I’m sure it was a very difficult day for Chris and his team as well.

13 There is obviously an opportunity for them still to participate as
14 associate members. And that’s still open. They haven’t taken us up on that currently.
15 We hope that they do. We hope that they come back to the table. And we’re certainly
16 open to that and having that dialogue and conversation.

17 **MS. RACHEL YOUNG:** So that difficult day you referred to, the
18 vote, was May 4th, 2020?

19 **CHIEF DAN KINSELLA:** Yes.

20 **MS. RACHEL YOUNG:** And we’ve seen some correspondence
21 about that that’s already been filed as exhibits with the Commission.

22 When you talked about the RCMP perhaps having more influence
23 to put forward its goals and objectives versus chiefs of smaller municipalities, were you
24 referring to influence with the Nova Scotia Department of Justice? Or in what sphere?

25 **CHIEF DAN KINSELLA:** I think it could be the Nova Scotia
26 Department of Justice. It just could be in general. You know, smaller services rely on
27 the RCMP. So there is a bit of an imbalance. And, you know, I think there’s a general
28 sense of, you know, if the RCMP wants things, or they have a goal or objective that they

1 would like to accomplish, they will put the mechanisms in place to try to accomplish that.
2 And when I say that, I have goals and objectives as the Chief of HRP, and I do those
3 things as well. That's part of the things that we have to do.

4 But we have to be cognizant of our areas of jurisdiction and where
5 we apply that. And that's, you know, something that requires dialogue and people
6 having discussions and, you know, what I would say kind of keeping an eye on your
7 own area and your own area of jurisdiction. We're always there to help. We can always
8 assist. But there are certain needs and wants by other organizations that are unique to
9 their communities.

10 **MS. RACHEL YOUNG:** You said you'd hope they'd come back to
11 the table. So since the RCMP was made an associate member, have they attended
12 any meetings of the Nova Scotia Chiefs of Police Association?

13 **CHIEF DAN KINSELLA:** No, and I don't believe we've had any.
14 But on the day, it was pretty clear that they were exiting, at least for the time being.

15 As I understand, they have no participated in any committee work,
16 although that is open to associate members. And -- but our next meeting is in the fall
17 and I believe they have been invited.

18 **MS. RACHEL YOUNG:** What is the impact of that on
19 communications between police agencies in the province?

20 **CHIEF DAN KINSELLA:** The impact of them being out of the
21 NSCPA?

22 **MS. RACHEL YOUNG:** Yes.

23 **CHIEF DAN KINSELLA:** Well, you know, I don't have anything
24 specific. I don't think it hurts anything operationally. At least, nothing that I'm aware of.
25 We continue to, you know, assist each other where and when required.

26 From a communications standpoint, I think, you know, some people
27 perhaps interpreted it differently. I think there was messaging. And that's why I put in
28 the letters from Chief Walsh. I thought they best explained the situation.

1 As I understand, there's also letters, and I think the Commission
2 has them, from Commissioner Lucki, ---

3 **MS. RACHEL YOUNG:** Yes.

4 **CHIEF DAN KINSELLA:** --- I think communication from Chris
5 Leather.

6 And if you read those communications and you look at them,
7 there's two very different points of view, in my mind. And that's a challenge because
8 people are not interpreting things the same way. And it's okay to disagree. We have
9 disagreements all the time. But we still have to work through it and come back to the
10 table.

11 But the comparison of those two documents, in my mind, speaks
12 volumes.

13 **MS. RACHEL YOUNG:** My recollection of the letter from
14 Commissioner Lucki is implied there'd be an impact on the public safety of Nova Scotia
15 not to have the RCMP as an active member of the Nova Scotia Chiefs of Police
16 Association. Do you agree with that?

17 **CHIEF DAN KINSELLA:** I have a different view. I don't think it --
18 the fact that they've decided to leave the table, I don't think that that affects public safety
19 in Nova Scotia. I stand to be corrected. If the Commission has an example, I'm happy
20 to hear it.

21 What I would say would be my view, is the very fact that they got up
22 and left the table, if she feels that way, that should be a message back to staff, "Go
23 back to the table."

24 Nobody asked them to leave the table. They could have stayed,
25 part of it. They could have continued to have input. Could have stayed on committees.
26 Could have continued to develop the work.

27 So that was a move that they precipitated and left.

28 So -- but I still don't think -- it's not my belief that public safety is

1 affected because they've decided to leave.

2 **MS. RACHEL YOUNG:** Since the events, four of the most senior
3 officers in H Division have left, so there's a new incoming Commanding Officer for H
4 Division. Do you have any plans to reach out to incoming CO Dennis Daley and rebuild
5 that relationship?

6 **CHIEF DAN KINSELLA:** I do for sure. I've communicated a few
7 times now with A/Commr Ferguson and had that dialogue. I have not had an
8 opportunity to touch base with A/Commr Daley.

9 I have, however, reached out to Jeff Christie is his name, and he's
10 coming from the Yukon. He's recently been promoted to Chief Superintendent. He'll be
11 the individual that will be coming into the Gottingen Street Station and taking up the
12 office right next to mine. So I proactively reached out to him. I actually asked John
13 Ferguson for his contact information so I could do that. I felt it was important to give
14 that reach out, to let him know that I'm looking forward to getting together with him and
15 having those conversations.

16 **MS. RACHEL YOUNG:** So he would be the incoming Chief
17 Superintendent for the Halifax District ---

18 **CHIEF DAN KINSELLA:** Correct.

19 **MS. RACHEL YOUNG:** --- RCMP?

20 **CHIEF DAN KINSELLA:** Yeah.

21 **MS. RACHEL YOUNG:** So that's Janice Gray's replacement?

22 **CHIEF DAN KINSELLA:** That's correct. And in addition to that --
23 and my hope is that C/Supt. Christie stays for some period of time. He'll be the fourth
24 district -- Halifax District Commanding Officer since I've been here. And currently acting
25 Chief Superintendent Jeremy Landry is in the position. I had dialogue with him, have
26 discussions moving forward, how do we get better on all those kinds of things. So those
27 discussions are happening.

28 I certainly look forward to meeting with A/Commr Daley when he

1 lands. And like I say, I have made that reach out to Jeff Christie.

2 **MS. RACHEL YOUNG:** I want to bring you back down to the
3 operational level in terms of the relationships between police agencies. The
4 Commission's heard a lot about the desirability of interoperability or the desirability of
5 different police agencies to be able to operate together, including their communications
6 technology, there's different facets to it.

7 Just big picture, do you agree in principle that that's a good thing?
8 Leaving aside integrated units, but just being able to communicate easily in terms of
9 compatible technology and other things.

10 **CHIEF DAN KINSELLA:** Well, I think anything that we do to better
11 communicate, to better interact, to better be interoperable I think is a very good and
12 important thing. Speaking from, you know, what we have in HRM, and I think
13 everybody knows so I won't go on too long about it, the RCMP and HRP that look after
14 the jurisdictional area within HRM speak to each other, they know where each other are,
15 the dispatchers know where they are, so that is operating, in my mind, fairly well.

16 There are mechanisms in place when you go beyond those borders
17 and into other areas, but any area of interoperability improvement certainly I think we
18 should look at. I don't think interoperability in and of itself is any explanation for what
19 occurred on the 18th and 19th.

20 **MS. RACHEL YOUNG:** One aspect that the Commission's looked
21 at is the ability of the ERT teams to work together, the Emergency Response Teams.
22 And so first of all, if the RCMP asks, can the HRP ERT team assist them in responding
23 to emergencies?

24 **CHIEF DAN KINSELLA:** Yes.

25 **MS. RACHEL YOUNG:** And do the RCMP and HRP ERT teams
26 train together?

27 **CHIEF DAN KINSELLA:** So my understanding is that they do train
28 together, but I think it's worth clarifying that, particularly for the Commission and anyone

1 else -- and the Commission may know this. I don't mean to belabour. But the concept
2 of working together as one ERT team, as one group is very much different than having
3 24 Emergency Response Team members in Halifax and 24 in the RCMP and Halifax
4 gets into a duration call where they're responding and they're getting tired and all those
5 kinds of things and then we call the RCMP to come and relieve us. That's very
6 different.

7 And my understanding is that they have the ability now. They take
8 over with their Incident Command, they take over with their communications, all of those
9 kind of things, and can do that.

10 I was -- had the great pleasure of being a tactical officer back in the
11 nineties and we were doing it then with neighbouring services when we got into duration
12 calls.

13 The concept of having one big Emergency Response Team where
14 RCMP is in the stack with HRP and Critical Incident Commanders are being
15 interchanged, that's a different level of interoperability. And you know, could we explore
16 that? I don't know if that's the request that's on the table.

17 I don't know that the teams themselves would recommend that
18 that's a good idea, but certainly it's something that we could look at. And I would say
19 that if we were going to look at that, the other piece that we should look is creating one
20 big regional lump of team that works together that can service all of Nova Scotia,
21 whether it be tied to the provincial police, whether it be tied to HRP or CBRM or Truro,
22 for that matter, centrally located to serve the needs of all the citizens.

23 So there's a number of options that we could look at.

24 **MS. RACHEL YOUNG:** So in a very large incident, do you think
25 it's necessary for the RCMP and HRP teams to have trained together? Is it necessary
26 for them to be able to respond to a call together or can they respond to a call together
27 without having had that joint training?

28 **CHIEF DAN KINSELLA:** Personally, I think they can respond to

1 that call, the example I just gave, to assist. I don't think they can respond, you know, as
2 one big group and hit the ground and get going and mix and match the stacks, mix and
3 match people on the perimeter. I'm not suggesting that at all. That's very specific to
4 individual units that train together all the time and are regularly doing, you know, entry
5 work and perimeter work and sniper work and all that kind of stuff.

6 But I believe -- and I'm only speaking from my past experience -- if
7 HRP was doing a duration call and they were running -- you know, getting tired and we
8 need to change people out -- and one of the questions was kind of related to that.
9 That's what we do. We have to make sure we're using resources at the right time. But
10 if we got to that point and we would have called the RCMP in advance -- it wouldn't
11 happen at my level. It would happen at the NCO level with the teams. That they would
12 be able to call and they would be able to relieve them.

13 That's my understanding. I may stand to be corrected. It's
14 something that I did as part of a tactical unit in the nineties on a regular basis.

15 **MS. RACHEL YOUNG:** Have you given any thought to whether
16 integrated training programs could be helpful for interoperability?

17 **CHIEF DAN KINSELLA:** Well, certainly I think they could be. And,
18 you know, should we be doing more training? Absolutely, tabletop exercises, those kind
19 of things, particularly as it relates to the movement of people who are committing
20 crimes, the quick movement, the fast movement.

21 And any training where we're together at the table and
22 communicating and practising, exercising what we do, you know, how to get to the right
23 channel, making sure everybody has the briefing before they go out, people are not just,
24 you know, arriving and starting to do things, making sure people are logged on to their
25 computer and their MTT, making sure that the dispatcher knows that they're active and
26 they're out there.

27 We have seen historically and run into problems where people just
28 self-deploy. It's not a good thing.

1 But training should occur, and it should occur with some regularity
2 to make sure that the people who are interacting with each other know what to do, know
3 what channel to be on, all those kind of things.

4 **MS. RACHEL YOUNG:** The Halifax ERT team did an after-action
5 report after the mass casualty events. Have you seen that? Were you aware that there
6 was one?

7 **CHIEF DAN KINSELLA:** I believe, and I probably have seen it. If
8 you show it to me, I can tell you.

9 **MS. RACHEL YOUNG:** Do you know why that was done?

10 **CHIEF DAN KINSELLA:** Well, ERT -- tactical teams regularly
11 debrief after every call and they capture, you know, what went on, what could have
12 been done differently, what was done well, what are suggested changes. It gives them
13 an opportunity to evaluate any equipment that either wasn't working or was missing,
14 their vehicles, all those kind of things. So my understanding is that they would do that
15 after every call.

16 **MS. RACHEL YOUNG:** Chief Superintendent Campbell, when he
17 testified, he mentioned he hadn't seen it. Did you give any thought to sharing the
18 Halifax ERT after-action report with the RCMP?

19 **CHIEF DAN KINSELLA:** I had no conversation on that with
20 Superintendent Campbell and I didn't consider it. That sharing of information can be
21 done well below the Chiefs level and they would have that opportunity to do that. I don't
22 know whether they asked for it or whether it was offered.

23 **MS. RACHEL YOUNG:** They may not have requested it. I was
24 just curious as to whether that might be a fruitful thing to just share debriefing thoughts
25 and whether that's something that does occur.

26 **CHIEF DAN KINSELLA:** Yeah. I don't know for sure. I'm just
27 speculating. My understanding is that they would be sharing information, they would be
28 having that kind of conversation, but I also understand they only train two to three times

1 a year, there's no set schedule, there's no set training plan, so it's more of a familiarity
2 thing. That's me. That's my opinion of it. But I did not give any thought to passing that
3 on to Superintendent Campbell. Might be a good idea, for sure.

4 **MS. RACHEL YOUNG:** One issue that's been raised to do with
5 interoperability is that HRP uses the Versadex system for its database, whereas the
6 RCMP uses PROS. Do you have any views on that?

7 **CHIEF DAN KINSELLA:** You know, records management systems
8 such as Versadex, PROS -- Niche is used by Cape Breton, so we have three in the
9 province. They are simply storage mechanisms for all of the records. They -- I think
10 they operate pretty much the same. I'm not an expert in this area at all.

11 My understanding is that the Versadex system works well. I hear
12 nothing from my staff that say that it does not. There is some challenges with having
13 the RCMP be integrated within HRM and use Versadex. Not for HRP. There may be
14 some challenges for the RCMP because they have PROS outside of that and they have
15 Versadex inside of that.

16 I would also say there's some benefits.

17 To my knowledge, we don't have access to PROS. We may have
18 some particular specialized officers on secondment that might have access, but we
19 don't generally have access. But I also understand -- and I don't know this for sure --
20 that there is sharing of information at that level. If there was something on PROS that
21 an HRP member wanted to get some information on, I understand that an RCMP
22 member that was with them, particularly in CID, would be willing to share that
23 information. And all RCMP members that work within HRM have access to Versadex,
24 so I personally don't see it as an impediment from that perspective, but it's two different
25 systems that they have to use.

26 **MS. RACHEL YOUNG:** Another issue is that HRP and Halifax
27 District RCMP are dispatched out of the IES, whereas the rest of the province is
28 dispatched out of the OCC. Do you think it would be conducive to better interoperability

1 if there was one dispatch centre for the province?

2 **CHIEF DAN KINSELLA:** I'm sorry. Just the first part of the
3 question, Ms. Young, was it there are issues with it?

4 **MS. RACHEL YOUNG:** Well, just that it's been raised as an issue
5 with interoperability. Some witnesses have said they think it would be preferable to
6 have one dispatch centre for the whole province, and I was ---

7 **CHIEF DAN KINSELLA:** Right.

8 **MS. RACHEL YOUNG:** --- curious to have your views on that.

9 **CHIEF DAN KINSELLA:** Yeah. I -- you know, I don't share that
10 view with -- you know, it is a view for sure. The concept of having the entire province on
11 one set of, you know, channels might not be a bad thing. I don't think it's material to
12 what went on on the 18th and 19th; however, if it's, you know, something that the
13 Commission, with all of the information that they've had, would recommend, I would
14 certainly take a serious look at it and see how that would work. But that in and of itself, I
15 don't think is an issue to say this is what caused April 18, 19; I don't see the correlation.

16 **MS. RACHEL YOUNG:** Are you able to speak to the compatibility
17 of the HRP radio systems with those of other forces in the province?

18 **CHIEF DAN KINSELLA:** I can a little bit. I'm not an expert, but...

19 **MS. RACHEL YOUNG:** We've heard from some experts, so ---

20 **CHIEF DAN KINSELLA:** Yeah.

21 **MS. RACHEL YOUNG:** --- if you can just give us your views on
22 how that is.

23 **CHIEF DAN KINSELLA:** So -- so my understanding is that there
24 are basically three sets of channels, and I might get some of the terminology wrong so
25 you'll have to bear with me. Within our area in HRM, we have central, east and west.
26 So we have three areas that we -- that we dispatch, that we monitor, that all of the
27 officers are on. If they log onto the car, they appear, the emergency communicators
28 know where they are and can track them, they can call for help, they can call in.

1 Within that area, which is a pretty vast geographical area. If a
2 member who is working in the central area is going over to East Division to do a call, the
3 expectation is that member will get on the radio and they will tell their dispatcher in
4 central "going to east", and then when they arrive on east, they'll tell the dispatcher, "I'm
5 on east and I'm going to wherever." So that is the expectation. That's an officer safety
6 issue, it's a communications issue, it's -- it's very important that they do that.

7 Beyond that, if that officer is—and this is not new technology, might
8 be better but it's not new because I was doing it many, many years ago—went out of
9 their jurisdiction of coverage, so they're moving outside of the geographical boundaries
10 of HRM, they're going to Windsor, down towards Windsor or some other area, they have
11 an opportunity to get on a channel that can be monitored by the next local PSAP. I
12 know there's four PSAPs in the province, and they can communicate and set that up.
13 So that officer could be on another channel and communicate to another officer in
14 another area, provided they're all on the same channel, and they could have that
15 communication.

16 Now, in a fast-moving dynamic scenario, is that always going to be
17 able to happen? Probably not, but it certainly is something that the ability is there to be
18 able to do that, as I understand. So -- but that does take some forethought, it does take
19 some proactive consideration.

20 And my own personal example from many years ago, I'll just share
21 very quickly, is a pursuit many years ago, leaving the area of the Hamilton Police
22 Service. And back in the day in Ontario they had something called Provincial Common.
23 It wasn't encrypted, it wasn't monitored unless somebody, you know, in the Dispatch
24 Centre put their ear on it. So when this particular pursuit left the area I knew I was
25 leaving the area of the Hamilton Police Service, radioed my dispatcher "I'm leaving",
26 you know, decision is made to keep going, all those kind of things. It was a little
27 different policy-wise in regards to pursuits back in the day. And they switched me over
28 to Provincial Common, and I was picked up on the other side by the neighbouring

1 jurisdiction I believe at the time was Halton Norfolk, might have been OPP. And then I
2 was able to talk to OPP officers. They came down.

3 That's a small example. It's -- I'm not comparing it to the 18th and
4 19th, that's the worst catastrophe we've ever seen and tragedy in Canadian history. But
5 it's one example where it can work, and I believe it still -- it still can work these days.

6 **MS. RACHEL YOUNG:** In terms of being able to see each other,
7 so the cars that are used by Halifax Regional Police and Halifax District RCMP can see
8 each other; right? But then they -- they don't have the same capability with cars outside
9 the HRM? Can you just explain that?

10 **CHIEF DAN KINSELLA:** That's correct, yeah. So they would be
11 on a -- monitored by a different -- a different PSAP, a different communications section,
12 and I believe the OCC that's currently in Dartmouth was -- used to be in Truro, and they
13 would look after, and just Bible Hill, all those kind of areas. So they're essentially the
14 next PSAP over.

15 **MS. RACHEL YOUNG:** And in addition to the HRP and Halifax
16 District RCMP policing neighbouring areas, they also have some integrated units, so
17 where there's officers from both forces that are working together in a group; right?

18 **CHIEF DAN KINSELLA:** In our Criminal Investigation Division in
19 HRM?

20 **MS. RACHEL YOUNG:** Yes. I understand there's -- so is the
21 Major Crime Unit a subunit of the Criminal Investigation Division?

22 **CHIEF DAN KINSELLA:** Yes, it's ---

23 **MS. RACHEL YOUNG:** Okay.

24 **CHIEF DAN KINSELLA:** --- it is a subunit, yes.

25 **MS. RACHEL YOUNG:** And so there's some integration there. So
26 was it all integrated and it all got de-integrated or was it just the Major Crime Unit that
27 became de-integrated? Can you just explain what happened there?

28 **CHIEF DAN KINSELLA:** The -- so I want to say August 2021, the

1 RCMP made a decision to de-integrate, to take their six MCU, Major Crime Unit
2 detectives out of the integrated Major Crime Unit. And it's important to note that the
3 entire Criminal Investigation Division, basically an 80/20 split between sworn and civilian
4 staff, HRP 80, RCMP 20, they serve all of HRM. So if something's happening, if there's
5 a homicide in, you know, some community that's, you know, Cole Harbour or
6 somewhere else they would go as a -- as a integrated unit to do that investigation. If it
7 happened in, you know, Bedford or Dartmouth or somewhere else, again, integrated
8 unit. So there could be RCMP and HRP working together from a detective standpoint to
9 work on the investigation.

10 Last August, a decision was made where they were going to take
11 their six members out that were assigned to the Major Crime Unit and exclusively have
12 them do major crimes within RCMP jurisdiction within HRM. So that was the separation
13 of that particular unit. The rest of the units remain, as I -- as far as I understand, GIS,
14 Sexual Assault, Guns and Gangs remain integrated, serving all of HRM.

15 **MS. RACHEL YOUNG:** And we did ask you about this. In the
16 second the set of questions, Question 3—if we can see COMM63041, please—you did
17 talk about this, and the Commission asked because Chief Superintendent Leather had
18 testified about it on I believe July 28th, so we put his testimony to you, and then asked
19 you to comment on it. It's at page 4 I think. Okay, this is a separate thing.

20 So this is also on the topic of de-integration. So I think the
21 comments on Chief Superintendent Leather's testimony were in a different spot, but this
22 is asking about what you thought the de-integration, what impact that would have on
23 public safety in the HRM. And so you explained what happened. So you said, "The
24 de-integration was August", but then you said:

25 "A new senior member of the RCMP arrived in early
26 2021." (As read)

27 So did that affect the de-integration process?

28 **CHIEF DAN KINSELLA:** Well, I think -- I'll just go back a bit.

1 There is the, you know, kind of the historical context of CID and how it was run. When I
2 arrived in 2019, there was a superintendent from HRP in charge, and then there was an
3 inspector from the RCMP, and then it flowed down from there. The organisational
4 structure has been bolstered since then.

5 My understanding, and I wasn't there for all of it, is the new
6 inspector that arrived from the RCMP in early 2021, I don't know the exact day, did not
7 either recognise or did not think the current existing historical structure was appropriate
8 in his view. So he undertook some, as I understand, some actions to try to express that
9 and I don't think it totally led to the de-integration but I think that was part of it. And ---

10 **MS. RACHEL YOUNG:** And who was that inspector?

11 **CHIEF DAN KINSELLA:** His name is David Knibbs.

12 **MS. RACHEL YOUNG:** Okay. And you indicated in your answer
13 that he had unrealistic expectations. What do you mean by that?

14 **CHIEF DAN KINSELLA:** Yeah, I think his expectation was that
15 when he arrived the setup was going to be different and perhaps he would be the
16 individual that would be in charge of CID. He would be the commander, the Divisional
17 Commander. The setup was the HRP superintendent was the Divisional Commander,
18 has always been the Divisional Commander. My understanding is he didn't recognise
19 that, and because he didn't recognise that he wasn't going to work in that environment.

20 Now having said that, while we do have to have a command-and-
21 control structure, we also, you know, are open to conversations, where are we going to
22 put priorities, what investigations are we going to do?

23 Those kinds of conversations happen at, you know, the command
24 level within CID, but I think this particular individual had some unrealistic expectations of
25 how things were going to be, and that's what led to a lot of the things that happened
26 within there.

27 **MS. RACHEL YOUNG:** So how do you resolve that chain of
28 command issue in an integrated unit? Because it's pretty to have two people in charge.

1 Is there talk of alternating the leads or is there a way to work that
2 out?

3 **CHIEF DAN KINSELLA:** Well, there -- you know, we've tried to
4 have discussions on that, but you know -- and this isn't really a project or a project team
5 or an integrated project team. This is an integrated police service with accountabilities,
6 and when you don't have the accountabilities, problems can happen. We've had a
7 number of them occur within CID that we've tried to deal with and -- you know, and we
8 have through further staffing, increased supervision, those kinds of things.

9 So I don't think it's realistic to say that in an 80-20 split we have -- it
10 varies a little bit from time to time, 144 sworn-in civilian staff. I think it's in part of the
11 disclosures from HRP. They have 29.

12 You know, could the RCMP come in and be in charge of the entire
13 unit? We could certainly have that discussion. Is it reasonable and feasible based on
14 the breakdown of staffing? That's another conversation that we would have to have.

15 Currently, we have a Superintendent in charge. It's an HRP
16 Superintendent. We have an Inspector in charge from HRP, an Inspector in charge
17 from RCMP, and they look after all the -- all the different branches that flow from that
18 basically equally and in conjunction with and in discussions with the Superintendent.

19 And beyond that, Janis Gray was very active, having management
20 team meetings with Deputy Chief Don MacLean. That's his area with HRP. And they
21 would meet on a regular basis to discuss, you know, investigative priorities and those
22 kinds of things.

23 So those kinds of discussions took place. I think the individual that
24 arrived wanted to have his turn to be in charge and, under the current structure, there's
25 no fit for that.

26 And really, somebody has to be accountable at the end of the day,
27 and currently it is the Superintendent in charge of CID, and that individual is
28 accountable to the Deputy Chief in HRP. But that's not to say that the work isn't getting

1 done. I believe 100 percent it is getting done. I believe that dialogue is happening.

2 There's a new senior officer that has come in to CID. His name is
3 Inspector Turner. And my understanding is those discussions are now being had
4 between the current command team and Inspector Turner.

5 **MS. RACHEL YOUNG:** Does the fact that the RCMP's
6 accountable to "H" Division leadership and National Headquarters in Ottawa impact its
7 ability to integrate operations with municipal forces?

8 **CHIEF DAN KINSELLA:** I -- you know, the way that it works -- and
9 I'm not aware that it's set up this way anywhere else in the country where two police
10 services report to the Board of Police Commissioners, the same Board of Police
11 Commissioners with distinctive different roles. So I report to the Board of Police
12 Commissioners in HRM and they provide direction to me on a regular basis.

13 The Chief Superintendent of the RCMP reports to the Board of
14 Police Commissioners in an advisory capacity and they are regularly and rightfully so,
15 I'm assuming, they're getting direction from Ottawa. They have to -- you know, they
16 abide by the direction from Ottawa and all those kinds of things.

17 So that in and of itself is, I think, the only unique setup in the
18 country. That's my understanding. I stand to be corrected.

19 In addition to that, I have reporting responsibilities to the CAO that
20 the RCMP does not have. I have budgeting responsibilities to the Board and to the
21 Council in HRM. RCMP's budget, as I understand, is handled through the DOJ.

22 So there's a lot of different things that are going on that, you know, I
23 think cause -- you know, we work with it. We make it work. But there are things that the
24 RCMP either won't or cannot do in HRM because it's not part of their direction from the
25 national body.

26 **MS. RACHEL YOUNG:** Retired Chief Superintendent Janis Gray
27 was interviewed by the Commission. If we could see her interview transcript. It's
28 Exhibit 3920.

1 At page 24 she did talk about her experience in British Columbia
2 where she was aware of other integrated units. And I appreciate you don't necessarily
3 know how it works in British Columbia. That's fine. She described the integration there
4 as more mature, was the word she used, because she said in Halifax there were areas
5 where HRP policies and procedures don't align with the RCMP, although -- then on
6 page 25 she said there were ongoing discussions.

7 So are those the kind of discussions you were talking about about
8 the command structure? Are you a part of those discussions of how to make this more
9 seamless?

10 **CHIEF DAN KINSELLA:** They generally happen at the
11 Superintendent-Deputy Chief level. I'm always made aware of it. I -- you know, we see
12 where we can go and then how we can adjust to be able to work it out.

13 My understanding is that, you know, of late and prior to Inspector
14 Knibbs' arrival, there was, you know, a relatively -- I don't think it was perfect, by any
15 stretch of the means, but I think they had a working arrangement.

16 I think with his arrival and his, you know, kind of mindset on how
17 things should be done, I think the policy issue became more amplified. And you know, I
18 don't have all the policies memorized or anything like that, but in Halifax our policy
19 directs us to handle exhibits a certain way.

20 The RCMP handles exhibits a different way. The reason that -- not
21 the only reason, but part of the reason, as I understand it, is because of their staffing
22 model because the people that they available to do that kind of work either provincially
23 or locally or whatever the case is.

24 We have a very different model that allows us to process things a
25 certain way that, in my view, could be argued continuity is better, chain of -- chain of
26 continuity when they go to court, processing, all those kinds of things.

27 And I'm not saying one is better or worse than the other. I'm saying
28 they're different.

1 So to get over that hurdle, you would have to either amalgamate
2 the policies and arrive at something in the middle, which is defensible and all of those
3 kind of things, or pick one or the other policy to follow. But fundamentally, the
4 deployment of the officers don't match the execution of the policy so I'm not sure exactly
5 where you go. Certainly open to the discussion to see if we can get there.

6 I'm not familiar with -- or exceeding familiar with the IHIT model.
7 My understanding that is a program. I don't understand that to be, you know, the RCMP
8 and whatever police services are involved, I think West Vancouver and Abbotsford,
9 perhaps. Don't quote me on those.

10 I don't think the Chief in Abbotsford is sitting with the Chief
11 Superintendent of IHIT every month reporting to the Board of Police Commissioners. I
12 don't believe that's the way that's set up. I believe that is a separate program that
13 agencies contribute to and, as a result of their contributions, they handle homicide
14 investigations in geographical areas.

15 I don't believe the Vancouver Police Department is part of that, so
16 it's not, in my -- I don't understand it to be BC-wide. I don't know enough about it.

17 I can't speak to the maturity level of it, but I can tell you my
18 understanding of it is very different than the model that we have here.

19 **MS. RACHEL YOUNG:** The Commission's seen a report that
20 summarized some issues that were pertaining to "H" Division officers and there were
21 some comments in that report about the situation with the integrated arrangement with
22 HRP that I just wanted to ask you about.

23 Can we see COMM0062465, please? That's already an exhibit.
24 And let's look at page 8 of the document, which is page 10 of the PDF counter.

25 So this is a redacted summary of the "H" Division wellness report
26 by Quintet Consulting.

27 And if we can just scroll down a bit and start at the second
28 paragraph there where it says, "Many spoke about similar funding issues regarding

1 Halifax Police”, and it means similar to funding issues as between the provincial and
2 federal police forces.

3 And so it talks about the integrated policing model. If we can just
4 keeping scrolling down a bit, please.

5 So it says -- you can stop there, several participants -- there’s
6 redacted portions. So it says:

7 “Several participants indicated that...” (As read)

8 It says:

9 “Several said that the CO who had previously served as
10 the Chief Superintendent of Halifax District RCMP had
11 widely acknowledged that the arrangement was ‘clunky’.
12 Some said that there’s an ongoing ‘turf battle’ over
13 operational control and funding and that MOUs were
14 poorly drafted and not adhered to. A few said that they
15 were not truly integrated and have different policies and
16 procedures. A number of individuals said that the [and
17 it’s redacted] were actively undermining their RCMP
18 colleagues, not acknowledging their presence on a daily
19 basis, denying them access to information, and leaving
20 them out of critical meetings with HRM officials.” (As
21 read)

22 And it goes on. So -- and do you have any sense of issues like that
23 going on in the integrated unit?

24 **CHIEF DAN KINSELLA:** Well I would say that the integrated unit
25 is not perfect. I would say -- and I mentioned it earlier about the assignment of different
26 investigations. I can see that probably creating some angst among officers within the
27 unit.

28 Specific to the freezing out and not giving information, and not

1 cooperating, I don't have any specific knowledge about that. and it would be good if,
2 you know, -- I don't know when this report came out. It would have been nice if it was
3 shared with me. I certainly would have been happy to have that discussion and
4 dialogue and participate in how we make things better and improve the relationship.

5 The integration in CID in and of itself, as I've mentioned, is not
6 perfect. And there are a number of competing interests in that area. We have two
7 different collective agreements. So we have, you know -- the ability to take annual
8 leave in the summertime is -- you know, could be an issue, it might be one set of rules
9 for RCMP members to be off and a different set of rules for HRP members to off.

10 If one of them is perceived to be a better or greater benefit, that's
11 going to create some issues within the working group. And that's a very small example.
12 It's things that, you know, they live with and they have to do that.

13 So, you know, if the past CO, which I'm assuming is Lee
14 Bergerman, as she was the previous Chief Superintendent of the Halifax District, is
15 saying that to her people, it would have been nice if she shared that with us at HRP so
16 we could have that dialogue at the higher strategic level. I don't recall her having that
17 conversation with me. She may have had it with somebody else. I don't know.

18 But the general situation in CID, as you can imagine with the split,
19 the assignment, the difference in policies, the way they approach, the competing
20 interest for investigations, there's a lot of things to work through. And that's why that
21 command team needs to be cohesive and on the right track, communicative, accepting,
22 taking everybody's ideas, all those kinds of things, to ensure that they're doing the job
23 they need to do.

24 I believe they do. I believe the work gets done and it gets done
25 professionally and appropriately. But is there some work to be done in there? I would
26 say for sure.

27 **MS. RACHEL YOUNG:** Did you or your officers take any steps to
28 try and improve morale in that unit?

1 **CHIEF DAN KINSELLA:** I know Supt. Matthews was very active in
2 this area. He brought in HRM staff to try to help sort through the issues. I know people
3 were interviewed. Part of it related to work environment, as opposed to, you know, from
4 a harassment standpoint. That was part of it as well. So I know that he was actively
5 working on some of those issues, having that dialogue.

6 The other piece of this, and I would say I came here in 2019, from
7 what I read right there, the CO, I'm not sure how long Lee Bergerman was in the Chief
8 Superintendent chair of Halifax District, this has been going on for a long time, clearly.
9 And, you know, it's good that it's coming to light now. Perhaps we can take some steps.
10 Maybe we have to look at a different model. I don't know. But my take of it is this is not
11 new.

12 **MS. RACHEL YOUNG:** I want to ask you a few follow up
13 questions about the Criminal Intelligence Service of Canada and Nova Scotia, which
14 you did answer questions about. This question with a bunch of parts in your second set
15 of questions in COMM63041, Answer number 1, this is already an exhibit. And here we
16 have, at the bottom of page 1, there's number -- letter D, which says:

17 "Who takes the lead on acting on intelligence?" (As read)

18 And you describe the role of CISNS and CI Canada and the
19 bureaus as focusing on organized crime.

20 As you know, this Commission has heard about a CISNS bulletin
21 from 2011 involving the perpetrator, which is Exhibit 3418. It doesn't mention any ties to
22 organized crime. So I'm just wondering, did the mandate change since then or does
23 CIS still also share intelligence about individuals who are not necessarily being
24 suspected of organized crime?

25 **CHIEF DAN KINSELLA:** I -- you know, it's a broad provincial
26 team. Obviously you have the answer there. What CISNS, or ultimately the PEC looks
27 at is the broader threats to the province. Organized crime primarily is the focus, could
28 be serious crime as well. I don't know -- I do know that the bulletin from 2011 was put

1 forward as part of the CISNS bulletin type of information. You put it on the form, you
2 send it in. They went away that model, I believe in 2016. Currently HRP has -- and I
3 mentioned it in there, HRP has their own intelligence bulletin that if an officer sees
4 something, he can put it in, send it to the supervisor, the supervisor will either act on it
5 immediately or otherwise. Then it will go to the CAU supervisor, who will make sure it
6 gets uploaded into ACIIS and CISNS and broader distribution throughout the province.

7 **MS. RACHEL YOUNG:** So ACIIS is a shared database; right?

8 **CHIEF DAN KINSELLA:** ACIIS, yes.

9 **MS. RACHEL YOUNG:** And so is it passive in the sense that it's
10 just sitting there? Or does it get sent out to agencies?

11 **CHIEF DAN KINSELLA:** I believe it's just sitting there and people
12 have to research it. They have to look at it. So.

13 **MS. RACHEL YOUNG:** And so is follow-up tasked to a particular
14 agency when there's a CISNS bulletin? Whose -- or is it just an FYI that's sitting there?

15 **CHIEF DAN KINSELLA:** Yeah. So my understanding is, is that if
16 there's something immediate to be done, it's the agency that first receives it. So if the
17 initial supervisor that gets it -- a patrol officer is out on the road, a patrol officer sees
18 someone that is of interest, that is a threat, then they will fill out the form, they will say
19 why it is, it'll go to the supervisor of the shift. That supervisor will decide where it goes
20 next. It could go right back to the officer to do more work. It could go over to GIS to do
21 some investigative work. It could, you know, just go to the CAU supervisor to say,
22 "Process this as you normally would. Doesn't need immediate action, no immediate
23 threat to life." Those kinds of things.

24 So --

25 **MS. RACHEL YOUNG:** When you say it goes, like, who sends it?

26 **CHIEF DAN KINSELLA:** They would send it electronically?

27 **MS. RACHEL YOUNG:** But is someone -- who is doing it? There
28 must be a human being ---

1 **CHIEF DAN KINSELLA:** So ---

2 **MS. RACHEL YOUNG:** --- deciding where to send it?

3 **CHIEF DAN KINSELLA:** Yeah. So the officer gets it. I'll use the
4 2011 bulletin. Let's use that one because that's the bulletin of importance. And I wasn't
5 there. I was somewhere else in 2011.

6 But my understanding of the life of that bulletin was information
7 from an officer in Truro, the perpetrator, as we know now, was threatening or had
8 intention to kill a police officer. That's important need to know information. The officer
9 in Truro did what they were supposed to do and created the bulletin.

10 The bulletin, as I understand, got distributed to the appropriate
11 place. It landed with a detective that worked for HRP, Cordell Poirier. He began to do
12 follow up on that. The perpetrator also had interaction prior in regards to the threats. I
13 won't get into that. And Det. Poirier did the work that -- the follow up work that he
14 needed to do on the bulletin and did what he could. The information that he had beyond
15 that was that the perpetrator might have guns in Portapique. And that information was
16 sent to, I believe it's the Bible Hill Detachment that looks after Portapique, to have some
17 follow up done on the bulletin in that area.

18 And so it transitions now to an RCMP member to take ownership to
19 do the investigation and do the appropriate follow up.

20 I don't know that that happened. I don't know it did. Don't know it
21 didn't. But there isn't record of it. We certainly know that.

22 It comes down to, in my view, ownership; right? I don't think, in that
23 particular case, or if a similar bulletin came in to a patrol NCO in HRP on Saturday night
24 from a constable who is out making observations or getting information from an
25 informant, and there is information there that a police officer might be killed, my
26 expectation is that NCO would action that right then and there. It's not to go into a
27 database to be looked at later or hopefully somebody finds it.

28 Whether that happens in every instance, I don't know. But that

1 would be the expectation and that's what should happen to follow up on these serious
2 pieces of information that come up.

3 **MS. RACHEL YOUNG:** And is the lifespan that if it gets passed
4 from one police force to another then the second police force has ownership of it or
5 does it come back? Like who kind of resolves it in the end?

6 **CHIEF DAN KINSELLA:** Well, I think the service and -- I might be
7 lonely in this opinion, but the service that gets it has responsibility. They own it.

8 If it's in your area of jurisdiction and you have some crime occurring
9 in that jurisdiction, it's your responsibility to look into it and follow it up.

10 That's not to say that in this particular instance something could be
11 done because I don't know. We still have to go by the law and we certainly can't break
12 the law to enforce it. But if you don't have the documented steps that were taken -- and
13 we have every step taken documented by Detective Poirier. We have extensive notes.
14 We have records that are kept within the Versadex system. It is all there. And we know
15 exactly what he did, who he spoke to, who he passed it on to.

16 The gap in that, in my view, is whatever happened when that
17 information was sent to the RCMP in Bible Hill.

18 **MS. RACHEL YOUNG:** I want to ask you a bit about policing
19 standards.

20 Are we all right to continue for a bit, Commissioners? I think I can
21 finish before break.

22 **COMMISSIONER MacDONALD:** Sure.

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

24 So in the first set of questions, question 84, you gave a brief
25 answer about police standards.

26 Could we see 61317, please?

27 And so we asked for what comments you had about policing
28 standards, and you said:

1 “While standardization is necessary, important and
2 helpful in many areas, the unique realities and needs
3 of the communities should be factored in. While
4 policing standards may assist with larger
5 organizational considerations such as use of force,
6 data collection, response to major crimes, a more
7 community focused approach is also critical to
8 effective local policing.”

9 The Commission has heard some RCMP officers, including retired
10 Chief Superintendent Janis Gray and retired Assistant Commissioner Bergerman, say
11 that there are no provincial policing standards in Nova Scotia. Is that your
12 understanding?

13 **CHIEF DAN KINSELLA:** It is not.

14 **MS. RACHEL YOUNG:** Can you explain?

15 **CHIEF DAN KINSELLA:** My understanding is that there is policing
16 standards in Nova Scotia and those standards are, you know, either met or exceeded
17 by different services and that they do, in fact, exist. I’m part currently of a review being
18 done with the Department of Justice on those very same standards, which makes
19 sense. Standards should be reviewed, should be looked at and make sure that they’re -
20 - you know, they’re current, legislation hasn’t changed that might affect them, those kind
21 of things.

22 So I don’t think they’re -- you know, have been refreshed any time
23 recently. I know they haven’t. That’s why they’re doing it. But they do exist.

24 **MS. RACHEL YOUNG:** Okay. And what’s the status of that
25 project?

26 The Commission interviewed Executive Director of the Public
27 Safety Division of the Department of Justice of Nova Scotia, Hayley Crichton, and she
28 said that they were targeting June of 2022 for the new standards, which haven’t come

1 out yet. Do you know if there's an update on that?

2 **CHIEF DAN KINSELLA:** I don't have any firm knowledge of dates.
3 I did read something -- it might have been yesterday. Minister Johns put something out
4 about fall they would be together or be put out. I'm not exactly sure. Don't quote me on
5 that.

6 I do sit on a steering committee that is expected to look at the
7 standards or the proposed standards -- and I'll back it up just a bit. There's a working
8 group that is working towards, you know, what the upgraded or the new or refreshed or
9 whatever they want to call them standards will look like. That will come to the working
10 group. The working -- or sorry, that will come to the steering group, of which I'm a part
11 of, will look at those standards, have an opportunity for input, perhaps we want to
12 recommend some changes. My understanding is that opportunity would be there. And
13 we haven't had that meeting yet.

14 **MS. RACHEL YOUNG:** Is the RCMP also part of the working
15 group and the steering committee?

16 **CHIEF DAN KINSELLA:** I believe they are, yes.

17 **MS. RACHEL YOUNG:** So if there were policing standards, would
18 it cover things like continuity of exhibits that you mentioned as a -- something that's
19 different in an integrated unit and maybe it could resolve some of those different ways of
20 doing things?

21 **CHIEF DAN KINSELLA:** I would say potentially. You know, there
22 is standards around property and exhibits. We have been audited on those by the
23 Department of Justice, that one specifically, so you know, the status of them or -- is the
24 RCMP policy lacking or is the HRP policy lacking in the handling of exhibits as
25 compared to standards. I don't believe that to be the case, but again, the review might
26 tell us or the new standards that come out.

27 I think in this particular case it's more of the procedure, the how, the
28 who. You know, do exhibits get seized and processed by members of FIS or does a

1 member from FIS come in, tag everything, leave it *in situ* and someone else comes in
2 and takes it and secures it?

3 That's one small piece of it. It's just a little piece that's on my mind.
4 I'm sure there's more to it.

5 So could it fix the problem? I'm not sure. If the Department of
6 Justice is going to say here is the policy that everyone in Nova Scotia will follow in
7 regards to property and exhibits, I think it will fix the problem.

8 I don't think the Department of Justice is going to say that. I think
9 they'll say here are the standards that you need to meet, leave it up to individual police
10 services to go and develop a policy that's going to meet those standards and then come
11 back at some time in the future and audit against a policy versus standards so they can
12 take some sort of measurement.

13 **MS. RACHEL YOUNG:** So in other words, they might say you
14 have to ensure continuity, but leave it to individual agencies to decide exactly how to do
15 that.

16 **CHIEF DAN KINSELLA:** Exactly how to do it. And then it goes to
17 the deployment. We have a certain -- you know, a Forensic Identification section that's
18 staffed a certain way. The RCMP have a Forensic Identification service that's staffed a
19 certain way and serving different areas within the province.

20 Those are the things that have to be reconciled and those are the
21 things that I think can be reconciled by deciding on what police service is going to be
22 the police service of jurisdiction municipally, town, province.

23 **MS. RACHEL YOUNG:** I want to ask you about another aspect of
24 relations between the RCMP and the municipal Chiefs, which is the tracking that the
25 RCMP started doing in early 2021 of costs of assistance from its provincial policing
26 resources to municipalities where it doesn't act as the municipal police force.

27 You're aware of what I'm talking about?

28 **CHIEF DAN KINSELLA:** Yes, I am.

1 **MS. RACHEL YOUNG:** Okay. And the Commission's already
2 seen correspondence between the Nova Scotia Chiefs, the Nova Scotia Department of
3 Justice and the RCMP on this. And I was just curious to know your view on the fact that
4 these costs are being tracked and reported to the province.

5 **CHIEF DAN KINSELLA:** Well, I think -- I'll just start with mutual
6 assistance across organizations. We -- my view is I believe we do that very well. I
7 could, you know, get a call from a neighbouring Chief on a Friday night to say, "I've got
8 this problem and is there any way you can help out?" and I can usually help. Can't
9 always, but I usually can.

10 And that would be the same, I'm sure that if I called up John
11 Ferguson now and said, "John, I need some help with something", I'm sure John would
12 do it.

13 Recently when we had the memorial for Heidi Stevenson, I
14 contacted John and I said, "John, would you like us to like handle calls in Cole Harbour
15 or something like that? We can do that so more members can attend the memorial".

16 It's those kind of things. So there's some proactive things
17 sometimes and then, obviously, some reactive things.

18 When I got a call from a neighbouring Chief on a Friday night, I
19 don't know that they have a need for something. I won't know until they call me, right.

20 So that's the kind of mutual assistance. Then there's broader
21 things.

22 We use another service's range for our -- they go there and train.
23 We have an MOU in place and we use it, so we have these shared agreements.

24 We supply -- or supply or provide, you know, diverse members for
25 hiring panels with other services withing the province, you know, and we help out that
26 way.

27 So from the -- you know, the very, you know, easily planned, we
28 know what's coming up, can you help to I got a bit of a crisis, can you send us some

1 help. So those things happen on a regular basis.

2 They generally happen without formality because there generally
3 isn't time for formality.

4 We within HRM regularly help the RCMP with canine services, so
5 those things happen on a regular basis. We don't always track it.

6 I think -- you know, my understanding of it is there wasn't a lot of
7 dialogue and explanation on how this was going to happen or the purpose it was going
8 to happen. And any time change is thrust upon any of us without any dialogue, we're
9 like, hmm, you should have had some conversation about that, right. Might have still
10 had the same outcome and the same feelings at the end, but you should have some
11 conversation.

12 The other piece is I also understood that form to be a tracking
13 mechanism for potential reimbursement at some point in time. I don't know that that
14 would be ---

15 **MS. RACHEL YOUNG:** Sorry, what did you just -- potential
16 reimbursements? Is that what you said?

17 **CHIEF DAN KINSELLA:** Yeah. Like, it -- you know, you would --
18 you would track it for a purpose, whether the reimbursement is from the organisation
19 that was assisted or whether it was from the Department of Justice. That would be my
20 take on why that would happen. I don't know that for sure.

21 **MS. RACHEL YOUNG:** But that wasn't said, I take it.

22 **CHIEF DAN KINSELLA:** It -- no, it wasn't. I don't even think it was
23 said until even now, I'm not sure.

24 **MS. RACHEL YOUNG:** I think Chief Superintendent Leather and
25 Lee Bergerman said that their intention was to track it because they had to account to
26 the Province the extent that they were in deficit because they had expended resources
27 helping out a municipality. Does that rationale make sense to you?

28 **CHIEF DAN KINSELLA:** Sure. They have to track it somehow to

1 know, and like I say, some of the things that you know in advance are easier to keep
2 track of. My only question to that would be if they're tracking it solely for the purpose of
3 going to the DOJ, and I might be wrong on this, but my understanding is the requesting
4 agency had to complete the form. I would just get the RCMP to complete the form, sent
5 this, did that. I -- that's the only piece I would say to that.

6 **MS. RACHEL YOUNG:** Are the Nova Scotia Municipal Chiefs
7 concerned that some of the Provincial Police Specialised Services will not continue to
8 be offered to them, or is that not a concern?

9 **CHIEF DAN KINSELLA:** I -- I -- yeah, I don't know whether that's a
10 specific concern to specific chiefs. I think there's an understanding, and I'm again
11 speaking of the crisis, that people will come and help. Longer term that may be a
12 concern, depending on, you know, what specialised services they're looking for.

13 **MS. RACHEL YOUNG:** It appears that this flared up as a sore
14 point in 2021. Do you know, is there ongoing discussion about this that you're aware of
15 between the police agencies or the Department of Justice?

16 **CHIEF DAN KINSELLA:** I think there is ongoing discussion with
17 the Department of Justice. I don't know exactly where it sits. There are a lot of
18 discussions around specialised services, who's going to assist, when they're going to
19 assist. Right now, I believe the -- it's still in place, the RCMP is the provincial police
20 service. They're responsible to assist in circumstances where other agencies don't
21 have those services. But I also get requests for that as well.

22 **MS. RACHEL YOUNG:** What suggestions do you have for the
23 Commissioners as they consider what recommendations to make?

24 **CHIEF DAN KINSELLA:** Well, I think, you know, and obviously
25 there's a lot of work, it's complex work, and admirable. With all the information that's
26 coming in, I'm not quite sure how you're able to digest it all and keep it all straight. Just
27 for my service alone, I have a hard time keeping track of all the information.

28 I think my suggestion is, as far as recommendation goes, we, and I

1 -- you're not in this alone. We're here. We're here. I believe we're all together, but
2 you've got to make the recommendations. We need to come up with a system that
3 works for community safety, public safety in Nova Scotia. We need to take into
4 consideration the vast geography, we need to take into consideration the uniqueness of
5 each of the municipalities or towns, the population, how population changes with, you
6 know, tourist season and all those kinds of things, and we need to come up with a plan
7 where we have mobile specialised services that can go and help, that can be there. We
8 also have to have a desire to understand that whosoever going to be in charge is going
9 to know how to mobilise those resources and call for them, call for that help.

10 My experience is there is no perfect system. There's always going
11 to some issue. But we have to get as close as we can, whether that be a hub model of
12 specialised services, a triangle, Truro, Halifax, you know, down towards Cape Breton, I
13 don't know the -- you know, whatever is best, and have that ability to respond in all the
14 different locations that they need to. They need to be able to get there. They need a
15 helicopter. They need -- because you've got to get over -- you've got to get there,
16 they've got to have the ability. You have to factor in the money. This is going to be,
17 depending on where we land, a lot of costs associated with this, so that has to be
18 factored in.

19 You also have to consider, you know, what does that look like.
20 Does the RCMP stay as the provincial policing authority or does Nova Scotia come up
21 with the Nova Scotia Provincial Police, and what does that look like if they do that? And
22 if you are going to do that, what is the ability for smaller services of, you know, 14
23 people or 10 people? What is their ability to keep their own unique police service?

24 I believe it can be done. I believe that you -- we can accomplish a
25 model like that. I don't think it will be easy, but clearly, and I certainly was under the
26 impression, at least initially, that we were going to be talking a lot more about the 18th
27 and 19th and responding there, but to do better than the 18th and 19th. We have to do
28 better as a province, we have to do better as a team. We have to come together and

1 we have to figure it out.

2 But within that area, you need to know who is going to be in charge.
3 You need to have a good Critical Incident Command structure in place, and a lot of
4 those things have been talked about.

5 So those are some of my suggestions. I think you need to have
6 regional hub models, I do think there needs to be some sort of provincial police, and
7 how is it funded. And how are services that don't have the specialised services going to
8 access it? And it's not just a matter of accessing it, they need to feel comfortable that
9 when they do call it's going to be there.

10 We currently know that the RCMP is pulled in a million different
11 directions. They're the federal police service. They have to go, sometimes they leave
12 the province, sometimes they come back to the province, they go to the J-Division. I
13 don't know that that's particular fair to them. I don't know that it's particular fair, as the
14 provincial or as the federal police that they're broken down to having to do the service
15 that they do in all the vast areas of Canada. I don't think that that model is going
16 anywhere overnight. There are so many rural and disparate areas within Canada that
17 the Mounties serve and it's good that they do, it's good that they're there, the one and
18 two person detachments.

19 But we have to get better, and I think where we start is in the
20 Province of Nova Scotia, coming together with a plan forward on how do we move
21 forward. It could be -- it could be the -- the mechanism that we use across the province.
22 But we also have to remember every province is different, every community is different.

23 I've had the great fortune to be able to work in policing in two
24 different provinces, and for anybody that has, and most of my RCMP colleagues have
25 worked in different provinces, we know incredibly well that policing is very similar across
26 the country, but it's also very different depending on the communities you serve.

27 So I don't know if that's helpful, Ms. Young, but that's what I have to
28 say on that.

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

2 Commissioners, I would now like to exhibit all the documents on the
3 list circulated to the Participants with respect to this witness.

4 **REGISTRAR STEPHANIE WEBBER:** So exhibited.

5 **MS. RACHEL YOUNG:** Thank you, Chief Kinsella, those are my
6 questions for you.

7 **CHIEF DAN KINSELLA:** Thank you.

8 **COMMISSIONER MacDONALD:** Yes, thank you, Chief Kinsella.
9 The process we have been following throughout our proceedings is to break after our
10 counsel has asked you the questions, and then counsel for the various Participants who
11 are here today will meet, we call it a caucus, but it's essentially a meeting to discuss
12 who will be asking you questions and in what order so that there's not a lot of repetition
13 and it's as efficient as possible. That's probably going to take about a half-an-hour to
14 put together, so we'll break now for half-an-hour and ask you to come back at that time.

15 **CHIEF DAN KINSELLA:** All right, thank you.

16 **COMMISSIONER MacDONALD:** Thank you.

17 **REGISTRAR STEPHANIE WEBBER:** Thank you. The
18 proceedings are now on break and will resume at 4:30.

19 --- Upon recessing at 4:02 p.m.

20 --- Upon resuming at 4:40 p.m.

21 **REGISTRAR STEPHANIE WEBBER:** Welcome back. The
22 proceedings are again in session.

23 **COMMISSIONER MacDONALD:** Thank you, everyone. Can we
24 bring the witness back, please?

25 **--- CHIEF DAN KINSELLA, Resumed:**

26 **COMMISSIONER MacDONALD:** Thank you again, Chief Kinsella,
27 and welcome back.

28 Counsel have indeed met and they've agreed upon a procedure

1 and it will begin with Ms. Jane Lenehan. And each one of the lawyers, when they come
2 up, will explain who they represent so you can have that added context; okay?

3 **CHIEF DAN KINSELLA:** Thank you.

4 **COMMISSIONER MacDONALD:** Ms. Lenehan?

5 **--- CROSS-EXAMINATION BY MS. JANE LENEHAN:**

6 **MS. JANE LENEHAN:** Thank you, Commissioner.

7 Chief Kinsella, my name is Jane Lenehan. And along with my
8 associate, Dan White, we represent the family of Gina Goulet.

9 So Gina was the perpetrator's last victim before he was killed at the
10 Enfield Big Stop. And she was murdered in her home on Highway 224 at about 11:00
11 a.m. on April 19th. And that was about 13 hours after the perpetrator started his
12 rampage in Portapique.

13 So I'm going to be a bit longwinded with my questions so please be
14 patient with me.

15 So Gina's family has concerns with what we've learned throughout
16 this inquiry about the poor relationship between the Truro Police Service and the
17 RCMP, and also the Halifax Regional Police and the RCMP.

18 So I want to ask you some questions about that to help my clients
19 understand what happened that morning and why the perpetrator wasn't stopped by any
20 of the police forces in the province, any of the involved ones.

21 So have you been following the timeline -- the Inquiry, so that you
22 know the timeline?

23 **CHIEF DAN KINSELLA:** I've been peripherally following along. I
24 wouldn't say that I would know it. So you may want to share it if you have something
25 important.

26 **MS. JANE LENEHAN:** Okay. I do. So it's really just the timeline
27 of where Gina Goulet's murder fits in with the whole picture.

28 So in terms of background, we know that the perpetrator drove

1 straight through the town of Truro just before -- or sorry, just after 10:00 a.m. on
2 Sunday, April 19th, and then he met up with Cst. Morrison and Cst. Stevenson in
3 Shubenacadie, injuring Cst. Morrison and killing Cst. Stevenson. And then he killed
4 Joey Webber, who had stopped to offer assistance at the Stevenson scene. And then
5 the perpetrator continued on to Gina Goulet's home about five and a half kilometres
6 away from the Shubie Cloverleaf on Highway 224, where he killed her.

7 So I just want to take a moment to apologize, because I asked this
8 question yesterday, Commissioners, and I neglected to mention the murder of Joey
9 Webber. So I apologize to Mr. Webber's family for that mistake.

10 So in terms of the Halifax Regional Police, Gina Goulet's home is
11 located in Hants County, but it's located very close to the border with Halifax County.
12 And in fact, a number of the people in her neighbourhood would commute to Halifax for
13 work.

14 So her family questions whether better relations between the
15 Halifax Regional Police and the RCMP, and also Truro and RCMP, that would allow all
16 of Nova Scotia's police forces to work better together, would have prevented her death
17 on April 19th.

18 Do you have a comment to that?

19 **CHIEF DAN KINSELLA:** Well, first of all, Ms. Lenehan, I just
20 would like to express my condolences to Gina Goulet and all of the families of all of the
21 victims on behalf of the Halifax Regional Police and myself. So I do want to say that
22 upfront.

23 As far as the relationship affecting the outcome of the perpetrator's
24 actions, I don't have any specific knowledge that would indicate that. The -- I've said it
25 earlier, the relationship piece is more, in my view, at the higher strategic level. At the
26 operational level, I don't think that the relationship would have affected response or
27 otherwise, as far as I know.

28 I don't know the exact circumstances of how many officers were in

1 the area and those kinds of things. So I don't think it did. Without further information,
2 unless there's something specific, that would be my comment.

3 **MS. JANE LENEHAN:** Well I guess, Chief, to be blunt, what my
4 client's family wants to know is where was HRP and why weren't they helping to stop
5 the perpetrator?

6 **CHIEF DAN KINSELLA:** Right.

7 **MS. JANE LENEHAN:** Did HRP receive any requests from the
8 RCMP during the mass casualty to assist them outside of HRP jurisdiction?

9 **CHIEF DAN KINSELLA:** No, the only request, to my knowledge,
10 that we had, and I would know, was to provide assistance in relation to two of the
11 perpetrator's addresses within HRP jurisdiction and to help secure family members of
12 those involved who may be potentially in harms way.

13 **MS. JANE LENEHAN:** Right. So my question just really related to
14 outside of HRP's ---

15 **CHIEF DAN KINSELLA:** Yeah, and ---

16 **MS. JANE LENEHAN:** --- jurisdiction.

17 **CHIEF DAN KINSELLA:** --- the answer is no.

18 **MS. JANE LENEHAN:** We're aware of those activities of HRP
19 inside the jurisdiction.

20 Did the RCMP -- or sorry, did the HRP receive any requests from
21 the RCMP after the mass casualty to assist? And again, my questions relate to outside
22 your jurisdiction, to assist in the RCMP in crime scene processing outside HRP
23 jurisdiction or filling in for RCMP detachments, like you just noted earlier, that you
24 offered to do with respect to Cst. Stevenson's memorial?

25 **CHIEF DAN KINSELLA:** So the answer to the filling in of the
26 detachments, the answer is no.

27 **MS. JANE LENEHAN:** Okay.

28 **CHIEF DAN KINSELLA:** We received no requests for that.

1 As far as assisting, we did assist with forensic work for a SiRT
2 investigation outside of the jurisdiction. I believe that request came from SiRT, Serious
3 Incident Response Team.

4 We did send some resources to the scene where the perpetrator
5 met his end. We sent some officers there from HRP. But I can't tell you exactly where
6 that request came from.

7 **MS. JANE LENEHAN:** All right. So the assistance that forensic
8 services, HRP forensic services were asked for was in relation to the Enfield scene and
9 the Onslow scene? Would that be correct?

10 **CHIEF DAN KINSELLA:** That is correct. But ultimately, we were
11 not required at the Enfield scene. But my understanding is we did process the Onslow
12 scene.

13 **MS. JANE LENEHAN:** Okay. Thank you. So you didn't receive
14 requests, but did HRP offer assistance to the mass casualty or to the RCMP during the
15 mass casualty? Again, outside of the jurisdiction.

16 **CHIEF DAN KINSELLA:** So during the evening, it is my
17 understanding that there was an offer made of, you know, "What can we do?" And the
18 request came back to, as I've already said, to secure the address and secure the family.

19 I personally made two offers of assistance in the a.m. to C/Supt.
20 Janice Gray. Once earlier in the morning around 8:00 o'clock, and then later in the
21 morning after learning of the continued murders. And then the final scene at Enfield, I
22 made one further offer of, "Is there anything we can do?"

23 **MS. JANE LENEHAN:** All right. So when you said the morning,
24 we're talking the morning of Sunday, April 19th?

25 **CHIEF DAN KINSELLA:** Yes. It would have been right around
26 8:00 a.m.

27 **MS. JANE LENEHAN:** And you -- and how was that made?

28 **CHIEF DAN KINSELLA:** That was made on the telephone.

1 **MS. JANE LENEHAN:** Okay. So you called her and said, "What
2 can we do?"

3 **CHIEF DAN KINSELLA:** Yeah. "How can we help?" Yeah.

4 **MS. JANE LENEHAN:** And what was the response?

5 **CHIEF DAN KINSELLA:** It was non-committal. It was a "We'll let
6 you know," kind of thing.

7 **MS. JANE LENEHAN:** "We'll let you know"? Is that what you
8 said?

9 **CHIEF DAN KINSELLA:** Those may not be the exact words. I
10 don't think it was exactly no, ---

11 **MS. JANE LENEHAN:** Yeah.

12 **CHIEF DAN KINSELLA:** --- and -- but it wasn't, "Yes, please.
13 Send help here and here." It was, you know, "We're assessing. We'll advise you if we
14 need some help."

15 **MS. JANE LENEHAN:** And did you follow up with her at all
16 besides after the Enfield ---

17 **CHIEF DAN KINSELLA:** No.

18 **MS. JANE LENEHAN:** --- incident?

19 **CHIEF DAN KINSELLA:** I spoke to her in person after the Enfield
20 incident, or right around that time, and made the offer again, at which time it was a
21 similar response.

22 **MS. JANE LENEHAN:** "We'll let you know"?

23 **CHIEF DAN KINSELLA:** Similar to. I don't know if those were the
24 exact words, but similar.

25 **MS. JANE LENEHAN:** Okay. And ---

26 **CHIEF DAN KINSELLA:** And, sorry, I don't mean that she wasn't
27 appreciative of the offer or anything ---

28 **MS. JANE LENEHAN:** M'hm.

1 **CHIEF DAN KINSELLA:** --- like that. It was -- it wasn't dismissive
2 or anything. It was, you know, "We're doing our work. We'll let you know."

3 **MS. JANE LENEHAN:** So, again, did HRP offer assistance with
4 respect to coverage? Whether it's crime scene processing or filling in for detachments
5 after the casualty?

6 **CHIEF DAN KINSELLA:** The offer to help was open anytime.
7 "Just let me know." And we would have done whatever we could to assist, whether it
8 would be crime scene related, handling calls for service, otherwise.

9 **MS. JANE LENEHAN:** So why did you wait until 8:00 a.m. on the
10 morning of the 19th to offer help? You were aware of it well before that; correct?

11 **CHIEF DAN KINSELLA:** I was aware earlier in the evening. Not
12 the scope and gravity, because, you know, we had initial reports and then things began
13 to build. And it was my understanding that that offer had been made between the watch
14 commander, the duty officer, those individuals who were communicating with the RCMP
15 members on the ground.

16 **MS. JANE LENEHAN:** So my understanding, Chief, is that the
17 morale among HRP officers is extremely low, and many officers are struggling because
18 they feel that they stood by, or were ordered to stand by, by their management as the
19 worst mass casualty in Canadian history unfolded just outside their jurisdiction.

20 Can you comment on that?

21 **CHIEF DAN KINSELLA:** Well, what I can -- I say, I can't speak for
22 the feelings of the officers that you have this information from. What I can say, and we
23 all know this, it was a very fast-moving, fluid, unfolding situation.

24 And, you know, when we deploy, there's certain things that have to
25 happen. I'd mentioned it earlier in my testimony, and you know, those things generally
26 are a request for assistance, and the offer was there as far as I'm concerned. So that
27 was open.

28 You can't just get in your car and cruiser and drive in to the scene.

1 You could, but it's not good police business to do that. And what needs to happen is a
2 command-and-control system where, you know, the request could have been, "Can you
3 send some officers and some cars to assist with scene containment in Portapique?"
4 That could have been a request; I'm speculating. We could have assembled those
5 bodies and cars and we could have sent them. The expectation when they got there is
6 that they would be briefed on what the roles and responsibilities are; that they would be
7 given the appropriate communication channel to operate on, and then be given their
8 instructions by someone in command from the RCMP. That's one example.

9 The example of, you know, just driving around and looking -- I'm
10 not sure exactly what the RCMP was doing, but at all times I was under the
11 understanding that the RCMP were in charge of this call. I was also under the
12 understanding that the RCMP were handling the call, knowing that we had, you know,
13 said, we can help; "How can we help? What can we do?" "Go secure the two
14 addresses and get the..." -- very nicely -- "...and get the -- secure the families."

15 So that would be my comment, and I'll leave it at that, unless you
16 have some other questions or follow-up.

17 **MS. JANE LENEHAN:** I do have other questions.

18 So we heard earlier from C/Supt. Campbell, and I'm sure
19 somebody will jump up if my recollection isn't correct, but my recollection is that he said
20 for a population the size of Nova Scotia, about a million residents, that for adequate
21 ERT coverage, you need -- you need at least 18 but 36 would be awesome. Does that
22 accord with your understanding of the ratio of an ERT team to a population?

23 **CHIEF DAN KINSELLA:** I'm not an expert in population to ERT,
24 and nor am I to police to population, really; I do have some information on it.

25 You know, there's a number of factors that go into play. We have
26 an authorized strength of our ERT team of 24 constables plus four NCOs, so 28 in total.
27 We're not at that currently because of a number of different things that are occurring.

28 Then there's also the issue of what shifts do they work; are they

1 always available; are they on call; are they a part-time unit? So I don't think, in my
2 mind, that it's as easy as saying you need x-number for this much population without
3 some of those other factors being put in, and in considering how that would play out.

4 The other consideration is, you know, how often are they used and
5 what are they used for and all those kind of things. So I couldn't speak to C/Supt.
6 Campbell's calculations, but I would have to do more research before I was able to
7 comment with any authority.

8 **MS. JANE LENEHAN:** Thank you.

9 So were you aware in April of 2020 that the RCMP was operating
10 with what we now know is a fairly lean ERT team?

11 **CHIEF DAN KINSELLA:** I was not.

12 **MS. JANE LENEHAN:** And would you say -- it sounds like you
13 have a tactical background -- that for an incident like this, part of the response; in fact, a
14 key part of the response would be an ERT team?

15 **CHIEF DAN KINSELLA:** I agree, specialized services of ERT
16 would definitely be key.

17 **MS. JANE LENEHAN:** Okay. And can you explain a bit more why
18 that ERT team would be key?

19 **CHIEF DAN KINSELLA:** Well, in the initial -- and I might have
20 some of the exact facts wrong, but this was a horrific incident very early on, I would say,
21 with the number of people that were believed to be killed and the fires that were
22 occurring, and those kinds of things. It got much more horrific as the night went on. It
23 was very clear that people were being shot, at least that's the reports that I have. I
24 didn't have them at the time, but I have them now.

25 And it was also very clear that the individual was on the move and
26 very mobile. So that would necessitate a certain type of response which definitely
27 would be ERT, and at the lower scale certainly as many constables as you could muster
28 organizationally that would be armed with C8s.

1 **MS. JANE LENEHAN:** Pardon me; I didn't hear the last bit.

2 **CHIEF DAN KINSELLA:** As many constables as you could muster
3 that would be armed with C8s.

4 **MS. JANE LENEHAN:** C8s?

5 **CHIEF DAN KINSELLA:** Yeah.

6 **MS. JANE LENEHAN:** Okay.

7 **CHIEF DAN KINSELLA:** That's a longer rifle.

8 **MS. JANE LENEHAN:** Okay. So in April of 2020, was your ERT
9 team for Halifax 28-members strong? Was that ---

10 **CHIEF DAN KINSELLA:** They were authorized but we didn't have
11 every single position filled. People come and go.

12 **MS. JANE LENEHAN:** Sure.

13 **CHIEF DAN KINSELLA:** They have to get courses, those kinds of
14 things; people get promoted. I don't know the exact count that they were at, at that
15 time.

16 **MS. JANE LENEHAN:** Can you take a guess?

17 **CHIEF DAN KINSELLA:** I would say it was -- I might be wrong on
18 this; probably around 20, maybe down eight at that time.

19 **MS. JANE LENEHAN:** So why didn't you send your ERT team?

20 **CHIEF DAN KINSELLA:** Why didn't I ---

21 **MS. JANE LENEHAN:** Yes.

22 **CHIEF DAN KINSELLA:** --- send my ERT team?

23 **MS. JANE LENEHAN:** Yes.

24 **CHIEF DAN KINSELLA:** I didn't get a request for assistance.

25 **MS. JANE LENEHAN:** Okay. And couldn't you just send them or
26 say, "Look, we're going to send our guys"?

27 **CHIEF DAN KINSELLA:** No.

28 **MS. JANE LENEHAN:** "They'll be up there in Truro and if you

1 need them...”?

2 **CHIEF DAN KINSELLA:** No. You’d be ---

3 **MS. JANE LENEHAN:** You can’t do that?

4 **CHIEF DAN KINSELLA:** You can’t just send them.

5 **MS. JANE LENEHAN:** Okay. I would like to just bring up Exhibit
6 P-002221.

7 So are you familiar with this? This is a two-page email, and at the
8 bottom it’s an email from Brock Brooks sent to Charles Naugle and Jeff Carlisle, and
9 then it looks like it’s being forwarded to a number of people. Have you seen this
10 before?

11 **CHIEF DAN KINSELLA:** I have.

12 **MS. JANE LENEHAN:** Okay. Do you want to take a moment to
13 read it?

14 **CHIEF DAN KINSELLA:** Sure.

15 **MS. JANE LENEHAN:** It’s two pages. Okay.

16 **CHIEF DAN KINSELLA:** I don’t have it memorized, I can tell you
17 that.

18 **MS. JANE LENEHAN:** Okay.

19 (SHORT PAUSE)

20 **MS. JANE LENEHAN:** Just let us know when you want the page
21 turned.

22 (SHORT PAUSE)

23 **CHIEF DAN KINSELLA:** Okay. If we could raise it up a little bit,
24 please?

25 (SHORT PAUSE)

26 **CHIEF DAN KINSELLA:** Okay. And just up a bit?

27 (SHORT PAUSE)

28 **CHIEF DAN KINSELLA:** And just a bit more.

1 (SHORT PAUSE)

2 **CHIEF DAN KINSELLA:** Okay. And just up a bit.

3 (SHORT PAUSE)

4 **CHIEF DAN KINSELLA:** Okay, thank you.

5 **MS. JANE LENEHAN:** So Chief Kinsella, could you just identify for
6 the record who all the individuals are? So who is Brock Brooks?

7 **CHIEF DAN KINSELLA:** Brock Brooks is a tactical -- or was a
8 tactical officer at the time for Halifax Regional Police.

9 **MS. JANE LENEHAN:** So does that mean he's on the ERT team?

10 **CHIEF DAN KINSELLA:** Yes.

11 **MS. JANE LENEHAN:** Okay. And who's Charles Naugle?

12 **CHIEF DAN KINSELLA:** Charles Naugle was an NCO on the ERT
13 team, so a sergeant.

14 **MS. JANE LENEHAN:** Okay. So would he have been -- we've
15 heard a lot about Tim Mills for the RCMP ERT team. Would he have been a Tim Mills
16 equivalent?

17 **CHIEF DAN KINSELLA:** I'm not sure what Tim Mills is but ---

18 **MS. JANE LENEHAN:** So he's been described to us as the lead
19 for the ERT team.

20 **CHIEF DAN KINSELLA:** Yes. And Charles would be referred to
21 as the Tactical Team Leader.

22 **MS. JANE LENEHAN:** Okay. And Jeff Carlisle, who is that?

23 **CHIEF DAN KINSELLA:** Jeff Carlisle is an NCO on the ERT team,
24 so he would be one of the sergeants.

25 **MS. JANE LENEHAN:** And then up above, Charles Naugle is
26 forwarding it to a couple of extra people, Craig Robinson and John McNeil. Can you tell
27 who those are?

28 **CHIEF DAN KINSELLA:** They're both members of the -- the ERT

1 team as well.

2 **MS. JANE LENEHAN:** Okay.

3 **CHIEF DAN KINSELLA:** Both of them.

4 **MS. JANE LENEHAN:** Okay.

5 **CHIEF DAN KINSELLA:** Or were at the time. I believe they're
6 both not on the team anymore.

7 **MS. JANE LENEHAN:** Thank you. So I just want to take you to
8 the bottom third of the page. So I'm going to suggest to you that it looks like your
9 members were not on the same page as you at all, and were really looking for
10 permission to head to Truro. That paragraph that starts with Sergeant Robinson:

11 "Sergeant Robinson was on the phone for five
12 minutes while the rest of us were saying, "This is the
13 biggest event in Nova Scotia history. We should be
14 staging in Truro."" (As read)

15 And then at the bottom of that page, or sorry, the bottom of that
16 paragraph:

17 "It was clear to us that while Sergeant Robinson was
18 on the phone that we need one team staged on the
19 highway to assist RCMP ERT if they needed us and
20 prevent Wortman from getting into Dartmouth." (As
21 read)

22 And then below that:

23 "At approximately 0130 hours, after several calls,
24 Sergeant Robinson advised that no more ERT
25 members were being called out. ERT members
26 asked Sergeant Robinson if management clearly
27 understood what was happening. Sergeant Robinson
28 said yes, and a decision had been made." (As read)

1 And then, if we could just go down a little bit further, the paragraph
2 that starts, "Therefore, at this point we had...", and he's reviewing it looks like what you
3 knew in Halifax. And the second sentence is:

4 "It became very clear to myself and
5 Constable Gaudry that Wortman could have easily got
6 past any checkpoint, as we believe RCMP didn't know
7 about the other vehicles until we advised them, and
8 they did not request a picture of Wortman until
9 0333 hours. It seemed like to ERT members that
10 management were just counting on Wortman being
11 deceased at the scene." (As read)

12 So can you comment on all of this for, specifically for my clients?
13 And keep in mind that she was the last one in a line of 22, and four people were killed,
14 for instance, after Truro, where your team were thinking, "Hey, that's where we should
15 go" ---

16 **CHIEF DAN KINSELLA:** Right.

17 **MS. JANE LENEHAN:** --- and we should wait for the RCMP to let
18 us know what they want us to do." So what kind of an explanation can you give me so
19 that I can give that to my clients?

20 **CHIEF DAN KINSELLA:** Right. So -- could we just scroll down to
21 the top of this email? I'm just trying to see when this was prepared by
22 Constable Brooks.

23 **MS. JANE LENEHAN:** It looks like it was prepared the following
24 week.

25 **CHIEF DAN KINSELLA:** Okay. So ---

26 **MS. JANE LENEHAN:** April 27 of 2020.

27 **CHIEF DAN KINSELLA:** --- seven days after. All right.

28 So -- so that's seven days after the incident, and not sure what

1 information was shared and to whom exactly, I would not have had this information real-
2 time. But one of the things that does stand out here is they start at 10:26 and it goes
3 until 6:20 on the chronology, and you know, not -- I wouldn't have privy to all of this
4 detail the night of. One of the things that we have to do in any situation, and we have
5 Command people on the ground who determine resources, how they get deployed,
6 when they get called in, and in an unfolding incident like this we're getting pieces of
7 information as we go along. So you know, we don't immediately know when this starts
8 that the perpetrator is driving an RCMP vehicle dressed as an RCMP officer, we don't
9 know that. That does come out over time, but we certainly don't know it at 2226.

10 And I don't know that we know exactly what the details are. It
11 would appear Constable Brooks is speaking to someone, maybe on RCMP ERT, I'm not
12 sure, that would be helpful to know. But from a Command and Control perspective we
13 have to be prepared to use our resources and deploy them appropriately depending on
14 the information that is known. So -- and we do that, and we have highly skilled people
15 that are relied upon to do that.

16 And when those resources are called in, we call them in for the
17 information and the task that we're doing, or requested to do at hand, and that was, at
18 the time, to secure the two -- or I think even only one at the time, one address of the
19 perpetrator. So the Duty Officer has to make a decision on what resources to call in
20 and have them prepared. We had some on duty, assessments were being made as we
21 went along, and as information came in they continued to change our posture and our
22 response and the number of people that were called in.

23 The other consideration for that is understanding that we don't
24 know how long the call will go on, so we have to make sure that we have resources
25 prepared to go for duration calls if we need to, and we need to have relief, we need to
26 be able to have people to come in. And resources are called in based on the
27 information that we know at the time.

28 I don't know -- and we have it all now, clearly seven days later, with,

1 I'm sure, good information that was passed along. I don't know, although it's described
2 in here, I don't know exactly who Brooks was speaking to, who Robinson was speaking
3 to, and exactly whether everybody had a full understanding. And I would say that at
4 10:26 on the 18th, there wasn't a full understanding based even on the first -- the first
5 sentence about two active shooters. So -- and this is not uncommon. You have to
6 figure out the information, gather all the information, and then respond appropriately
7 with the resources that you have.

8 **MS. JANE LENEHAN:** In the very last sentence on the first page,
9 where it says that:

10 "ERT members asked Sergeant Robinson if
11 management clearly understood what was
12 happening..." (As read)

13 In relation to the, I guess, the denial of permission to send ERT to
14 help. Who's management? Who would he be referring to?

15 **CHIEF DAN KINSELLA:** I -- I -- I don't know who exactly who it
16 would be.

17 **MS. JANE LENEHAN:** Is it you?

18 **CHIEF DAN KINSELLA:** Perhaps.

19 **MS. JANE LENEHAN:** You don't know?

20 **CHIEF DAN KINSELLA:** I am the Chief. I -- I ---

21 **MS. JANE LENEHAN:** Do you remember a call that night?

22 **CHIEF DAN KINSELLA:** Not about this.

23 **MS. JANE LENEHAN:** Okay.

24 **CHIEF DAN KINSELLA:** Yeah.

25 **MS. JANE LENEHAN:** So you weren't part of management that
26 night?

27 **CHIEF DAN KINSELLA:** No.

28 **MS. JANE LENEHAN:** I'm just wondering if you were ---

1 **CHIEF DAN KINSELLA:** No, so ---

2 **MS. JANE LENEHAN:** --- part of the decision process.

3 **CHIEF DAN KINSELLA:** No, I ---

4 **MS. JANE LENEHAN:** If you can speak to that.

5 **CHIEF DAN KINSELLA:** --- I was being given updates.

6 **MS. JANE LENEHAN:** Yes.

7 **CHIEF DAN KINSELLA:** All of this information that's in this email, I
8 wouldn't have had it even on Sunday. You know, this -- there's a lot of information in
9 this email. And I -- I'm not sure who Constable Brooks is referring to as management.
10 It could be the Duty Officer, it could be the Watch Commander. Basically anyone above
11 the rank of Constable to Constable Brooks probably is considered management, but I
12 don't -- I don't -- I can't speak for his definition of it. But at the time I was the Chief, so I
13 was the ultimate ---

14 **MS. JANE LENEHAN:** Okay.

15 **CHIEF DAN KINSELLA:** --- head of the organisation.

16 **MS. JANE LENEHAN:** So in this sort of a situation, if ERT wanted
17 permission to go and stage in Truro to assist, would they ask permission to the Watch
18 Commander?

19 **CHIEF DAN KINSELLA:** They would have a discussion not only
20 with the Watch Commander but with the Duty Officer would be my expectation, and
21 then assessments will be made what resources do we have in Halifax. I think it very
22 clearly says in there that they believed that the perpetrator could get by -- get by and
23 past roadblocks and checkpoints. So assessments would have to be, I'm speculating,
24 assessments would have to be made on the protection of Halifax.

25 The information that we had at the time from the RCMP was to
26 check the address because the perpetrator might be there on Portland. So we had to
27 be cognisant of that, and efforts were being made to check that. There was quite a bit
28 of activity going on, and those are the things that we were doing.

1 So there's a lot of considerations, lots of things that we have to take
2 into account, and you know, it's -- it's decisions that have to be made based on the
3 information that's available.

4 **MS. JANE LENEHAN:** So in a situation like this, with a request, a
5 serious situation unfolding, and a request by your own members to help out a
6 neighbouring or neighbouring jurisdictions, would you be involved at some point, and
7 were you involved that night?

8 **CHIEF DAN KINSELLA:** Not in this particular aspect of it. I was
9 getting updates at the time as we went along. I had no say in whether
10 Constable Brooks got in his car and drove to Truro. But with the information that we
11 had and the decisions that were made, I support the management that would have been
12 present that night on the decisions they made.

13 **MS. JANE LENEHAN:** All right. So I just have one more exhibit to
14 put to you, please, and this is Exhibit P-002130, and it's page 27, please. So I'd like to
15 just scroll down, please, to -- yeah, I just want that big paragraph.

16 Thank you. That's perfect. Yeah, that's perfect. Actually, if you
17 could include the question above it?

18 So I just want to read this for you and then ask you for your
19 comment, Chief. So this is Willy Crews, who is an NCC investigator. Charles -- and
20 this is an interview of Charles Naugle, who was part of that email chain that we just
21 talked about.

22 "Charles, like the only one I [still have], is what [...] what
23 did you find the most frustrating that day, for yourself,
24 trying to run things?"

25 And he says:

26 "There's some American LEO sites where you can read
27 debriefs. The Dorner shooting in California, 100-page
28 long debriefs of what to do. The San Bernardino

1 shootings, I've studied those up and down and maybe I
2 don't have a social life, but I always used to think about
3 how we would handle something like that in Halifax. And
4 every time I ever thought about how we'd handle it, it was
5 with everything that we had. It was trying to overcome
6 what the bad guy was doing. Never in my life would I
7 think that I would have to try to figure out how to get
8 permission to call the resources out that are sitting down
9 in the locker room. And that is frustrating. We could
10 have spent \$10,000 extra; big deal. \$10,000 to suit
11 everybody up in the backyard and have everybody ready
12 to go and you're not need, "Okay, go home." That is
13 frustrating beyond belief that we didn't try, we did not try
14 at all, and I'll that to anybody who wants to ask. [...]
15 yeah, that bothers me to an incredible degree."

16 Do you have a comment?

17 **CHIEF DAN KINSELLA:** So I disagree that we didn't try. We were
18 doing a number of things that we were asked to do within HRM by the RCMP. In fact,
19 we did everything we were asked.

20 **MS. JANE LENEHAN:** I think he's relaying to the ERT team, since
21 he's the ERT team lead.

22 **CHIEF DAN KINSELLA:** That's fine. He can relate to that. And
23 Charles Naugle is a very passionate Emergency Response Team member. He's retired
24 now, but he was. He was very dedicated to his craft. Clearly from that statement, he's
25 studying all the time. There was no plan to go at that particular moment, as far as I
26 know, to go and seek out the perpetrator.

27 As I said earlier, the RCMP were in charge of this. It was my
28 understanding they were in command of it. It was my understanding that they had it

1 under control and that they were doing their job and that if they didn't, perhaps under
2 control may not be the best word, but they were dealing with it.

3 All of this information comes in over time and Charles was
4 singularly focused on what he was doing that particular night. And he was working
5 directly with the Critical Incident Commander, and as was Sgt. Carlisle after him, to
6 come up with intervention plans, to come up with plans that would occur when we had
7 the Critical Incident Commander in place, which happened, I don't know exactly what
8 time, Naugle came in -- Naugle came in in the morning, but it was relatively -- around
9 the same time as the Critical Incident Commander. So he was part of the decision
10 making, part of the planning, to do the interception plans when they deployed in the
11 area out by the airport.

12 **MS. JANE LENEHAN:** Sorry, I missed the last -- the very last bit.

13 **CHIEF DAN KINSELLA:** He was part of the planning, Sgt. Naugle,

14 ---

15 **MS. JANE LENEHAN:** Yes.

16 **CHIEF DAN KINSELLA:** --- as the tactical team leader. He was
17 doing the -- he was completing -- he was actually tasked to do the plans from the
18 Critical Incident Commander the morning of.

19 **MS. JANE LENEHAN:** Should the perpetrator enter Halifax?

20 **CHIEF DAN KINSELLA:** That's right. And I don't believe that Sgt.
21 Naugle put forward a plan to go anywhere else with the Critical Incident Commander.
22 He could have given that input to them and had that conversation. So that's -- that's
23 who was making the decisions. And like I said, he's very dedicated to his craft. Very
24 emotional statement there, obviously. So that would be my comment.

25 **MS. JANE LENEHAN:** Thank you. Those are all my questions.

26 **COMMISSIONER MacDONALD:** Thank you, Ms. Lenehan.

27 Ms. Nijhawan?

28 **--- CROSS-EXAMINATION BY MS. NASHA NIJHAWAN:**

1 **MS. NASHA NIJHAWAN:** Good afternoon, Chief.

2 **CHIEF DAN KINSELLA:** Good afternoon.

3 **MS. NASHA NIJHAWAN:** My name is Nasha Nijhawan and I'm
4 here on behalf of the National Police Federation, along with my colleague, Kelly
5 McMillan.

6 As you may know, the NPF is a union that represents sworn RCMP
7 members below the rank of inspector and it represents the members who were on duty
8 the night of April 18th and 19th and who responded to the call.

9 I wanted to pick up a little bit from where Ms. Lenehan left off to
10 understand your evidence better that there was no request made from the RCMP for
11 assistance. And I want to focus specifically on the ERT team, and also your evidence
12 that you did in fact make an offer.

13 So I just want to sort of take a step back, because we haven't had
14 the benefit of any interview from you in this matter and so unlike a lot of other
15 witnesses, we don't have the kind of background of your involvement that we may want
16 to focus on, that night of the 18th.

17 So I understand that you -- I think you've already told Ms. Lenehan
18 that you were involved, but not, maybe, actively involved. Perhaps you could tell us
19 where you were and what your -- what your level of involvement in terms of interacting
20 with your own senior management team that night was?

21 **CHIEF DAN KINSELLA:** At the time, initially I was at my residence
22 and I received a call that there was an incident occurring in Portapique. And it was just
23 an update of what was happening and that they were dealing with some requests from
24 the RCMP and they were handling things. I generally said, "Do you have what you
25 need?" They have what they need. And then I wait for the next update.

26 **MS. NASHA NIJHAWAN:** And so you would have been at home.
27 Do you remember what time that first contact came in?

28 **CHIEF DAN KINSELLA:** I want to say the first contact was around

1 1:00 a.m.

2 **MS. NASHA NIJHAWAN:** And who contacted you?

3 **CHIEF DAN KINSELLA:** It would have been, at the time, Insp.
4 Boyd.

5 **MS. NASHA NIJHAWAN:** So Insp. Boyd was, I think what we've
6 been heard to referred to as the duty officer?

7 **CHIEF DAN KINSELLA:** That's correct.

8 **MS. NASHA NIJHAWAN:** Does that mean that he's your
9 delegate? He's the most senior person available for management direction?

10 **CHIEF DAN KINSELLA:** Yeah. So the duty officer program, as it's
11 set, is all of the senior officers rank of inspector and above, minus myself, take a turn as
12 the duty officer. So they're on duty from Friday at 4:00 p.m. until the following Friday at
13 8:00 a.m. They don't come into the office. They do three shifts on patrol with the
14 members. And they are responsible for and there to support all the operational needs
15 of the organization throughout the week.

16 **MS. NASHA NIJHAWAN:** And I understand that at that time, Insp.
17 Boyd was newly promoted. He had only been promoted maybe 10 days before the
18 event. Is that fair?

19 **CHIEF DAN KINSELLA:** He was.

20 **MS. NASHA NIJHAWAN:** And was Insp. Boyd making decisions
21 independently that night or were you providing him with input in terms of his decision
22 making?

23 **CHIEF DAN KINSELLA:** He was making decisions. He was the
24 duty officer.

25 **MS. NASHA NIJHAWAN:** Was he calling you for advice?

26 **CHIEF DAN KINSELLA:** He was calling me to give me updates.
27 And we exchanged information. But he was the person in charge in making those kinds
28 of calls.

1 **MS. NASHA NIJHAWAN:** So we had a 10-day, newly minted
2 inspector in charge that night and you were hands off, would you say? Or were you ---

3 **CHIEF DAN KINSELLA:** Well, I wouldn't say hands off. I mean,
4 you know, he was sharing information. Obviously part of a role and part of the duty
5 officer protocol is when a senior officer either needs advice or wants to provide an
6 update, they call the on-duty deputy chief, or they can call myself. In this case, I was
7 the one that was taking the calls. So they would provide updates and information would
8 be exchanged.

9 My responsibility as the chief, as deputies, would be if the update
10 was significantly going off course, then there would be some advice given.

11 **MS. NASHA NIJHAWAN:** And did that happen that night? Did
12 you find him going significantly off course?

13 **CHIEF DAN KINSELLA:** I did not.

14 **MS. NASHA NIJHAWAN:** Okay. And what training does a duty
15 officer, when they're newly promoted, receive in order to be able to fulfil that role as of
16 the senior officer of the force?

17 **CHIEF DAN KINSELLA:** They get -- I have a session with them. I
18 go over roles and responsibilities. They get a duty officer protocol. And then the
19 mechanisms are put in place for them to call for assistance.

20 **MS. NASHA NIJHAWAN:** And were you making notes that night,
21 Chief Kinsella?

22 **CHIEF DAN KINSELLA:** I did not make notes, no.

23 **MS. NASHA NIJHAWAN:** Were you listening to the radio for
24 updates?

25 **CHIEF DAN KINSELLA:** I was not.

26 **MS. NASHA NIJHAWAN:** Okay. So your only source of
27 information is officers who might phone you to provide you with updates?

28 **CHIEF DAN KINSELLA:** On that particular evening, yes.

1 **MS. NASHA NIJHAWAN:** You didn't think it was necessary to get
2 more involved than that?

3 **CHIEF DAN KINSELLA:** I'm sorry?

4 **MS. NASHA NIJHAWAN:** You didn't think it was necessary to get
5 more involved than that?

6 **CHIEF DAN KINSELLA:** Not with the information I had at the time.
7 That changed over time, and obviously I came into the station in the morning. Those
8 kinds of things. So as the information came forward.

9 **MS. NASHA NIJHAWAN:** Did you ever go into the station on April
10 18th or 19th?

11 **CHIEF DAN KINSELLA:** I went in on the 19th.

12 **MS. NASHA NIJHAWAN:** Do you recall what time that was?

13 **CHIEF DAN KINSELLA:** It was around -- probably around 8:30ish.

14 **MS. NASHA NIJHAWAN:** So at 8:30 in the morning you were in
15 headquarters?

16 **CHIEF DAN KINSELLA:** Yes.

17 **MS. NASHA NIJHAWAN:** And were you involved at that point in
18 any of the decision making that was happening at headquarters?

19 **CHIEF DAN KINSELLA:** I was getting more regular updates. We
20 were figuring out what was going on. At that point in time, Andrew Matthews was in as
21 Critical Incident Commander and he was looking after the critical incident.

22 **MS. NASHA NIJHAWAN:** And at that point were you listening to
23 the radio?

24 **CHIEF DAN KINSELLA:** I was not.

25 **MS. NASHA NIJHAWAN:** Okay. And I understand from your
26 answers to the written subpoena that there are four officers at the HRP that are trained
27 as Critical Incident Commanders?

28 **CHIEF DAN KINSELLA:** That's correct.

1 **MS. NASHA NIJHAWAN:** And you mentioned Supt. Matthews
2 was one of them.

3 **CHIEF DAN KINSELLA:** Yes.

4 **MS. NASHA NIJHAWAN:** Were any of the other officers who were
5 involved that night, Jeff Clarke or Derrick Boyd or yourself, also have that training?

6 **CHIEF DAN KINSELLA:** I don't believe Jeff Clarke or Derrick
7 Boyd has had that training; I have had that training.

8 **MS. NASHA NIJHAWAN:** You have had that training?

9 **CHIEF DAN KINSELLA:** Yes.

10 **MS. NASHA NIJHAWAN:** Okay.

11 **CHIEF DAN KINSELLA:** It's dated but I've had it.

12 **MS. NASHA NIJHAWAN:** Okay. And who are the others who
13 have the training?

14 **CHIEF DAN KINSELLA:** Greg Mason, Superintendent; David
15 Boon, Inspector; and Robert Fox, Staff Sergeant.

16 **MS. NASHA NIJHAWAN:** All right. Thank you.

17 And so in the context of the -- I'm trying to understand who is
18 making decisions and based on what information. We have Derrick Boyd in place as
19 the Duty Officer. What's the role of the Watch Commander with respect to the Duty
20 Officer in making decisions that night?

21 **CHIEF DAN KINSELLA:** The Watch Commander would report to
22 the Duty Officer.

23 **MS. NASHA NIJHAWAN:** Okay. So ultimately the Duty Officer
24 would be the ranking officer?

25 **CHIEF DAN KINSELLA:** For those patrol issues that were going
26 on at the time, yes.

27 **MS. NASHA NIJHAWAN:** So that's in respect of patrol issues.
28 And then I understand that your ERT program works such that you have two members

1 on each shift -- sorry; so two members on each of East, Central, and West, on each
2 watch; is that fair?

3 **CHIEF DAN KINSELLA:** Yes. Yeah.

4 **MS. NASHA NIJHAWAN:** Okay. So you have -- theoretically, if
5 you're fully staffed, six ERT officers on duty at any given time?

6 **CHIEF DAN KINSELLA:** In theory, in a perfect world with our
7 authorized strength of 28, you would have seven.

8 **MS. NASHA NIJHAWAN:** You would have seven.

9 **CHIEF DAN KINSELLA:** Seven.

10 **MS. NASHA NIJHAWAN:** You'd have six plus ---

11 **CHIEF DAN KINSELLA:** Seven ERT ---

12 **MS. NASHA NIJHAWAN:** --- the sergeant?

13 **CHIEF DAN KINSELLA:** The Sergeant, yes.

14 **MS. NASHA NIJHAWAN:** And when you said this authorized
15 strength a couple of times, does that mean you have funding for that that many officers?

16 **CHIEF DAN KINSELLA:** That's what -- yeah, we have funding for
17 it and that's what is in place for position-wise.

18 **MS. NASHA NIJHAWAN:** Okay. So your approved funded
19 package for ERT is 28 officers; 24 constables and four sergeants.

20 **CHIEF DAN KINSELLA:** Correct.

21 **MS. NASHA NIJHAWAN:** And I think you told Ms. Lenehan that
22 you would have had 20 available officers that night?

23 **CHIEF DAN KINSELLA:** Yeah.

24 **DR. EMMA CUNLIFFE:** Approximately?

25 **CHIEF DAN KINSELLA:** Approximately. I'm totally guessing on
26 that.

27 **MS. NASHA NIJHAWAN:** So the ERT team lead is in charge of
28 making decisions about what the ERT team does; is that fair?

1 **CHIEF DAN KINSELLA:** In consultation with the Critical Incident
2 Commander, or the Duty Officer as the case may be, or the Watch Commander.

3 **MS. NASHA NIJHAWAN:** So if -- so I understand that there was
4 that Critical incident Commander who was called in the morning, that was Supt.
5 Matthews, but before 9:00 a.m., it was the Duty Officer who ---

6 **CHIEF DAN KINSELLA:** Yes.

7 **MS. NASHA NIJHAWAN:** --- would have been making decisions
8 about the deployment of the ERT team?

9 **CHIEF DAN KINSELLA:** That's correct.

10 **MS. NASHA NIJHAWAN:** And has Inspector Boyd ever been a
11 member of the ERT team? Is he ERT trained?

12 **CHIEF DAN KINSELLA:** I'm not aware.

13 **MS. NASHA NIJHAWAN:** You're not aware of whether he is or
14 not?

15 **CHIEF DAN KINSELLA:** Yeah, I'm not aware if he ever was. I
16 don't know want to comment because I'm not sure.

17 **MS. NASHA NIJHAWAN:** Okay.

18 **CHIEF DAN KINSELLA:** Yeah.

19 **MS. NASHA NIJHAWAN:** So at that point, it would be the ERT
20 team leader who would be giving -- making recommendations to the Duty Officer about
21 what they thought was appropriate to do with their ERT resources; is that fair?

22 **CHIEF DAN KINSELLA:** Certainly they could, yes.

23 **MS. NASHA NIJHAWAN:** And the NCO of the ERT team,
24 presumably, would have a better level of subject matter expertise than a newly minted
25 Inspector who wasn't a member of the ERT team and wasn't a CIC?

26 **CHIEF DAN KINSELLA:** I think that would be self-evident, the
27 team lead NCO would have much more tactical knowledge.

28 **MS. NASHA NIJHAWAN:** And so they would be best placed to

1 make a decision about the deployment of ERT resources?

2 **CHIEF DAN KINSELLA:** They would be best placed to make a
3 suggestion on ERT resources.

4 **MS. NASHA NIJHAWAN:** They would have the most expertise ---

5 **CHIEF DAN KINSELLA:** Absolutely.

6 **MS. NASHA NIJHAWAN:** --- in informing that suggestion.

7 **CHIEF DAN KINSELLA:** Right.

8 **MS. NASHA NIJHAWAN:** Okay. So my friend Ms. Lenehan had
9 asked you a number of questions about the deployment of ERT. And as I see it there
10 are sort of two separate issues; one question is about calling in ERT members of those
11 available 20 in accordance with the recommendations of your team leaders to stay
12 inside the jurisdiction in order to fulfil whatever might need to happen to defend Halifax,
13 and then there's a separate question which was raised by this email from Cst. Brooks
14 about whether or not members could be called in so that they could not only support
15 needs in the jurisdiction but also to assist ERT -- RCMP ERT.

16 So I want to make that distinction because I don't know that -- I
17 think we -- I don't want to get muddled between those two functions of calling in more
18 ERT members, but I understand that there was a request made by Sgt. Robinson, who I
19 believe was the team lead who was on duty overnight on the 18th, to bring in more ERT
20 resources, based on his assessment of what might be necessary, and then that that
21 request was denied by the Duty Officer. Were you involved in that decision?

22 **CHIEF DAN KINSELLA:** I was not.

23 **MS. NASHA NIJHAWAN:** And the person who could tell us about
24 why he made that decision would be only Insp. Boyd?

25 **CHIEF DAN KINSELLA:** Well, I'm sure Insp. Boyd -- and I don't
26 know for sure that he spoke to Sgt. Robinson. I'm assuming he did. Acting S/Sgt.
27 Tanya Chambers was on that night as well, which would have had some input. And the
28 information that I understand that was available at the time, and of course with the

1 benefit of hindsight, is that we were requested to secure the address on Portland Street.
2 There was information that perhaps the perpetrator would return there, and that's my
3 understanding of the first deployment of the ERT team that was available to deploy to
4 that area.

5 **MS. NASHA NIJHAWAN:** So there's a concern from -- expressed,
6 based on all of the circumstances because the perpetrator has a residence and
7 businesses in Dartmouth, that he may return after committing his murder spree to
8 Halifax, and your ERT team has to be ready to respond to that eventuality. That's what
9 you understand, that was the concern on the night of the 18th?

10 **CHIEF DAN KINSELLA:** That's the information that I have that
11 RCMP asked us to do, and that's my understanding of the information that the RCMP
12 passed on to HRP that particular evening.

13 **MS. NASHA NIJHAWAN:** And so if the evidence is that your on-
14 duty ERT team lead felt that four members wasn't enough to meet that eventuality, and
15 a request was made to have more members available, why wouldn't the Duty Officer
16 approve that?

17 **CHIEF DAN KINSELLA:** Sorry; just -- can you just clarify which
18 eventuality there?

19 **MS. NASHA NIJHAWAN:** The eventuality of the perpetrator may
20 come to the HRM to where he had a home and businesses.

21 **CHIEF DAN KINSELLA:** Well, my understanding is they checked
22 and they believed that he wasn't there.

23 **MS. NASHA NIJHAWAN:** He wasn't there at the time.

24 **CHIEF DAN KINSELLA:** At the time.

25 **MS. NASHA NIJHAWAN:** But the concern, I understand, was that
26 he might ---

27 **CHIEF DAN KINSELLA:** Right.

28 **MS. NASHA NIJHAWAN:** --- come there.

1 **CHIEF DAN KINSELLA:** And there was -- the information was that
2 he lives there, has a business there, that it should be checked to see whether here's
3 there. He might come there.

4 **MS. NASHA NIJHAWAN:** So I take it you don't take any issue with
5 the evidence, which I think is already before the Commission in written form, which is
6 that a request was made to call in more ERT team members the night of the 18th and it
7 was denied the by the Duty Officer, Derrick Boyd.

8 **CHIEF DAN KINSELLA:** I believe that Sgt. Robinson -- I have no
9 reason to disbelieve that he made that request.

10 **MS. NASHA NIJHAWAN:** Okay. And you understand that it was
11 denied by the Derrick Boyd?

12 **CHIEF DAN KINSELLA:** That's my understanding.

13 **MS. NASHA NIJHAWAN:** And in retrospect, do you think that was
14 the right decision?

15 **CHIEF DAN KINSELLA:** Well, you know, it would be speculation.
16 Certainly under the circumstances, with the information that was known, that he might
17 come there; they checked, he was not there at the time -- and I think it's important to
18 remember that information is coming in as we go along, right?

19 **MS. NASHA NIJHAWAN:** Okay, let's just talk about that for a
20 second.

21 **CHIEF DAN KINSELLA:** Hang on. Can I finish my ---

22 **MS. NASHA NIJHAWAN:** Oh, sure.

23 **CHIEF DAN KINSELLA:** Just let me finish.

24 **MS. NASHA NIJHAWAN:** M'hm.

25 **CHIEF DAN KINSELLA:** So I think the information is coming in as
26 we go along and assessments are being made in real time with incoming information,
27 incoming inputs, and when -- when those inputs ultimately pointed to the fact that he
28 was potentially coming to HRM -- he never made it into HRP area -- that other

1 resources were called in as appropriate to deal with the situation that we dealing with.

2 **MS. NASHA NIJHAWAN:** So is that a yes, you stand by that
3 decision, there was no need to call in any more ERT members?

4 **CHIEF DAN KINSELLA:** Yes, I support that decision, yes.

5 **MS. NASHA NIJHAWAN:** Okay, thank you. Would you agree --
6 because you've talked a couple of times about information that was coming in, would
7 you agree that your IES was doing a pretty great job of monitoring the information
8 available on the Colchester radio channel and transmitting that on Primary East to make
9 sure that Halifax District RCMP and Halifax Regional Police members were informed of
10 all available information?

11 **CHIEF DAN KINSELLA:** I'm assuming that they would have been,
12 yes. Have I ---

13 **MS. NASHA NIJHAWAN:** Have you reviewed the tapes from
14 Primary East?

15 **CHIEF DAN KINSELLA:** I've not reviewed the tapes. There's
16 many, many, many hours and I've not reviewed them.

17 **MS. NASHA NIJHAWAN:** Okay. There's a transcript available,
18 which is an exhibit in this Commission; it's on the Commission's website. You haven't
19 read that transcript?

20 **CHIEF DAN KINSELLA:** Of the ---

21 **MS. NASHA NIJHAWAN:** Primary East ---

22 **CHIEF DAN KINSELLA:** --- transmissions?

23 **MS. NASHA NIJHAWAN:** --- channel, m'hm.

24 **CHIEF DAN KINSELLA:** And the information that our IES passed
25 on from Colchester County to members of the RCMP in their jurisdiction within HRM?

26 **MS. NASHA NIJHAWAN:** Yes, that transcript is available on the
27 Commission website. You haven't taken a look at that?

28 **CHIEF DAN KINSELLA:** Yeah. No, I'm just making sure that

1 you're asking me if that's the one that I read.

2 **MS. NASHA NIJHAWAN:** Yes, that's what I meant.

3 **CHIEF DAN KINSELLA:** You're asking me did I read it.

4 **MS. NASHA NIJHAWAN:** The Primary East ---

5 **CHIEF DAN KINSELLA:** Yes.

6 **MS. NASHA NIJHAWAN:** --- radio transcript ---

7 **CHIEF DAN KINSELLA:** Yeah, I did not.

8 **MS. NASHA NIJHAWAN:** --- from the night.

9 **CHIEF DAN KINSELLA:** I have not.

10 **MS. NASHA NIJHAWAN:** You haven't read it. So if I told you, you
11 know, that's my assessment, you don't have any reason to disagree that information
12 was being relayed in real time to Halifax ---

13 **CHIEF DAN KINSELLA:** Yeah. No, I wouldn't disagree with you.

14 **MS. NASHA NIJHAWAN:** You haven't heard any complaints that
15 information sharing was an issue as between the RCMP and the HRP during this
16 event?

17 **CHIEF DAN KINSELLA:** I don't know that there's complaints. I
18 think interoperability has been brought up as an issue. I couldn't speak to it, but I
19 believe that it's one of the major issues that is being discussed throughout the --
20 throughout the Commission, at least I believe that to be the case. I don't know ---

21 **MS. NASHA NIJHAWAN:** So ---

22 **CHIEF DAN KINSELLA:** Hang on. Just let me finish. I don't know
23 that we would be discussing it to the length that we are if they had all the information
24 they needed from our IES, from listening to the Colchester channels. I'm not sure.

25 **MS. NASHA NIJHAWAN:** But you don't have any reason to think
26 that -- I mean, we can take a look at it together if you'd like, to see how you saw it in real
27 time, if that would make you more comfortable?

28 **CHIEF DAN KINSELLA:** Yeah, I'm just giving you my perspective

1 on you're telling me that they did a really good job relaying the information. I'm not
2 doubting your assessment of it, but I also know that interoperability between RCMP
3 outside of HRM, Colchester area, RCMP internally, and HRP has been a very big topic
4 of interoperability and how are they communicating and what information they know,
5 could they have done better. So the only thing I would say is I don't know that we've
6 had -- reached that conclusion.

7 **MS. NASHA NIJHAWAN:** Okay. And I think I heard your evidence
8 that you don't have any concerns about the ability of HRP ERT and RCMP ERT to work
9 together to cooperate, to communicate. You said that happens often; they back each
10 other up, and that's not a reason that you wouldn't have put those two teams in contact
11 with each other that night.

12 **CHIEF DAN KINSELLA:** So I -- just for the context, because I
13 want to be specific, I gave the example of combining them into one big team. Do you
14 recall that conversation?

15 **MS. NASHA NIJHAWAN:** I recall.

16 **CHIEF DAN KINSELLA:** Yeah.

17 **MS. NASHA NIJHAWAN:** Yeah.

18 **CHIEF DAN KINSELLA:** And when you combine them into one big
19 team, for an entry team, for example, if you are going to have RCMP ERT, number 1,
20 RCMP ERT 2, and then a couple of Halifax RCMP number 6 or 7, whatever the case is,
21 then they would not be, in my view, interoperable; they would need much more training
22 collaboratively to do that. But what I did say, I believe, is that they could come -- it's my
23 understanding that they could come and relieve. So if the RCMP were at a duration call
24 in -- somewhere, Yarmouth, and they called -- they were getting into the time where
25 they needed to be cycled out so that they could get rest and that kind of thing, that HRP
26 could be called to go in and relieve them and assume the perimeter, or whatever
27 particular aspect of the call was happening. But that would be a full change-out of
28 RCMP would come out, HRP would come in, and they would cover that off. That's my

1 understanding of it.

2 The other piece not un-similarly [*sic*], like ensuring that we, you
3 know, deployed appropriate resources at the appropriate time, depending on how long
4 we need to relieve, and that kind of thing, which I've already mentioned.

5 **MS. NASHA NIJHAWAN:** Thank you.

6 I'm going to just say, Chief Kinsella, I don't want to cut you off, but
7 we are quite tight on time, and so I'd ask that you don't just repeat your evidence from
8 before. I'm trying to ask you another question. So we all heard you say that the first
9 time.

10 I'm going to suggest to you that there's a third option. You can
11 replace each other and never work at the same time; you can mesh a team together so
12 that they are, literally, a team; that is, three members from one team and three
13 members from another team doing the same activity, but you could also have two teams
14 working in parallel taking on different roles in a bigger picture event, wouldn't you say?

15 **CHIEF DAN KINSELLA:** I gave an example earlier. I don't know;
16 would you like me to give it again, where that exact scenario happened?

17 **MS. NASHA NIJHAWAN:** Okay. So that is an option. It would
18 have been possible for the Halifax ERT team ---

19 **CHIEF DAN KINSELLA:** When you say working around and
20 assuming different roles, you'd have to give me some more ---

21 **MS. NASHA NIJHAWAN:** Sure.

22 **CHIEF DAN KINSELLA:** --- some clarity on it.

23 **MS. NASHA NIJHAWAN:** So let's take a specific example of what
24 if the Halifax ERT team were to be stationed in Truro while other things -- or staging in
25 Truro while other things are happening, such that if the perpetrator gets flushed from
26 one area and ends up in another area, you could hand off the active response from one
27 team to another, based on where they're located?

28 **CHIEF DAN KINSELLA:** If they had preplanned and had the

1 discussions and were prepared to do that, I'm sure that that could be accomplished.

2 **MS. NASHA NIJHAWAN:** I think if anyone had the opportunity to
3 preplan, we wouldn't be here today.

4 **CHIEF DAN KINSELLA:** Well, when I say preplanning, you know,
5 they would be making phone calls and saying that, "We're going to be at a particular
6 location," and they would be connected at the at the ERT level to say, "We're flushing
7 out the perpetrator, he's coming your way." That's the kind of preplanning I mean, as
8 opposed to driving to a location in Truro -- and I don't know what the plan was -- and
9 waiting for something to happen.

10 **MS. NASHA NIJHAWAN:** You mentioned ---

11 **CHIEF DAN KINSELLA:** And I don't know that that was the plan
12 either.

13 **MS. NASHA NIJHAWAN:** Sorry?

14 **CHIEF DAN KINSELLA:** I don't know that that was the plan either.

15 **MS. NASHA NIJHAWAN:** Okay. You mentioned making an offer
16 to Janis Gray to see whether or not Halifax could assist in any way. You mentioned that
17 that phone call would have taken place around 8:00 a.m. Was that after you came into
18 the office, or before?

19 **CHIEF DAN KINSELLA:** That was on the phone.

20 **MS. NASHA NIJHAWAN:** From the office or from home?

21 **CHIEF DAN KINSELLA:** I think I was in the car.

22 **MS. NASHA NIJHAWAN:** Okay.

23 **CHIEF DAN KINSELLA:** Yeah.

24 **MS. NASHA NIJHAWAN:** And did you understand that Janis Gray
25 was involved in the Command Post or in any part of the critical incident response?

26 **CHIEF DAN KINSELLA:** I did not know her exact role, no.

27 **MS. NASHA NIJHAWAN:** You know that she's the District Policing
28 Officer for Halifax, right?

1 **CHIEF DAN KINSELLA:** Absolutely, sure.

2 **MS. NASHA NIJHAWAN:** And you didn't think ---

3 **CHIEF DAN KINSELLA:** Her office is right beside mine, yes.

4 **MS. NASHA NIJHAWAN:** And you didn't think that Halifax was
5 running the response in Colchester?

6 **CHIEF DAN KINSELLA:** I didn't know. I didn't specifically ask
7 that. What my offer was to Janis is, "Do you need anything?" I didn't get granular with
8 her; I didn't say, you know, specifically what were needed. The offer was -- I wanted to
9 make sure that she understood that the offer was there.

10 **MS. NASHA NIJHAWAN:** Okay. And do you think there could
11 have been a more appropriate person for Halifax to be offering to assist if we were
12 talking about assisting with a critical incident response?

13 **CHIEF DAN KINSELLA:** Well, she is my counterpart and my
14 liaison. She is the person that I speak to in regards to these types of things, and she
15 was the one that I was speaking to at the time. So I was making an offer for resources.
16 My expectation would be that C/Supt. Gray would make some inquiries to see whether
17 something was needed.

18 **MS. NASHA NIJHAWAN:** You had a critical incident command set
19 up at the time with Supt. Matthews?

20 **CHIEF DAN KINSELLA:** I don't know if it was at the exact time I
21 was speaking to her or not. I don't have that ---

22 **MS. NASHA NIJHAWAN:** Okay. Later that morning, you had a
23 critical incident command set up.

24 **CHIEF DAN KINSELLA:** Yeah, I think we have evidence of what
25 time Supt. Matthews set up the critical incident. I think it was sometime around 8:00
26 a.m.'ish.

27 **MS. NASHA NIJHAWAN:** Okay. And are you aware if your
28 Critical Incident Commander ever reached out to his counterpart to offer assistance with

1 the response?

2 **CHIEF DAN KINSELLA:** I don't know that.

3 **MS. NASHA NIJHAWAN:** Did you ever direct him not to do that?

4 **CHIEF DAN KINSELLA:** I did not.

5 **MS. NASHA NIJHAWAN:** Okay. I'd like to ask Madam Registrar
6 to pull up Exhibit 4255, which is COMM63041.

7 I'm sorry; I've given you the wrong COMM number, I'm going to try
8 again. I think it's COMM63044.

9 **REGISTRAR STEPHANIE WEBBER:** Sorry; what was that?

10 **MS. NASHA NIJHAWAN:** Six three zero four four (63044);
11 COMM63044. My apologies.

12 **REGISTRAR STEPHANIE WEBBER:** And that will be Exhibit
13 4256.

14 **--- EXHIBIT NO. 4256:**

15 (COMM0063044) C/Supt. Matthew's notes taken by a scribe

16 **MS. NASHA NIJHAWAN:** Thank you very much, Madam
17 Registrar.

18 Have you seen this document before, Chief Kinsella?

19 **CHIEF DAN KINSELLA:** Yes, I have.

20 **MS. NASHA NIJHAWAN:** Okay. So this was recently disclosed to
21 the Commission. I believe there's a different version of C/Supt. Matthew's notes, but I
22 understand that what we're looking at is notes taken by a scribe as in relation to the
23 Command Post, and it looks like the operational period starts at 9:50 a.m. So to your
24 comment earlier about when Command Post was set up, is that fair?

25 **CHIEF DAN KINSELLA:** If that's what it says, then that's what it
26 says.

27 **MS. NASHA NIJHAWAN:** Okay. So just to orient you, as Ms.
28 Lenehan did, in terms of time and space, we -- we, the RCMP, became aware that the

1 perpetrator was actively murdering people again at 9:42 a.m. on April 19th. And so at
2 this point, the perpetrator was active, known to be active again. I want to just ask; so
3 he's known to be active and mobile during the period that I'm going to be taking you
4 through.

5 And Madam Registrar, I'd just ask you to scroll down a little bit to
6 the next page, and one further. The time stamp I'm looking for, I believe, is 11 -- sorry;
7 it's right there, 10:21.

8 Do you see that, Chief Kinsella, the timestamp?

9 **CHIEF DAN KINSELLA:** Ten twenty-one (10:21)?

10 **MS. NASHA NIJHAWAN:** Ten twenty-one (10:21).

11 **CHIEF DAN KINSELLA:** Yeah.

12 **MS. NASHA NIJHAWAN:** We're not aware -- I'm not aware, from
13 my review of the materials, that there was ever any reach-out from your Critical Incident
14 Commander to his counterpart, through there was, I think, a lot of information shared
15 between the OCC and IES, but that those commanding officers never actually
16 connected. I see a note here that says, "Skinner" and I believe that's a reference to Cpl.
17 James Skinner, who's an investigator who's an RCMP member. The note says:

18 "IC want me to contact Jeff West is RCMP IC." (As
19 read)

20 And then it says:

21 "IC will wait for ask from them." (As read)

22 **CHIEF DAN KINSELLA:** Okay.

23 **MS. NASHA NIJHAWAN:** And at this point, Andrew Matthews
24 would have been directing the ERT Team?

25 **CHIEF DAN KINSELLA:** Yes.

26 **MS. NASHA NIJHAWAN:** Do you know anything about this?

27 **CHIEF DAN KINSELLA:** I do not.

28 **MS. NASHA NIJHAWAN:** So you've asserted that you made an

1 offer to Janis Gray; we have a slightly contradictory note here.

2 Superintendent Matthews would be able to tell us what this means, I suppose?

3 **CHIEF DAN KINSELLA:** I -- I can only assume. They're Scribe
4 notes, and -- but I can't interpret exactly, but my offer to Janis would have been before
5 10:21.

6 **MS. NASHA NIJHAWAN:** Okay. Before the perpetrator became
7 active again?

8 **CHIEF DAN KINSELLA:** Yes.

9 **MS. NASHA NIJHAWAN:** And after the perpetrator became active
10 again, the decision from your Command Post was to wait to see whether or not anyone
11 asked you for help?

12 **CHIEF DAN KINSELLA:** I'm reading the paper just like you are, so
13 yeah.

14 **MS. NASHA NIJHAWAN:** So Superintendent Matthews would be
15 able to explain that better to us, wouldn't he?

16 **CHIEF DAN KINSELLA:** I would say that he would.

17 **MS. NASHA NIJHAWAN:** Okay. I understand that you refused to
18 allow Superintendent Matthews to attend an interview with the Commission?

19 **CHIEF DAN KINSELLA:** I did not.

20 **MS. NASHA NIJHAWAN:** I did not?

21 **CHIEF DAN KINSELLA:** I did not refuse -- you asked me if I
22 refused to allow him?

23 **MS. NASHA NIJHAWAN:** Yes.

24 **CHIEF DAN KINSELLA:** I did not.

25 **MS. NASHA NIJHAWAN:** I understand a request was made for an
26 interview with Superintendent Matthews?

27 **CHIEF DAN KINSELLA:** I understand there was as well.

28 **MS. NASHA NIJHAWAN:** And maybe you can explain to us, then,

1 how it came to be that he did not attend that interview?

2 **CHIEF DAN KINSELLA:** That was entirely his decision and it was
3 left to him, as it was with every member. Whether it was below the rank of Inspector or
4 above, every member was left to make their own decision.

5 **MS. NASHA NIJHAWAN:** You didn't provide any guidance to your
6 Senior Management Team about whether they should cooperate with the Inquiry to
7 explain ---

8 **CHIEF DAN KINSELLA:** They were ---

9 **MS. NASHA NIJHAWAN:** --- their involvement?

10 **CHIEF DAN KINSELLA:** They were left to make their own
11 decision, and they were given the request through counsel.

12 **MS. NASHA NIJHAWAN:** Okay. So I guess we'll have to wonder,
13 then, what this mean. I'm putting it rhetorically ---

14 **CHIEF DAN KINSELLA:** Well ---

15 **MS. NASHA NIJHAWAN:** --- unless we ---

16 **CHIEF DAN KINSELLA:** I mean, it's -- there's -- there is two
17 aspects here. There is the, you know, the question of whether -- he made a decision
18 whether or not to come, which he did, and it was entirely up to him. It was made of
19 actually every member, even those in the lower ranks in consultation with their union
20 and all of those kinds of things. So that was up to them to make their own decision.

21 I'm not sure what the "wondering" is part of it, that's the only part
22 I'm confused, if you could elaborate.

23 **MS. NASHA NIJHAWAN:** Sorry, "wondering"?

24 **CHIEF DAN KINSELLA:** Yeah, you said you were left to wonder.

25 **MS. NASHA NIJHAWAN:** I mean, I suppose the Commission will
26 never get better evidence than this without Superintendent Matthews' cooperation.

27 **CHIEF DAN KINSELLA:** My understanding is the Commission has
28 subpoena power.

1 **MS. NASHA NIJHAWAN:** Okay. And perhaps we'll have to make
2 that request.

3 So this is at 10:21 we're talking, and I understand at this point there
4 was an additional call-out made of ERT members in order to fulfill the request of
5 Sergeant Naugle. But after -- but before the perpetrator became active again, there
6 was a second denial. So Craig Robinson requested additional ERT members to be
7 called out, and it was denied by Inspector Boyd, and then there was a second request
8 made by Charles Naugle at about 7:45 in the morning that was also denied. Were you
9 aware of that?

10 **CHIEF DAN KINSELLA:** I -- I've come to be aware of it, yeah.

11 **MS. NASHA NIJHAWAN:** And there was a different informational
12 context at 7:47 than there had been at one in the morning when I think the first request
13 was made. You'll agree with that?

14 **CHIEF DAN KINSELLA:** I would agree that more information
15 certainly would have been known, yes.

16 **MS. NASHA NIJHAWAN:** And at that point, Sergeant Naugle, I
17 believe, told the Commission that his view was that he required eight ERT members,
18 fresh ERT members in order to form four teams of two Immediate Action Response
19 vehicles if the threat were to come into Halifax?

20 **CHIEF DAN KINSELLA:** Yeah, I'm not aware of the -- that
21 granular detail of the request of Sergeant Naugle at that particular moment. I also
22 wouldn't know exactly what information either the Duty Officer, or whomever, was
23 processing that information what they were exactly aware of at that point in time.

24 **MS. NASHA NIJHAWAN:** Okay. Perhaps we can -- we can go to
25 that, then, just so that it's very clear what information they did have when that request
26 was made.

27 Madam Registrar, can I ask you to turn up the Primary East Radio
28 transcript, which is COMM58807? I'm going to ask you turn to PDF counter page 30.

1 So this is a transcript, Chief, that was prepared by the Mass
2 Casualty Commission based on the audio recordings I think that were disclosed, and I
3 think you'll see here at 6:54:27 a.m., Sergeant Craig Robinson was providing an update
4 over the air, which he says he got from Staff Sergeant Clarke. Staff Sergeant Clarke
5 would have been your Watch Commander?

6 **CHIEF DAN KINSELLA:** Yes.

7 **MS. NASHA NIJHAWAN:** Fair -- fair to assume from the -- just the
8 text of this that ---

9 **CHIEF DAN KINSELLA:** Yeah, I believe he was the dayshift
10 Watch Commander.

11 **MS. NASHA NIJHAWAN:** --- that this information was available to
12 both the head of your ERT team and your Watch Commander. He says:

13 "The unaccounted for female has been located at the
14 original crime site. He is still alive." (As read)

15 And "he" refers in that case to the perpetrator:

16 "His last comments were that he was coming to get
17 people down here in the Dart [or in the Dartmouth]
18 area." (As read)

19 That's the paraphrasing:

20 "So all members have access, have your ARCs on
21 and have access to your C8s." (As read)

22 And just for those who may not be down with the police lingo,
23 ARCs, that's a reference to hard body armour?

24 **CHIEF DAN KINSELLA:** Correct.

25 **MS. NASHA NIJHAWAN:** And C8s are the carbines?

26 **CHIEF DAN KINSELLA:** Correct.

27 **MS. NASHA NIJHAWAN:** And just while we're here, maybe I'll ask
28 the question: How many carbines -- how many carbine trained officers or carbine

1 armed officers would you have on every shift?

2 **CHIEF DAN KINSELLA:** I believe it's five, but I'm not 100 percent
3 sure. I think in each division there was five.

4 **MS. NASHA NIJHAWAN:** So five in each division?

5 **CHIEF DAN KINSELLA:** I believe so.

6 **MS. NASHA NIJHAWAN:** So you have ---

7 **CHIEF DAN KINSELLA:** But don't quote me on it because I'm --
8 I'm -- I'm not out counting carbines, as I'm sure you can imagine.

9 **MS. NASHA NIJHAWAN:** Yeah, but ---

10 **CHIEF DAN KINSELLA:** But I know we have access to them, and
11 we have a number of them.

12 **MS. NASHA NIJHAWAN:** You have a limited number of them, not
13 every officer is carbine trained?

14 **CHIEF DAN KINSELLA:** No, not everyone would be trained.

15 **MS. NASHA NIJHAWAN:** So you'll have a selection of officers on
16 every shift who are trained to carry carbines?

17 **CHIEF DAN KINSELLA:** And the expectation is they would have it
18 with them when they were out.

19 **MS. NASHA NIJHAWAN:** Okay. So we could expect that at this
20 time Halifax would have had somewhere in the number of 15 carbine trained officers in
21 addition to the ERT team available?

22 **CHIEF DAN KINSELLA:** I'm speculating, but yeah.

23 **MS. NASHA NIJHAWAN:** But would you ---

24 **CHIEF DAN KINSELLA:** I mean, approximately.

25 **MS. NASHA NIJHAWAN:** Okay. So it looks like at 6:54 they
26 dispatched two members, and the knowledge of your Watch Comm is that he's alive
27 and he's -- he may be headed towards Dartmouth?

28 **CHIEF DAN KINSELLA:** That's what the individual apparently

1 passed along.

2 **MS. NASHA NIJHAWAN:** Okay.

3 **CHIEF DAN KINSELLA:** I don't know that there was any further
4 corroborating information that he was in or near Dartmouth at the time. There may have
5 been other information that he was somewhere else, I'm not sure.

6 **MS. NASHA NIJHAWAN:** But this is the information that your
7 officers had that he is expected to be headed towards Dartmouth.

8 And I just want to scroll down, Madam Registrar, to page 30. Oh,
9 sorry, we're at 30. To page 35. And if we scroll down to the bottom. Here we are.

10 At 7:17 a.m., we see relayed over East Primary air:

11 "Apparently Gabriel Wortman has a vehicle, RCMP
12 vehicle with lights as well as the uniform. This was
13 just relayed to us from one of the sisters." (As read)

14 And added to that from Constable Penfound:

15 "He apparently also have weapons at the Portland
16 Street location. He bought a bunch of ammunition
17 last week and he's super paranoid." (As read)

18 And if we go down to page -- the next page, Madam Registrar.
19 There's more information here about the marked police cruiser at 7:18 a.m., including
20 the call sign and the make and model of the car. And Charles Naugle provides a little
21 bit more information there. He says:

22 "Regarding that BOLO, I just saw a picture of the
23 vehicle. It's actually a marked RCMP cruiser. It's
24 something that you would see sitting in Cole
25 Harbour." (As read)

26 So at this point, we're at 7:28 a.m., your people know it's a marked
27 cruiser, he's got targets in Dartmouth, he has ammunition, he's super paranoid, he has
28 guns, he has a uniform. After all of this knowledge, all -- after all of this information is

1 aired another request is made by Sergeant Naugle to call in the -- for the eight members
2 he thinks are necessary to defend Halifax, and Sergeant Boyd denies his request. Do
3 you stand by that denial?

4 **CHIEF DAN KINSELLA:** You know, this is a rapidly changing,
5 evolving, tragic, violent response. This information, obviously here we have it, you
6 know, I certainly wasn't getting it in real-time. I don't know exactly what parts of this
7 then Inspector Boyd would have had. I don't know if Charles Naugle went to him and
8 sat him down and said, "this is what we have", or Dianne Penfound did. I simply don't
9 know that information.

10 What it appears to me is that there is information that the
11 perpetrator is armed, he's got a vehicle, all these kind of things. I think the information
12 that he was armed was known well before that. I believe there was a number of
13 deceased who were shot and that information was already well-known.

14 I think what's important to know is what information do we have on
15 where he is at this particular moment in time, and what information we have on that.
16 What information is being relayed or what information are we seeking. That's the other
17 piece of the puzzle.

18 To simply say that we have this information, let's deploy all of our
19 resources to Truro, I think we need to have a step back and kind of look at all the
20 information and inputs when they're coming and make some decisions on deployment
21 resources.

22 **MS. NASHA NIJHAWAN:** So I just want to be very clear because I
23 didn't suggest you should deploy all the resources to Truro. I'm saying a request
24 subsequent to this information was made by Sergeant Naugle to call out the number of
25 resources that he believed were necessary to defend Dartmouth and it was denied. My
26 question was, do you stand by that decision?

27 **CHIEF DAN KINSELLA:** I stand by the decision that was made by
28 the duty officer at the time. I'm not privy to the exact inputs that they would have had,

1 but that's something that we have to look at and, to be fair, Charles is talking about ERT
2 resources. That's his primary focus that he's looking to get.

3 And Charles isn't the final decision-maker. He makes it in
4 consultation with the duty officer or the Critical Incident Commander, as the case may
5 be. It appears to me that later, when Charles was tasked to create the plans to prevent
6 the -- prevent or maintain containment.

7 I'm not sure what dialogue Charles would have had with the Critical
8 Incident Commander about, you know, putting people in cars, deploying to certain
9 areas. I'm not sure what that conversation would have been, but I'm very sure he would
10 have had it.

11 **MS. NASHA NIJHAWAN:** Well, here, Chief, because I think
12 everybody is hoping to learn from what happened and I can appreciate you defending
13 your officers' decisions and saying that you stand by them. What concerns me as a
14 resident of the -- of Halifax is that next time -- I'm not hearing that you would have --
15 your duty officer would have any better training or any better insight to make a different
16 decision and had the perpetrator come straight for Halifax at this stage. That denial
17 would have been a grave error. Do you disagree?

18 **CHIEF DAN KINSELLA:** Well, that's -- you know, you're
19 speculating ---

20 **MS. NASHA NIJHAWAN:** Sure, I'm speculating because ---

21 **CHIEF DAN KINSELLA:** --- greatly, greatly speculating. And
22 that's why it's important to understand, not only for you, but for all of us, the dynamics of
23 situation, the way the situation's changing, the information that's coming in. You know,
24 we would have to look and say if this is the critical point that -- and obviously, you're
25 very concerned about this particular aspect. You know, that is the point and that's the
26 decision that was made at the time.

27 Charles disagrees, and that's very clear. And as I mentioned
28 earlier, Charles is a very -- or was a very passionate officer. Decisions like this have to

1 be made every day in regards to deployment. I don't know if next time we would just
2 call in all the ERT members. Perhaps we would. It would be situational and it would be
3 based on the inputs. It would be up to the duty officer to make that decision.

4 And you know, our goal is here -- and I appreciate your comments
5 about we want to learn, we want to do better. Our goal is to make a determination on
6 not only how we respond next time and how we do better and how we properly deploy,
7 but maybe there is some recommendations that come out of this that will say, based on
8 this situation, we need a certain amount of tactical officers on duty at all times.

9 So these are some of the things that -- important recommendations
10 that may come from the Commission and -- or look at it from a different lens.

11 I think it's also important to remember that this is the most tragic,
12 high-level shooting incident active shooter that Canada's ever seen and I don't know
13 that if we fully know all of the ramifications, ins and outs and all the pieces that are
14 going to be known, so I think we need to just make sure that we get it right.

15 **MS. NASHA NIJHAWAN:** Just to finish off our reference to this
16 document, I just want to show you where on the air Sergeant Naugle airs his request
17 denial.

18 Madam Registrar, if you could just take us to page 42.

19 So I see here at the top of the page, Sergeant Charles Naugle put
20 on the air, "Can you put on the call at this time that [indecipherable]." I'm going to
21 suggest to you that he's making reference by name or title to the duty officer, "denied a
22 request to have more ERT members called in, please."

23 Why do you think a member would feel it necessary to put that on
24 the record in this way?

25 **CHIEF DAN KINSELLA:** My understanding is -- and I don't think
26 it's unique to Sergeant Naugle, but my understanding is that in dynamic fast-moving
27 situations where there isn't time to make notes that members may voice the issue so it
28 is recorded so they're better able to refer to it later and make sure that it's captured in

1 the absence of being able to stop whatever he may have been doing at the time to write
2 that down.

3 **MS. NASHA NIJHAWAN:** Based on the information you gave us
4 today, we note that Derrick Boyd has -- I suppose (indiscernible - audio failure)
5 determined that he wasn't going to respond to a request for an interview with the
6 Commission to provide information about this decision that he made.

7 I just want to ask you, Madam Registrar, to take us to his notes,
8 which is what -- the information we do have from him directly. That is Exhibit 2104,
9 COMM14917.

10 I'd just ask you to go to page 3. See that at the top.

11 Since it was indiscernible in the audio, I just wanted to confirm,
12 "Sergeant Naugle requests additional ERT. I denied. I believe Gabriel is not in HRM."

13 That's the sort of extent of his reasoning that's available to the
14 Commission.

15 And I'm just going to ask you again, if he wasn't -- if he was known
16 to be headed or suspected to be headed towards HRM but not in HRM yet, do you
17 agree that there's no need to call in the amount of ERT resources that Sergeant Naugle
18 thought was necessary to respond to that threat?

19 **CHIEF DAN KINSELLA:** Well, I'm seeing this for the first time, this
20 particular caption.

21 I don't know that there is any evidence that he is in HRM or close,
22 and I don't know whether the evidence is out there that he may be somewhere, so you
23 know, if you're going to take it from the approach of we get one piece of information,
24 we're going to act on it, then, you know, that would have to be considered.

25 In all of these situations, at least in my experience, you have to take
26 the totality of the situation, totality of the information that you have. And in this particular
27 case, the -- Dianne Penfound did have some information that she received that he was
28 coming here or potentially coming to HRM. That was well known early in the evening.

1 That was well known at 1:00 a.m. that he could be coming here. That's why I believe
2 the RCMP informed us that he had residences here and they asked us to set up a
3 perimeter on the house.

4 So we had that information very early on that he could be coming.
5 This is some -- many, many hours later. I don't know how many. And we don't have --
6 we still have reinforced information that he was coming, but we already knew that, that
7 that was a potential.

8 So any of these decisions have to be made in the totality of the
9 situation and the information that's coming in.

10 **MS. NASHA NIJHAWAN:** So no lessons to be learned here.

11 **CHIEF DAN KINSELLA:** Well, I think there's always lessons to be
12 learned and, you know, ensuring that, you know, we respond appropriately based on
13 the threats, based on the requests, all those kind of things. I don't know that the lesson
14 here is -- I believe that's what you're suggesting the lessons is to call in all the ERT
15 people at the time. I'm not sure if that's what you're suggesting.

16 **MS. NASHA NIJHAWAN:** The request was for eight ERT
17 members, not all the ERT members ---

18 **CHIEF DAN KINSELLA:** Yeah.

19 **MS. NASHA NIJHAWAN:** --- which would be 20.

20 **CHIEF DAN KINSELLA:** And I don't know how many ERT
21 members were present at the time. Do you happen to know how many were at --
22 working?

23 **MS. NASHA NIJHAWAN:** Four night shift members were working.

24 **CHIEF DAN KINSELLA:** And Charles was in on days, so that's
25 five. I believe he had some other members with him. I don't know how many, but it
26 might have been four. He might have had eight.

27 And so those are some of the considerations.

28 I don't know the ins and outs, but it certainly bears another look and

1 ensuring that, you know, we're deploying and all of that based on the information we
2 have, so. But it would be interesting to know exactly how many he had in the morning
3 when he made the request and exactly what the details of it were.

4 **MS. NASHA NIJHAWAN:** Just one last question, Chief.

5 You've said in your answers that the perpetrator never made it into
6 HRP jurisdiction, and I assume by that you mean sort of Waverly Road-Dartmouth
7 border of the patrol jurisdiction of the HRP. Is that fair? Is that what you mean in your
8 answer when you say that?

9 **CHIEF DAN KINSELLA:** Well, I mean, the area where -- the
10 delineation point between where the RCMP jurisdiction and we have jurisdiction.

11 I might be off by a little point. I don't know exactly where that
12 delineation point is, so -- but I believe it's in -- certainly in the area and I don't believe
13 that he got into HRP jurisdiction.

14 **MS. NASHA NIJHAWAN:** So we all know that he was taken down
15 at the Enfield Big Stop, which is just inside the boundary of Halifax Regional
16 Municipality proper, but the patrol area of Halifax District RCMP.

17 **CHIEF DAN KINSELLA:** Right.

18 **MS. NASHA NIJHAWAN:** I guess the other question I'd like to
19 have your perspective on, you know, from a forward-looking mandate, we were
20 fortunate that RCMP members took down the perpetrator when they did at the Enfield
21 Big Stop. I think it's fair to surmise from all of the circumstances that he was pretty
22 determined to continue his path of travel towards Halifax.

23 Given that you had -- your CIC had, for some reason, which is
24 unknown to us, determined that they weren't going to be in contact with the command
25 post and the RCMP and that you had limited your contact to Janis Gray, how would that
26 have worked if he had come in to -- further into the Halifax district towards the HRM
27 border? How would your agencies have coordinated? How would your CIC have made
28 that happen if they had made the decision to sit back and wait for a request?

1 **CHIEF DAN KINSELLA:** Well, my expectation is that the CIC had
2 plans in place. I believe it was with Sergeant Naugle and with Sergeant Carlisle to take
3 the appropriate action and remain flexible to respond as required.

4 You know, you've said that there was good knowledge, and I'm
5 very interested to follow up on that, of what was going with the members there from the
6 IES, so all of that would have come into play while they adjusted their plans and
7 responses.

8 **MS. NASHA NIJHAWAN:** No lessons to be learned about
9 coordination or interoperability there?

10 **CHIEF DAN KINSELLA:** There certainly is, and you know, we've
11 talked about a lot of them here, the interoperability and all those kind of things.

12 I think what you're getting at is, you know, what is the better way to
13 interact with the situations in another agency's jurisdiction. And you know, hopefully
14 some recommendations will come.

15 We're certainly looking at other areas and to say, you know, what
16 would we do differently, how would we do things differently. You know, as I said earlier,
17 my expectation was the RCMP was in command of the situation, that they're well
18 equipped, that they would be doing what they needed to do.

19 There was clearly offers made along the way to the RCMP and
20 even you speculated whether it was made to the right person.

21 So there's some communication to be closed up on a number of
22 areas, I would say, to make sure that the appropriate people are getting the appropriate
23 assistance or, you know, ability to ask for assistance when required.

24 **MS. NASHA NIJHAWAN:** Final question, I promise.

25 What work is your agency doing to make sure that it is learning
26 those lessons and not just waiting for the Commission's answer?

27 **CHIEF DAN KINSELLA:** We're participating with -- obviously
28 participating with the Commission. I know that's the eliminating question there. But

1 we're certainly participating with the Commission.

2 I understand there's dialogue going on at the ERT level,
3 discussions between the RCMP and HRP. We regularly cover off for them on that level
4 when they're out of town, when we're in town and having those covers off.

5 I haven't had any conversation with RCMP command on, you know,
6 next time would you prefer that we just come into town and help. I don't know. Maybe
7 that's a conversation that we have.

8 I know historically that hasn't been the want, but I see bright days
9 ahead. We have new command stuff coming in. I mentioned reaching out to the new
10 district commander coming in earlier, so I look forward to whatever dialogue and
11 whatever conversations and plans we can put it in place to help close the gaps if there
12 isn't.

13 **MS. NASHA NIJHAWAN:** Thank you very much for your time and
14 for your answers, Chief.

15 **CHIEF DAN KINSELLA:** Thank you.

16 **COMMISSIONER MacDONALD:** Thank you, Ms. Nijhawan.

17 Mr. Pink?

18 **--- CROSS-EXAMINATION BY MR. RON PINK:**

19 **MR. RON PINK:** Good evening, Chief.

20 **CHIEF DAN KINSELLA:** Good evening.

21 **MR. RON PINK:** My name's Ron Pink. I'm here on behalf of the
22 CPA, and I'm -- of which HRP is a member. I'm here with my colleague, Katrin
23 MacPhee, and we just have a very few questions on a topic that's completely different
24 than what you've been asked recently. And I appreciate that it's late in the day and it's
25 been a long day for you, so we'll try to do this quickly.

26 Do you know, Chief, how many of your members were active in this
27 incident over the two days, the total number of members of your department?

28 **CHIEF DAN KINSELLA:** I don't know exactly. I believe it's over

1 100.

2 **MR. RON PINK:** Over 100. That would be patrol officers and
3 NCOs and your leadership team as well as IES?

4 **CHIEF DAN KINSELLA:** I believe it would be everyone involved,
5 yeah. I don't have the exact number, though.

6 **MR. RON PINK:** Okay. And do you know the breakdown of that,
7 how many would be police and how many would be IES?

8 **CHIEF DAN KINSELLA:** I do not.

9 **MR. RON PINK:** And how many IES members would be on shift at
10 one time, approximately?

11 **CHIEF DAN KINSELLA:** It could be up to 16, could be as many as
12 18, sometimes it's more.

13 **MR. RON PINK:** So let's say 16, 18 for rough figures.

14 And this incident took place over how many shifts? Was it three
15 shifts?

16 **CHIEF DAN KINSELLA:** It started on the evening of the 18th, it
17 went into the day of the 19th. Our shifts run 7:00 to 7:00, so we had Saturday night
18 7:00 p.m. to 7:00 a.m., so that would be one shift. The following shift that relieved was
19 a day shift, runs for 12 hours, so it would have been two shifts, by my count.

20 **MR. RON PINK:** Two shifts. Thank you.

21 The -- were you familiar, Chief, that many members in IES knew
22 Constable Stevenson, Constable Heidi Stevenson?

23 **CHIEF DAN KINSELLA:** I'm aware that not only did many
24 members of IES, but also many members of the service. She had worked in the area, I
25 believe, earlier prior to my time and I think a number of members were -- either knew
26 her or were familiar with her in the family.

27 **MR. RON PINK:** And they were all, I'm told, very fond of Constable
28 Stevenson.

1 **CHIEF DAN KINSELLA:** My understanding is that she was a very
2 well liked person.

3 **MR. RON PINK:** Yes.

4 Chief, can you tell us if HRM -- HRP is the overflow system -- I'm
5 not sure if that's the right word -- overflow system for calls to the RCMP dispatch centre,
6 when they're too busy and can't answer, it comes into your system? Do you know that?

7 **CHIEF DAN KINSELLA:** Did you ask if HRP is the overflow?

8 **MR. RON PINK:** No, HRP.

9 **CHIEF DAN KINSELLA:** Okay.

10 **MR. RON PINK:** Yeah. Your IES centre is the backup for the
11 overflow calls going to the RCMP dispatch.

12 **CHIEF DAN KINSELLA:** I believe they are, but I'm not certain. I
13 now there's four PSAPs in the province, the OCC, ours, one in Kentville and one in
14 CBRM. And there is an overflow protocol that occurs. And if one can't pick it up, the
15 overflow, the 9-1-1 call will go to the next one to be picked up.

16 **MR. RON PINK:** Okay.

17 **CHIEF DAN KINSELLA:** I just don't know for certain that it's the
18 OCC that flows into ours, but they're close, so it would make sense.

19 **MR. RON PINK:** Okay. And do you know how long that's been in
20 place? Certainly before your time, I understand.

21 **CHIEF DAN KINSELLA:** I'm -- sorry?

22 **MR. RON PINK:** It's been in place certainly before your time as
23 Chief.

24 **CHIEF DAN KINSELLA:** The overflow ---

25 **MR. RON PINK:** Yes.

26 **CHIEF DAN KINSELLA:** --- and the PSAPs?

27 **MR. RON PINK:** Yes.

28 **CHIEF DAN KINSELLA:** Yes, it was before my time.

1 **MR. RON PINK:** And do you know how long it's been that way?

2 **CHIEF DAN KINSELLA:** I do not.

3 **MR. RON PINK:** Okay. And did you know, sir, that at the HRP IES
4 centre that all the IES members had -- were listening to the broadcast of all the calls
5 related to what was going on that day? Are you familiar with that?

6 **CHIEF DAN KINSELLA:** I came to know that they were listening to
7 the radio in IES. I don't know that every member in IES was listening, but perhaps they
8 were.

9 **MR. RON PINK:** Okay. And they all -- but I'm told and that it was
10 being readily available to anybody who wanted to listen. Would you agree with that?

11 **CHIEF DAN KINSELLA:** I wouldn't be able to comment on that.

12 **MR. RON PINK:** Okay. And do you know what the supervisors
13 were on duty in IES that day?

14 **CHIEF DAN KINSELLA:** I do not know, no.

15 **MR. RON PINK:** And do you know, sir, if any members of HRP
16 were at the Irving Big Stop when the perpetrator was taken down?

17 **CHIEF DAN KINSELLA:** My understanding was that there were
18 some either in the area or actually there. I came to know that after the fact.

19 **MR. RON PINK:** Yes. And do you know who they were?

20 **CHIEF DAN KINSELLA:** I do not know off the top of my head, no.

21 **MR. RON PINK:** And do you know if -- how many there were?

22 **CHIEF DAN KINSELLA:** I don't know. I think it was a limited
23 number, but I don't know the exact one.

24 **MR. RON PINK:** What is limited; two, four, six, eight; do you
25 know?

26 **CHIEF DAN KINSELLA:** You know what; I don't know exactly. I
27 don't think there was 20 or 10 initially when it happened. I believe there was a limited
28 number and my understanding is that they were either in the area or had migrated to the

1 area based on information that they were hearing that the perpetrator was getting
2 closer.

3 **MR. RON PINK:** Right. And ---

4 **CHIEF DAN KINSELLA:** But I'm speculating.

5 **MR. RON PINK:** And those were ERT team members?

6 **CHIEF DAN KINSELLA:** I believe ERT was there, yes.

7 **MR. RON PINK:** Yes. And they were there with or without
8 permission?

9 **CHIEF DAN KINSELLA:** That would -- I don't know. The Critical
10 Incident Commander would have that information.

11 **MR. RON PINK:** And you had no idea how they came to be there.
12 Is that it?

13 **CHIEF DAN KINSELLA:** I'm sorry?

14 **MR. RON PINK:** You have no idea how they came to be there?

15 **CHIEF DAN KINSELLA:** Well, I would be speculating, but I
16 assume that they were staged at some point. I think they were in different areas. And
17 as they listened to the information, I'm speculating again that something drew them to
18 the Big Stop if they heard information and that's probably how they came. They
19 probably wanted to go to help.

20 **MR. RON PINK:** And so in the last, unfortunately, year, year and
21 half, two years, whatever it is, you've made no inquiry how those individuals happened
22 to be at that location during this critical moment?

23 **CHIEF DAN KINSELLA:** How they happened to be at the Big
24 Stop?

25 **MR. RON PINK:** M'hm. M'hm.

26 **CHIEF DAN KINSELLA:** No definitive inquiry, no.

27 **MR. RON PINK:** No. Okay. Okay. Let's change subs just a bit.
28 Chief, it's fair to say that you, as Chief in your department, are a strong supporter of

1 mental health protection for all members of your department?

2 **CHIEF DAN KINSELLA:** I believe I mentioned earlier, I don't know
3 if you were here, Mr. Pink, but I did mention the importance of it earlier, and I would
4 support any and all programs that would be available to ---

5 **MR. RON PINK:** No, I ---

6 **CHIEF DAN KINSELLA:** --- assist our members.

7 **MR. RON PINK:** --- I'm talking about your personally, Chief. That
8 you personally are a strong supporter of providing mental health protections for your --
9 for your employees. Would you agree with that?

10 **CHIEF DAN KINSELLA:** I -- everything we do is to try to do that.
11 We recently had a budget process, you may be familiar, and part of the basis of that
12 was me going and speaking to the Board of Police Commissioners, speaking to the
13 councillors of that very important -- speaking to it directly, and I think it's important.

14 **MR. RON PINK:** Thank you. And you recognise that over the
15 years mental health has become a major concern for many of your members?

16 **CHIEF DAN KINSELLA:** It certainly is a concern, absolutely, I
17 would say.

18 **MR. RON PINK:** Thank you. And it's fair to say that you, in your
19 role as Chief, would want to ensure that their mental health is protected and addressed
20 whenever possible; is that correct?

21 **CHIEF DAN KINSELLA:** Absolutely, yeah.

22 **MR. RON PINK:** Thank you. And were you aware, Chief, that the
23 two shifts at IES as a collective were never debriefed by your department after the
24 incident?

25 **CHIEF DAN KINSELLA:** I was not aware.

26 **MR. RON PINK:** Thank you. And were you aware, Chief, that
27 members of IES set up on their own a counselling session for the IES persons working
28 with a counsellor in Truro, not through the department? Were you familiar with that?

1 **CHIEF DAN KINSELLA:** I -- I -- not that specifically. You
2 obviously have much more information than I do, but I do know that we did send a
3 senior officer to IES on the day of to provide support to check in. So I would have to
4 check with them and do some further enquiries on that, the entire aspect. Because
5 you're clearly saying that we did not support the members of IES.

6 **MR. RON PINK:** Yes, I'm suggesting that there was no formal, let's
7 call it mental health protection involvement after the incident for the collective staff at
8 IES.

9 **CHIEF DAN KINSELLA:** Well, not that I doubt your word, Mr. Pink,
10 but I'm going to have to make some enquiries because it wouldn't ---

11 **MR. RON PINK:** You don't know.

12 **CHIEF DAN KINSELLA:** --- wouldn't be my expectation that we
13 didn't provide support for them.

14 **MR. RON PINK:** Okay. Let's -- let's go on. It's true the department
15 has no psychological, psychologist, psychological professionals on retainer so that
16 members when they feel it necessary can be referred directly to the -- to the
17 professional or even self-refer without the need of going through a supervisor or
18 anybody? Is -- that's true, isn't it?

19 **CHIEF DAN KINSELLA:** Well, the access of professional services
20 can be accessed through any EFAP referral.

21 **MR. RON PINK:** Is there?

22 **CHIEF DAN KINSELLA:** So that is available.

23 **MR. RON PINK:** Yes, I'm quite familiar. But I'm -- my question was
24 more specific. I'm talking about a direct referral. So if you, as Chief, see Member X,
25 who you think is having some difficulty you can say, "Member X, I suggest you call
26 Dr. So-and-So right away and you'll be in to see him or her in the next 24, 48 hours."
27 There's nobody on retainer by the department in that regard; is that fair?

28 **CHIEF DAN KINSELLA:** Well, I -- I'm not sure that it is because

1 we do have the access of professional services through EFAP.

2 **MR. RON PINK:** Yes.

3 **CHIEF DAN KINSELLA:** So specifically in legal terms it may not
4 be retainer, but certainly those services are available for our members.

5 **MR. RON PINK:** No, I appreciate, sir, that EFAP can refer people
6 to various consultants who they have -- that they have, but I'm talking about something
7 of an immediate nature. There's nobody who you can call today to have someone seen
8 today or tomorrow right away; isn't that true?

9 **CHIEF DAN KINSELLA:** I -- I disagree. I think if we -- if I were to
10 call EFAP today that we would be able to get services.

11 **MR. RON PINK:** Do you think you'll get services today? Is that
12 your evidence, sir?

13 **CHIEF DAN KINSELLA:** Well, what I'm saying is, is that's my
14 understanding ---

15 **MR. RON PINK:** Yeah.

16 **CHIEF DAN KINSELLA:** --- that we would be able to get them
17 services.

18 **MR. RON PINK:** Yeah, but you're the Chief; right? You've agreed
19 with me that mental health matters are significant and important to you in how you
20 manage your staff. It's important to everybody, of course, but certainly to police officers
21 and members of your department. We've agreed to that already; right?

22 **CHIEF DAN KINSELLA:** It's ---

23 **MR. RON PINK:** Yes.

24 **CHIEF DAN KINSELLA:** --- very important, yes.

25 **MR. RON PINK:** And -- and I'm suggesting to you, sir, that EFAP
26 has consultants on duty -- has consultants on duty -- has consultants they can refer to,
27 but you don't know how long it takes to get into an appointment; is that fair?

28 **CHIEF DAN KINSELLA:** I don't know, I do not, off the top of my

1 head, how long it takes, but what I can tell you, and you're speaking, by the sounds of it,
2 hypothetically of an emergency situation, and I believe that if we needed to get those
3 emergency services we could do it.

4 **MR. RON PINK:** Yeah. Well -- so in essence, you're agreeing that
5 if it's not the case it should be the case. Would you agree with that?

6 **CHIEF DAN KINSELLA:** Oh, I would -- I would very much like to
7 have a psychologist or a psychiatrist working for the police service, that would be -- that
8 would be very good.

9 **MR. RON PINK:** That would be ideal.

10 **CHIEF DAN KINSELLA:** That would be ideal.

11 **MR. RON PINK:** Yes. And is that something that's in your plans,
12 that ---

13 **CHIEF DAN KINSELLA:** It -- it -- it is -- it is in the plans, it's part of
14 the broader reintegration program that we are making steps towards fulfilling. We
15 recently got approval for a reintegration constable, I'm sure you know, and we're
16 working towards a program, the full implementation at some point, the broader piece of
17 that is psychological services, those kind of things, there's other pieces to it as well. So
18 certainly that's the way we're headed, that's where we would like to get to.

19 **MR. RON PINK:** That's commendable. Chief, is that a question of
20 budget or is it a question of something else?

21 **CHIEF DAN KINSELLA:** Well, the -- certainly budget plays a
22 factor into it for the full-time staff, the standing up of the reintegration unit. As I'm sure
23 you know, that was all part of the budget discussion. Sure, it will likely be on the table
24 again this year because we certainly need to do better, we need to do more in that area,
25 and we will continue to try to move that ahead.

26 **MR. RON PINK:** Yeah. So I think it's fair to say that if the
27 Commission were to say treatment of mental health concerns for frontline officers,
28 which would include IES, is a -- is a fundamental need in modern policing, you would --

1 you would support that recommendation?

2 **CHIEF DAN KINSELLA:** I would support it.

3 **MR. RON PINK:** Yes. And in fact, you've gone further, I would
4 suggest, Chief, that we want to move ahead of the recommendations of the
5 Commission and do it as we possibly can, subject to constraints within budget,
6 whatever. Is that fair?

7 **CHIEF DAN KINSELLA:** I -- I'm sorry, could you just tell me that
8 again, please?

9 **MR. RON PINK:** No, I can't repeat it, I don't remember.

10 (LAUGHTER)

11 **CHIEF DAN KINSELLA:** No. Sorry, I ---

12 **MR. RON PINK:** No, I'm sorry, I'm just kidding. My question was
13 that notwithstanding the Commission's recommendation that you would like to get
14 ahead of the curve and do it as soon as practically possible, subject to budget
15 concerns?

16 **CHIEF DAN KINSELLA:** For the reintegration program and all that
17 that entails?

18 **MR. RON PINK:** For reintegration or making sure that your
19 members are treated as soon as possible if there's any evidence of a mental health
20 concern, which you observe, you or your staff observe, or they self-declare, you want
21 them treated as soon as possible; is that fair?

22 **CHIEF DAN KINSELLA:** And as soon as they need treatment ---

23 **MR. RON PINK:** Yes.

24 **CHIEF DAN KINSELLA:** --- I would like them to get the treatment.

25 **MR. RON PINK:** Yes, thank you. And sir, you briefly spoke about
26 WCB, and do you know how many members, because your members are covered by
27 WCB, how many members are off work as a result of mental health issues at the
28 moment? Do you know that number?

1 **CHIEF DAN KINSELLA:** I do not know the exact number, no.

2 **MR. RON PINK:** And do you know if WCB provides the sort of
3 what I'm calling the instant service for psychological treatment for members of your
4 department?

5 **CHIEF DAN KINSELLA:** Yeah, I guess it comes down to your
6 definition of instant. Is that the call up right now ---

7 **MR. RON PINK:** Yes.

8 **CHIEF DAN KINSELLA:** --- and go see a psychologist?

9 **MR. RON PINK:** Today, tomorrow sort of, yes.

10 **CHIEF DAN KINSELLA:** Yeah, I don't know to the extent or the
11 detail to which they do provide services. I know that they do provide them, but I don't
12 have the details of that.

13 **MR. RON PINK:** But that's, I'm going to suggest to you, Chief,
14 that's in respect to their return to work programs that goes after making an application,
15 and there's a process all involved. It's not -- it's not more instant, like we were talking
16 about moments ago, you agree with that?

17 **CHIEF DAN KINSELLA:** Well, what I would say is that under the
18 circumstances that you're describing, if I'm following along, is that if we need a member
19 to get immediate service we would access that under -- my expectations that we would
20 access that through EFAP. So we wouldn't need to go to the WCB route ---

21 **MR. RON PINK:** Of course.

22 **CHIEF DAN KINSELLA:** --- in the first instance.

23 **MR. RON PINK:** Yes.

24 **CHIEF DAN KINSELLA:** We would -- we would have to get there
25 eventually, but not in the first instance.

26 **MR. RON PINK:** Yes, but -- and -- but in a perfect world, in a more
27 perfect world you would want to have expedited service, instant, next day sort of thing
28 for any member who's in distress for mental health reasons, that would be your

1 expectation?

2 **CHIEF DAN KINSELLA:** Well, that's what we're working towards,
3 right ---

4 **MR. RON PINK:** Thank you.

5 **CHIEF DAN KINSELLA:** --- with the budget process, the
6 reintegration program that's multi-faceted, and as I mentioned, we are working towards
7 that.

8 **MR. RON PINK:** Thank you, Chief. Those are my questions.

9 **CHIEF DAN KINSELLA:** Thank you, Mr. Pink.

10 **COMMISSIONER MacDONALD:** Thank you, Mr. Pink.

11 Ms. MacPhee?

12 **--- CROSS-EXAMINATION BY MS. PATRICIA MacPHEE:**

13 **MS. PATRICIA MacPHEE:** Good afternoon, Chief Kinsella.

14 **CHIEF DAN KINSELLA:** Good afternoon, Ms. MacPhee.

15 **MS. PATRICIA MacPHEE:** I'm Patricia MacPhee with the Attorney
16 General of Canada. I'm here with my colleagues, Lori Ward and Heidi Collicutt.

17 So I'm going to start today and ask you a couple questions about
18 Alert Ready. Did you have a policy on Alert Ready in place prior to the mass casualty?

19 **CHIEF DAN KINSELLA:** No, we did not.

20 **MS. PATRICIA MacPHEE:** Did you have any protocols in place
21 with respect to the use of Alert Ready prior to the mass casualty?

22 **CHIEF DAN KINSELLA:** Not specifically written down or anything,
23 no, that would be in policy, which it is now.

24 **MS. PATRICIA MacPHEE:** Okay. Did you have any internal
25 documentation within HRP or with HRP and the EMO regarding the use of the Alert
26 Ready policy -- or the Alert Ready system prior to the mass casualty?

27 **CHIEF DAN KINSELLA:** So we -- which I've said, we did not have
28 a policy. What we did have is an understanding of the ability of Ready Alert and what it

1 might be able to do based on a number of factors which I mentioned this morning, so I
2 won't go back into those. But we had -- we had no policy in place. Just an
3 understanding of what it could be -- what it could do and what it could be used for.

4 **MS. PATRICIA MacPHEE:** Okay. When you say "we", who do
5 you mean?

6 **CHIEF DAN KINSELLA:** Members of the organization.

7 **MS. PATRICIA MacPHEE:** And how were members of the
8 organization aware of that?

9 **CHIEF DAN KINSELLA:** Well, the previous, I don't know what,
10 week or two before there was Alert Ready used for a pandemic notice. I believe it was
11 to stay home and those kind of things in relation to safety protocols. So that generated
12 some discussion. Don't know exactly with who or the dates or times or anything, but it
13 did generate some discussion about, oh, is that for Alert Ready and put that out.

14 Previously and historically, I think we all know that the very same
15 platform and program was used for Amber Alerts and for other issues that may come
16 up, so that was -- that was what the knowledge was.

17 **MS. PATRICIA MacPHEE:** Okay. Did you have any discussions
18 with anyone after the April 10th alert for COVID with your counterparts or with your
19 senior management about, "Hey, look, this is using the Alert Ready. I guess we could
20 use that for policing situations"?

21 **CHIEF DAN KINSELLA:** We had general discussion not like a --
22 an in-service or a training session or anything like that. It was just kind of a general
23 discussion about the use of it under the circumstances.

24 **MS. PATRICIA MacPHEE:** And how would you know that your
25 members would know how to use Alert Ready, when would be appropriate to use an
26 alert if there was no policies or protocols or anything -- any internal documentation
27 about the use of the system for policing applications?

28 **CHIEF DAN KINSELLA:** I think there was an understanding that

1 EMO was the governing body at the time and that a call could be made there to gather
2 that information.

3 **MS. PATRICIA MacPHEE:** And you're certain that your members
4 would have had that knowledge?

5 **CHIEF DAN KINSELLA:** I'm not. I don't know that every member
6 would have had it.

7 **MS. PATRICIA MacPHEE:** Did you know that your CIC
8 commanders would have that knowledge?

9 **CHIEF DAN KINSELLA:** I don't know whether they would have
10 that knowledge.

11 **MS. PATRICIA MacPHEE:** And would you know if your Inspectors
12 or your commanders, shift commanders, watch commanders, as the case may be,
13 would have that knowledge?

14 **CHIEF DAN KINSELLA:** Yeah, and I wouldn't. I've mentioned
15 that. I just know that I was aware of it and others were aware of it, as I understand as
16 well, as an alerting tool. I can't speak for anyone else, but my understanding is that
17 there was some awareness.

18 **MS. PATRICIA MacPHEE:** Some awareness is, you know, an
19 important distinction to make here when we're talking about Alert Ready because I think
20 most Nova Scotians had some awareness that there was an Alert Ready system that
21 was used for situations like a COVID alert and for weather disaster.

22 **CHIEF DAN KINSELLA:** I'm sorry. Who said that?

23 **MS. PATRICIA MacPHEE:** I'm saying most Nova Scotians, as you
24 pointed out, there was ---

25 **CHIEF DAN KINSELLA:** Yeah.

26 **MS. PATRICIA MacPHEE:** --- a use of the system with respect to
27 COVID. I'm asking more specifically, though ---

28 **CHIEF DAN KINSELLA:** Right.

1 **MS. PATRICIA MacPHEE:** --- for policing applications.

2 **CHIEF DAN KINSELLA:** Right.

3 **MS. PATRICIA MacPHEE:** And see, that's my question to you
4 because I don't see any policy or protocol and haven't seen any internal documentation
5 from the HRP which would suggest that as an organization or policing agency that there
6 actually was knowledge ---

7 **CHIEF DAN KINSELLA:** Right.

8 **MS. PATRICIA MacPHEE:** --- of how to use this system in a
9 policing situation.

10 **CHIEF DAN KINSELLA:** Right. I think the -- and it is an important
11 distinction. We certainly have much more knowledge now because we can direct
12 access, but at the time I certainly was aware that Alert Ready was a platform, it was an
13 opportunity, it was a tool that could be used to send out an alert and -- similar to an
14 Amber Alert or those kinds of things.

15 So I knew it existed. I didn't know the exact details, but I certainly
16 knew it existed and I would say there was others that understood that to exist as well.

17 **MS. PATRICIA MacPHEE:** But you're guessing there, aren't you,
18 when you say ---

19 **CHIEF DAN KINSELLA:** No, I don't think I'm guessing. I think
20 there's ---

21 **MS. PATRICIA MacPHEE:** I asked you whether your CIC
22 commanders would have known about it and you said you weren't sure.

23 **CHIEF DAN KINSELLA:** Yeah, I can't -- I can't definitively say that
24 they may or may not have known.

25 **MS. PATRICIA MacPHEE:** Okay.

26 **CHIEF DAN KINSELLA:** I think, you know, part of it is
27 understanding -- and there's a difference in my view between knowing everything about
28 it and, you know, what boxes that it could apply to. I think -- I think it was known. I think

1 it's reasonable to say that it was known as an alerting tool and I think particularly in light
2 of getting a call from EMO to say this can be used as an alerting tool. I think that
3 reinforces that somebody should have become aware of it along the way.

4 **MS. PATRICIA MacPHEE:** Yeah, that's an interesting point.

5 Are you aware -- because I note in your testimony earlier today you
6 said that when you were asked whether you would have considered using the Alert
7 Ready system you said, well, particularly had you gotten a call from the EMO ---

8 **CHIEF DAN KINSELLA:** Yeah.

9 **MS. PATRICIA MacPHEE:** --- right?

10 Are you aware of when the RCMP received a call from the EMO?

11 **CHIEF DAN KINSELLA:** I'm not aware.

12 **MS. PATRICIA MacPHEE:** Would it surprise you if I told you it was
13 roughly 11:15 on Sunday morning?

14 **CHIEF DAN KINSELLA:** I don't know when it was.

15 **MS. PATRICIA MacPHEE:** Okay. And are you aware of the fact
16 that at that time the RCMP, you know, accepted that offer from EMO?

17 **CHIEF DAN KINSELLA:** I don't know the determination. I have
18 heard evidence that earlier in the evening there was some request by members of the
19 RCMP on scene to say is there some sort of alerting mechanism that's out there. I'm
20 aware of that.

21 **MS. PATRICIA MacPHEE:** Right. And I'm not criticizing any of the
22 parties here because clearly the RCMP are saying that they weren't aware of the use of
23 ---

24 **CHIEF DAN KINSELLA:** Right.

25 **MS. PATRICIA MacPHEE:** --- Alert Ready for a policing situation.
26 Frankly, it sounds like the HRP equally weren't aware of the use of Alert Ready for a
27 policing situation.

28 **CHIEF DAN KINSELLA:** I disagree.

1 **MS. PATRICIA MacPHEE:** Okay. Did you have -- do you have
2 any internal documentation from the HRP talking about the use of Alert Ready for
3 policing situations?

4 **CHIEF DAN KINSELLA:** Prior to the 18th and 19th?

5 **MS. PATRICIA MacPHEE:** Yes.

6 **CHIEF DAN KINSELLA:** Yeah. No, I don't think that equates to
7 being aware of it.

8 **MS. PATRICIA MacPHEE:** Okay. What would?

9 **CHIEF DAN KINSELLA:** Knowledge that it can be used to transmit
10 messages.

11 **MS. PATRICIA MacPHEE:** And what knowledge?

12 **CHIEF DAN KINSELLA:** Know that it exists.

13 **MS. PATRICIA MacPHEE:** Who?

14 **CHIEF DAN KINSELLA:** Who?

15 **MS. PATRICIA MacPHEE:** Yes. Who would have to have that
16 knowledge?

17 **CHIEF DAN KINSELLA:** Well, I -- my evidence is that I
18 understood that it exists as a tool.

19 **MS. PATRICIA MacPHEE:** Okay. And do you have any
20 information that your officers, members had that knowledge that it could be used for
21 policing applications?

22 **CHIEF DAN KINSELLA:** I don't have evidence of it, but we can
23 certainly do a survey.

24 **MS. PATRICIA MacPHEE:** Okay.

25 **CHIEF DAN KINSELLA:** Yeah.

26 **MS. PATRICIA MacPHEE:** Let me ask you, after the events, did
27 the HRP take a look within and say, "What knowledge do we have about the use of Alert
28 Ready"?

1 **CHIEF DAN KINSELLA:** We very quickly got into working on the
2 Alert Ready as a tool, right. Very quickly it was brought to the forefront by Lee
3 Bergerman and Chris Leather to say there were problems with this tool and we need to
4 look at this tool and that kind of thing.

5 So we didn't immediately say let's get a plan in place and
6 everything for Alert Ready. That was coming in time. We knew there was a lot of
7 reviews going on, so.

8 **MS. PATRICIA MacPHEE:** Right. So it was after the events that
9 HRP started to have a look at the use of Alert Ready for policing applications; correct?

10 **CHIEF DAN KINSELLA:** Well, I think, yeah, that we did start to
11 look at it, but I want to be clear that there was knowledge of it as an alerting tool prior to.

12 **MS. PATRICIA MacPHEE:** Can I just be -- clarify? That's your
13 knowledge because I don't think that you're able to speak for the people who are
14 actually operational within the HRP; fair?

15 **CHIEF DAN KINSELLA:** I'm the one being asked the question and
16 ---

17 **MS. PATRICIA MacPHEE:** No, I'm -- and that was -- I was asking
18 you that, sir. I was asking you, you know, are you aware -- was HRP aware of the use
19 of Alert Ready as a policing tool. And I asked you what knowledge you had of your CIC
20 personnel knowing about Alert Ready, you know, your watch commanders, your
21 Sergeants. That was my question.

22 **COMMISSIONER MacDONALD:** Ms. MacPhee, counsel is up.

23 **MR. ANDREW GOUGH:** Thank you.

24 Commissioners, I believe this question has been asked and
25 answered. Chief Kinsella has spoken to his own knowledge and he very clearly is not
26 prepared to speak to the exact knowledge of officers in charge the night of. I think
27 counsel for the Attorney General is asking the same question I think for at least the third
28 time.

1 **COMMISSIONER MacDONALD:** Ms. MacPhee?

2 **MS. PATRICIA MacPHEE:** Thank you.

3 My concern is that he keeps going back to saying that there was a
4 general knowledge, and I think that there's quite a difference between his personal
5 knowledge about the use of Alert Ready and what a general knowledge means. And if
6 his own operational members don't know it or he doesn't have any information that they
7 know it, then we need to know what general knowledge means.

8 **COMMISSIONER MacDONALD:** I think for my benefit, at least,
9 you've explored that quite well.

10 **MS. PATRICIA MacPHEE:** Okay. You said that you contemplated
11 using Alert Ready system on several occasions. Were any of these situations pre-mass
12 casualty?

13 **CHIEF DAN KINSELLA:** They were all post.

14 **MS. PATRICIA MacPHEE:** Thank you.

15 I'm going to move on to evidence and answers you gave to Ms.
16 Young when she was questioning you, and I think they're also reflected in your written
17 evidence. You said that the federal level objectives can be different than those at the
18 municipal level. And that's when you were talking about some of the challenges in
19 working HRP with the RCMP. You said:

20 "Different municipalities have needs that may be
21 better served by a municipal police force." (As read)

22 Correct?

23 **CHIEF DAN KINSELLA:** I'm sorry, what was the last part?

24 **MS. PATRICIA MacPHEE:** You said that:

25 "Different municipalities have needs that may be
26 better served by a municipal police force." (As read)

27 **CHIEF DAN KINSELLA:** They may, yeah.

28 **MS. PATRICIA MacPHEE:** And I think in Ms. Young's questions

1 here you gave two examples to kind of highlight that, and one of them I think you talked
2 about the Wortley Report as an example, and another one was the type of cases that
3 the RCMP refers to the GIS Unit as compared to those that the HRP would refer. Did I
4 get you right on that?

5 **CHIEF DAN KINSELLA:** Yeah, just specifically to the Wortley
6 piece, I believe it was a specific area of Wortley, not Wortley in general.

7 **MS. PATRICIA MacPHEE:** Right. No, that's correct. I think you
8 were talking specifically about an apology.

9 **CHIEF DAN KINSELLA:** Right.

10 **MS. PATRICIA MacPHEE:** Right. And I think -- and just so I
11 understand you, it's your view that these were two examples where federal level
12 objectives might be, you know, running -- butting heads with what you would view as
13 municipal objectives or provincially maybe more accurately?

14 **CHIEF DAN KINSELLA:** Well, I think they're different priorities.

15 **MS. PATRICIA MacPHEE:** Okay.

16 **CHIEF DAN KINSELLA:** That's what I would say.

17 **MS. PATRICIA MacPHEE:** Okay. And I think we'll to the Wortley
18 Report maybe, the Wortley Report if I'm getting it right. Are you aware -- no, sorry, let
19 me just step back.

20 I think that your point was that the RCMP weren't going to provide
21 an apology at the time when you were prepared to do so. Did I get your evidence
22 correct on that?

23 **CHIEF DAN KINSELLA:** Well, I'll just go back just so we're clear.
24 When I was preparing to do the apology, I had done the research and, you know,
25 interacted with the community, I did make that offer for the RCMP to participate with me,
26 and they didn't take me up on it.

27 **MS. PATRICIA MacPHEE:** Are you aware that the Civilian Review
28 and Complaints Commission completed a Specified Activity Review of Street Checks?

1 That's a mouthful, I know.

2 **CHIEF DAN KINSELLA:** Activity review?

3 **MS. PATRICIA MacPHEE:** Civilian Review and Complaints

4 Commission. It's called a Specified Activity Review of Street Checks.

5 **CHIEF DAN KINSELLA:** So they -- the -- the Complaints

6 Commissioner's Office is doing a review?

7 **MS. PATRICIA MacPHEE:** No, it's done.

8 **CHIEF DAN KINSELLA:** Okay.

9 **MS. PATRICIA MacPHEE:** Sorry if I'm just giving you information.

10 But I was asking you first ---

11 **CHIEF DAN KINSELLA:** I -- I ---

12 **MS. PATRICIA MacPHEE:** --- if you were aware?

13 **CHIEF DAN KINSELLA:** --- I may be aware, but just not ---

14 **MS. PATRICIA MacPHEE:** Okay.

15 **CHIEF DAN KINSELLA:** --- familiar in the verbiage you're using,

16 I'm not sure.

17 **MS. PATRICIA MacPHEE:** Sure. The CRC -- there's actually a
18 report on the CRC website, and there's actually a -- the Commissioner of the RCMP's
19 response in which she accepted all the recommendations of that CRCC on the issue of
20 street checks. And just for your edification, just to get to it, the CRCC supported the
21 continued use of street checks with recommendations to tighten policies. So conflicting
22 with the approach that was being taken post Wortley Report by HRP; am I correct?

23 **CHIEF DAN KINSELLA:** Well, the -- the direction came from the
24 Department of Justice in regards to street checks ---

25 **MS. PATRICIA MacPHEE:** Okay.

26 **CHIEF DAN KINSELLA:** --- moratorium and then ban. I -- the
27 CRCC report was specific to the RCMP use of the street checks.

28 **MS. PATRICIA MacPHEE:** Right. And I just wanted to point this

1 out to you if you were aware of this, but the RCMP has stopped doing street checks in
2 Nova Scotia. Are you aware of that?

3 **CHIEF DAN KINSELLA:** I am aware, yeah.

4 **MS. PATRICIA MacPHEE:** Okay. And so despite a different
5 report at a national level, which supported the continuation of street checks, the RCMP
6 here in Nova Scotia is abiding by the direction from the Province; correct?

7 **CHIEF DAN KINSELLA:** I -- that's my understanding, yes.

8 **MS. PATRICIA MacPHEE:** So I'm just mentioning that because we
9 were talking about the Wortley Report and the fact that, you know, the RCMP there's
10 some butting heads here because they're looking at federal objectives versus perhaps
11 provincial objectives, but I think that's a good example, wouldn't you say, of where
12 despite perhaps a national position the provincial police force here, the RCMP, the
13 contract police, are abiding by the position that's taken in this province. Is that fair?

14 **CHIEF DAN KINSELLA:** Is the CRCC a national body? Are they -
15 - they have some authority over the RCMP?

16 **MS. PATRICIA MacPHEE:** Yes, but more importantly, as I -- the
17 Commissioner of the RCMP did respond and accepted all those recommendations.

18 **CHIEF DAN KINSELLA:** No, I know, but just to my -- just to my
19 point, does the CRCC, and I don't know, I'm asking, do they have authority over the
20 RCMP to say you can use street checks, or is that a recommendation?

21 **MS. PATRICIA MacPHEE:** Well, it's recommendations I think.
22 What I was getting at is the Commissioner of the RCMP did accept those
23 recommendations. So my point being, of course, is that while the Commissioner may
24 have taken a position, or accepted the recommendations to tighten -- to tighten policies
25 around street checks, here in Nova Scotia, because this is the position taken in this
26 province, the RCMP isn't doing street checks. They're following the provincial standard
27 or the provincial approach of as the case may be.

28 **CHIEF DAN KINSELLA:** Yeah, and I -- I see them as two different

1 things.

2 **MS. PATRICIA MacPHEE:** Okay. I'm just going to move on to the
3 Nova Scotia Chiefs of Police Association.

4 So if I'm understanding this right, the purpose of this Association is
5 for the varying policing agencies to get together to talk about issues, common issues
6 that they're facing, presumably in their jurisdictions, right, and to try and chart a course,
7 a solution, if you may. Am I getting it right, the general raison d'être?

8 **CHIEF DAN KINSELLA:** Well, I think it's -- I think it's part of it.
9 There's committee work that goes on to further different, you know, goals, objectives,
10 aspects of policing. We have various people involved in that at various levels. So, you
11 know, that is part of it. It's about, you know, an association of Nova Scotia Chiefs to get
12 together and have those discussions.

13 **MS. PATRICIA MacPHEE:** So I know that the -- we've talked a
14 little about the fact the RCMP have been -- lost their voting status in this Association;
15 correct?

16 **CHIEF DAN KINSELLA:** They were moved to associate status.

17 **MS. PATRICIA MacPHEE:** Right. So they don't have a voting
18 status, if I'm getting the distinction?

19 **CHIEF DAN KINSELLA:** They don't have a vote, that's correct.

20 **MS. PATRICIA MacPHEE:** Okay. Like, it seems to me that the
21 ultimate objective of this Association, though, is to advance, you know, the interests of
22 policing agencies to improve public safety. I mean, at it -- at its basis that's what it's
23 about, isn't it, ultimately getting to a place where Nova Scotians are safer?

24 **CHIEF DAN KINSELLA:** Well, I think that's part of it. There is
25 also, you know, a broader perspective of Chiefs being able to advocate for things that
26 they need, being able to bring their positions forward, being able to, you know, interact
27 with the Department of Justice, whatever the case may be, to speak of their own voice.

28 **MS. PATRICIA MacPHEE:** Okay. And presumably, at the end of

1 the day, though, it's to further public safety in their respective communities. Fair?

2 **CHIEF DAN KINSELLA:** I think everything that we do and all of
3 the collective efforts of law enforcement, including the RCMP, are interested in
4 providing the very best public safety we can.

5 **MS. PATRICIA MacPHEE:** But don't those communities here in
6 this province that are serviced by the RCMP, don't they deserve to ensure that their
7 concerns are being heard, that their interests are being brought forward? Like, isn't that
8 only fair if we're looking at public safety as a whole that they have equal status there to
9 make sure their needs are met in rural Nova Scotia?

10 **CHIEF DAN KINSELLA:** I think all communities should be able to
11 have their opinions and need and wants as far as policing goes heard, and I also know
12 that the RCMP has mechanisms in regards dealing with the Department of Justice. And
13 in no way does their associate status, in my view, and I've mentioned it earlier, inhibit
14 their ability to provide public safety or us to collectively provide it.

15 **MS. PATRICIA MacPHEE:** But if we're advancing the needs of
16 Nova Scotians in the interests of public safety, shouldn't they have a voice at that table?
17 Shouldn't they have an equal right to ensure that their needs are being met?

18 **CHIEF DAN KINSELLA:** Associate -- associate members have a
19 voice.

20 **MS. PATRICIA MacPHEE:** But they can't vote. I'm sure there's a
21 reason that you took away their voting status.

22 **CHIEF DAN KINSELLA:** I -- I -- you know, it's -- a seat at the table
23 as an associate member has a voice. They're involved in all the committee work,
24 they're involved in the meetings. At the end of the day, they don't -- they don't have a
25 vote, but they certainly have a voice. And -- and that is there for them.

26 **MS. PATRICIA MacPHEE:** I would just think that rural Nova
27 Scotians, represented by the RCMP, would want to ensure that their policing agencies
28 are getting a chance to vote.

1 **CHIEF DAN KINSELLA:** Well, I think, more importantly, under the
2 circumstances and currently, those rural Nova Scotians should ask their police service
3 to go to the table and have a voice.

4 **MS. PATRICIA MacPHEE:** Pardon?

5 **CHIEF DAN KINSELLA:** I think that those rural Nova Scotians
6 would like their police service to go to the table and have a voice.

7 **MS. PATRICIA MacPHEE:** Well, let me ask you, because I mean I
8 think that we've heard a lot here throughout this hearing about interoperability and about
9 relationships, and how important it is in a province like Nova Scotia that does have
10 limited resourcing, right, that there is a time and place that we're going to have to rely on
11 each other, and maybe going forward have to work together in a more frequent basis in
12 a more cohesive way. So with that in mind, and that really has been the tenor of what
13 we've been hearing over the last few months, the importance of this, and I think I've
14 heard you talk about interoperability and the importance of working together. So with
15 that in mind, isn't it time to make the change and to put the RCMP back at that table,
16 give them the right to a vote, and chart a new course forward. Let us work together
17 going forward, let's put this back, let's put this behind us, it's time to start afresh. Like,
18 we've seen problems. Can we not move forward in that direction?

19 **CHIEF DAN KINSELLA:** I definitely think there is a path forward
20 and that we should move forward. I don't think it's just about the vote, I think it's about
21 participation and having a voice, and they have that as associate members. Their
22 status could be changed at some point in time, and who knows.

23 But if they're not at the table talking and they are not there, then we
24 can't have those discussions and they don't have that voice. I don't believe that it's
25 contingent on solely a vote. They may, and they may think we're not coming back
26 unless it's about them. Maybe what you're suggesting, I'm not sure, but I think it's more
27 about continuing the collaboration.

28 When that meeting ended, they left. They didn't stay to continue

1 the conversation. They'd been invited back and we're happy to have them back. We're
2 happy to continue. I think we should continue the conversation, and that's where their
3 voice will be heard.

4 **MS. PATRICIA MacPHEE:** Are you aware of any other province
5 where the RCMP is not a full member of the provincial Chiefs of Police association?

6 **CHIEF DAN KINSELLA:** I'm sorry. The -- whether they're a full
7 member in another province?

8 **MS. PATRICIA MacPHEE:** Yes.

9 **CHIEF DAN KINSELLA:** Yeah, I don't know the status of the
10 RCMP in other provinces as far as it relates to provincial police associations.

11 **MS. PATRICIA MacPHEE:** I'm going to ask you just a bit about
12 policing standards.

13 When you were discussing this with my friend, Ms. Young, earlier
14 this afternoon, some -- again, the challenges with working in an integrated unit in Halifax
15 District, you talked a little bit -- you raised the policy with respect to, I think it was,
16 exhibits. Am I right -- or the handling of evidence. Am I getting that right?

17 **CHIEF DAN KINSELLA:** The processing, yes.

18 **MS. PATRICIA MacPHEE:** Processing, yeah.

19 Okay. So when you said that there were differences between the
20 HRP way of approaching it and the RCMP way, which sometimes made it different --
21 difficult, I should say, to be integrated and to work together.

22 **CHIEF DAN KINSELLA:** I mean, they -- historically, they did work
23 together under the existing policies. I think that changed at some point in time.

24 So historically, they worked together. This particular policy was
25 held out as an example of one of the things that we weren't aligned on.

26 **MS. PATRICIA MacPHEE:** Right. And you spoke with the fact that
27 there are existing provincial standards; correct?

28 **CHIEF DAN KINSELLA:** There is existing provincial standards.

1 **MS. PATRICIA MacPHEE:** Okay. And I think I actually looked it
2 up. There is an existing provincial standard with respect to the handling of evidence. I
3 think it's called "Evidence".

4 Is that what you were referring to just as an example?

5 **CHIEF DAN KINSELLA:** I was referring specifically to the
6 operation of the policies themselves. I don't know how they compared to the standard
7 off the top of my head, but it certainly would be worth checking into.

8 I think I -- I know I also said it's a different way of processing based
9 on, I believe, staffing -- I might be wrong on this -- and, you know, different people being
10 available. I didn't comment on one being the proper ---

11 **MS. PATRICIA MacPHEE:** No.

12 **CHIEF DAN KINSELLA:** --- way and one not being the proper
13 way.

14 **MS. PATRICIA MacPHEE:** Right. What I'm getting at, though, is I
15 think the existing standard in Nova Scotia for evidence is more of a directive to
16 agencies, that saying that an agency must develop a policy or protocol for dealing with
17 evidence. Is that fair?

18 **CHIEF DAN KINSELLA:** I'm not going to doubt your word. I
19 haven't read it, but ---

20 **MS. PATRICIA MacPHEE:** Okay. So to me, the result of the
21 existing provincial standard, which we know are in the process of being updated and
22 soon to be changed, but the existing provincial standard really sets the course for a
23 variety of separate policies on the same issues making interoperability difficult in the
24 present day. Is that fair?

25 **CHIEF DAN KINSELLA:** Well, I think, you know, the policies being
26 reviewed and being reset are going to be done eventually in consultation with all of us
27 set by the Department of Justice, and they have -- definitely have a role to play in how
28 we place them. Very strong role.

1 And to say that -- and I think I mentioned this earlier or something
2 similar, that the standard would be so directive as to issue the policy, I don't think that's
3 the intention. I think that it is incumbent on or will be incumbent on individual services to
4 establish that is meeting the needs or the requirements of the standard.

5 **MS. PATRICIA MacPHEE:** It's my understanding the new or
6 proposed new provincial standards are much different in the sense that they are more
7 specific and they provide more guidance, more information about, you know, training
8 standards, deployment standards, that sort of specificity. Isn't that fair?

9 **CHIEF DAN KINSELLA:** I haven't met as part of the steering
10 committee on them. We have a -- I believe we have a meeting coming up, so I can't
11 speculate on exactly what they're going to say.

12 **MS. PATRICIA MacPHEE:** And wouldn't you think, though, that
13 the advantage of the proposed new policing standards and being more prescriptive in
14 setting clear definitions for training standards and that sort of thing, that the advantage
15 of that is that it reduces the possible variation between approaches taken by varying
16 agencies, creates a more -- you know, a more baseline where everyone is working
17 basically on the same -- taking the same approach; right? With the possibility for
18 variation.

19 **CHIEF DAN KINSELLA:** I think the -- it would create a baseline or
20 a threshold, you must meet this area in use of force. Within use of force, the breakdown
21 is firearms, baton, OC spray and those kind of things, and what are the requirements or
22 the skill level that an officer has to be at and then operationalize that and make sure that
23 all police officers are at that level.

24 So I think that is a good place to start, but you know, currently we
25 have standards in place. We work to those standards. We are reviewing them and
26 we're going to make the changes.

27 I don't know the exact distinction you're trying to make between the
28 two. Maybe you could help me out.

1 **MS. PATRICIA MacPHEE:** Well, I guess that your evidence -- the
2 handling of evidence was a good example of where policing standards -- new policing
3 standards could have an advantage because it'll make it a more consistent playing field
4 so that it makes it easier for different agencies to be interoperable, to work together
5 because they're all working from the same baseline.

6 **CHIEF DAN KINSELLA:** Right. But in -- the complication with that
7 or the challenge is deployment and the ability to have the resources to carry out the
8 policy, right.

9 Again, not an expert on the forensic policy of either service, quite
10 frankly, but my understanding is that certain services have to do things a certain way.
11 They meet the standard, but they may not have the something in between to do it
12 exactly like another service, so they come up with another way. They still meet the
13 standard, they get the job done.

14 Does that help at all?

15 **MS. PATRICIA MacPHEE:** No, it does, because that's, I think,
16 what we're aiming for, really, at the end of the day, and that would -- I would think, and
17 I'll ask your opinion on this, it improve interoperability when we have that more of a
18 baseline, a consistent baseline, a playing field, and of course there's going to be
19 variations.

20 **CHIEF DAN KINSELLA:** Right. And I don't think interoperability
21 can be solved through common policy or standard. Operability is a broader term which
22 I'm sure you know, and there's more involved in it. So you know, if the policy or if the
23 standard is able to create a policy between HRP and RCMP that's the same that we can
24 all meet, then that's going to help us be more interoperable.

25 **MS. PATRICIA MacPHEE:** One other thing in your testimony
26 earlier this afternoon, you suggested that the RCMP -- you were talking about various
27 policing models going forward and you were talking about the RCMP and said that --
28 you suggest the RCMP is torn in different directions sometimes. Sometimes they're

1 here, sometimes they're not. You mentioned going to "J" Division and that they have
2 federal objectives.

3 And I was just curious to see if I was understanding you correctly
4 on that.

5 **CHIEF DAN KINSELLA:** I don't know that I used the word "torn". I
6 believe I used the word "pulled", but I could stand ---

7 **MS. PATRICIA MacPHEE:** Okay. Fair enough.

8 **CHIEF DAN KINSELLA:** --- could stand corrected on that.

9 And what I was talking about was their responsibilities across
10 Canada. Recently, a number of RCMP members went to Ottawa to support, fully
11 understandable. They often go to "J" Division to support. That's what I was referring to.
12 It's the mobility and the requirement, the deployment where they may need to go to
13 meet the needs of whatever the priorities are.

14 **MS. PATRICIA MacPHEE:** Okay. Because I was -- I was thinking
15 you were confusing federal policing with provincial policing.

16 **CHIEF DAN KINSELLA:** I am not.

17 **MS. PATRICIA MacPHEE:** Okay. So is it your understanding,
18 though, that provincial police members would have to be deployed to another area,
19 leaving their jurisdiction, you know, short of members?

20 **CHIEF DAN KINSELLA:** I don't know about leaving them sort, but
21 my understanding is or at least my -- the knowledge that I have is that does happen.

22 **MS. PATRICIA MacPHEE:** Where is that knowledge from?

23 **CHIEF DAN KINSELLA:** Knowing that people have been taken
24 away to go to Ottawa to do -- to do -- to assist. That's the most current example.

25 Most of it comes internally from the history of, you know, different
26 members in HRP that have lived through this.

27 **MS. PATRICIA MacPHEE:** Okay. So I mean, we've heard other
28 opinions here about that to suggest that the fact that the RCMP provincial police, of

1 course, they are hired and contract with the province, so they're here, but they're -- they
2 have the flexibility sometimes where needed that they can be moved around where
3 there are capacity issues. But I don't think there's any suggestion that they would leave
4 a jurisdiction, their detachments empty while they were going to help out another
5 jurisdiction. I don't think that is, you know, the evidence we have heard.

6 **CHIEF DAN KINSELLA:** Yeah. And I know I'm probably splitting
7 hairs. Do you know or do you think?

8 **MS. PATRICIA MacPHEE:** We have heard no evidence of that.
9 Do you have evidence of that?

10 **CHIEF DAN KINSELLA:** Well, I don't have any concrete evidence,
11 but I have anecdotal, so this is probably something that should be explored.

12 **MS. PATRICIA MacPHEE:** Because of anecdotal evidence?

13 **CHIEF DAN KINSELLA:** No, because your belief is that they
14 never get moved.

15 **MS. PATRICIA MacPHEE:** No, no, no.

16 **CHIEF DAN KINSELLA:** I think that's what you're saying.

17 Sorry, just ---

18 **COMMISSIONER MacDONALD:** Sorry, I think there's some
19 confusion going on here. So ---

20 **MS. PATRICIA MacPHEE:** My point was simply just to ask that I
21 thought he was confused with respect to RCMP members being deployed to other
22 jurisdictions?

23 **COMMISSIONER MacDONALD:** Well certainly that's not in
24 dispute. We know RCMP officers get deployed to other jurisdictions.

25 **MS. PATRICIA MacPHEE:** Yes. And I was wondering if that was
26 the problem or if he was suggesting that the problem was that they were then leaving
27 their detachments with not sufficient members. So that was really what I was asking. If
28 there was ---

1 **COMMISSIONER MacDONALD:** Okay.

2 **CHIEF DAN KINSELLA:** --- any understanding.

3 **COMMISSIONER MacDONALD:** All right.

4 **MS. PATRICIA MacPHEE:** I believe he said ---

5 **COMMISSIONER MacDONALD:** So that's the question.

6 **CHIEF DAN KINSELLA:** So can I have it again, please?

7 **MS. PATRICIA MacPHEE:** Yes, I'll try.

8 **CHIEF DAN KINSELLA:** Okay.

9 **MS. PATRICIA MacPHEE:** I was just asking, because you
10 mentioned the idea that, you know, officers are moved outside of jurisdiction, and you
11 suggested that they're deployed and you gave the example of certain major events. But
12 my question to you is are you understanding that they're leaving their detachments
13 empty and they're having to go somewhere and leave their own province without
14 enough resources?

15 **CHIEF DAN KINSELLA:** I didn't even mention the resource piece.
16 I just -- my understanding is that they do. And I think the Commissioner just said that
17 they do get moved on occasion.

18 I hope we're not conflating transfer to a different division -- are we
19 conflating that? Because I'm starting ---

20 **MS. PATRICIA MacPHEE:** I just ---

21 **CHIEF DAN KINSELLA:** --- to get confused.

22 **MS. PATRICIA MacPHEE:** I was surprised ---

23 **COMMISSIONER MacDONALD:** Sorry, Ms. MacPhee. I didn't
24 take his evidence to be that they were left ---

25 **MS. PATRICIA MacPHEE:** I'll ---

26 **COMMISSIONER MacDONALD:** --- depleted.

27 **MS. PATRICIA MacPHEE:** Let me ask -- let me ask -- maybe I'll
28 try and refrain it to see if I can get an understanding what his evidence was on the point,

1 because I might have been confused.

2 I was -- I thought that he had said it was a negative or -- a negative
3 thing that the RCMP can be deployed outside the province to assist in other areas.

4 Was I getting you right?

5 **CHIEF DAN KINSELLA:** I didn't -- I just said that it occurs. I didn't
6 speak to the negativity, or the positivity, or shortages. I didn't say anything about that,
7 at least, to the best of my recollection.

8 **MS. PATRICIA MacPHEE:** Okay. Thank you.

9 **COMMISSIONER MacDONALD:** Thank you, Ms. MacPhee.
10 Mr. MacLellan?

11 **MR. ANDREW GOUGH:** Commissioners, I wondered if the
12 witness -- excuse me, Commissioners, I'm wondering if the witness is able to continue
13 or if he needs a break?

14 **COMMISSIONER MacDONALD:** Do you need a break, Chief?

15 **CHIEF DAN KINSELLA:** If we're going to be quick -- if we're going
16 to be a while, I would prefer a break, if that's possible.

17 **COMMISSIONER MacDONALD:** That's a lot of pressure on Mr.
18 MacLellan, but I understand he's only -- you only have a few questions, I think, did I
19 understand, Mr. MacLellan?

20 **MR. MATTHEW MacLELLAN:** I wouldn't say that. I think my
21 estimate was 20 minutes, and I think I can land it somewhere around there.

22 **COMMISSIONER MacDONALD:** Okay. One second, Chief.
23 Yeah, we'll take a break.

24 **REGISTRAR STEPHANIE WEBBER::** Thank you. the
25 proceedings are now on break ---

26 **COMMISSIONER MacDONALD:** Sorry, 15 minutes.

27 **REGISTRAR STEPHANIE WEBBER::** --- for 15 minutes.

28 --- Upon breaking at 6:54 p.m.

1 --- Upon resuming at 7:16 p.m.

2 **REGISTRAR STEPHANIE WEBBER::** Welcome back. The
3 proceedings are again in session.

4 **COMMISSIONER MacDONALD:** Thank you. I'll have the witness
5 come back, please.

6 Welcome back, Chief Kinsella. Mr. MacLellan, I believe, is up next.
7 He'll have some questions for you.

8 **--- CHIEF DAN KINSELLA, Resumed:**

9 **--- CROSS-EXAMINATION BY MR. MATTHEW MacLELLAN:**

10 **MR. MATTHEW MacLELLAN:** Good evening, Chief Kinsella.

11 **CHIEF DAN KINSELLA:** Good evening.

12 **MR. MATTHEW MacLELLAN:** My name is Matt MacLellan. I,
13 along with my colleagues at Patterson Law, we represent the majority of the families of
14 the victims and those most affected by the mass casualty.

15 I'm going to take you back to April 18/19, 2020. You had previously
16 said that, I believe, the RCMP was the -- had overall command of the incident? That's
17 correct?

18 **CHIEF DAN KINSELLA:** That was my understanding, yes.

19 **MR. MATTHEW MacLELLAN:** This might seem like an obvious
20 question, but the agency in command is determined by where the critical incident has
21 originated and where it's occurring? Is that fair to say?

22 **CHIEF DAN KINSELLA:** That's fair.

23 **MR. MATTHEW MacLELLAN:** Now, when it comes to seeking
24 assistance from outside jurisdictions, so in this case, the RCMP is seeking assistance
25 from HRP. Is there a standard for -- does the agency in command traditionally reach
26 out to the outside jurisdiction or does the outside jurisdiction offer support? What -- is
27 there a standard there? Or is it case by case?

28 **CHIEF DAN KINSELLA:** You know, my experience has been that

1 there is no standard. You know, my expectation would be, and I would do this and have
2 done for 36 plus years, is if I -- if I needed something, if I required something, I would
3 reach out.

4 That's not to say that offers wouldn't be made, but they -- the offers
5 -- my offers were made, you know, sometime later, understanding that things are
6 unfolding and they're dealing with things.

7 The offer needs to be made when a determination is made that
8 help is required, if it's required.

9 So that would be the, you know, the general approach. And, you
10 know, that's my understanding of how it would work.

11 **MR. MATTHEW MacLELLAN:** And you had already stated that, to
12 the best of your knowledge, HRP actually did fulfill any requests made by RCMP during
13 the mass casualty incident?

14 **CHIEF DAN KINSELLA:** Yes, to the best of my knowledge, the
15 things that they did ask us for, we completed.

16 **MR. MATTHEW MacLELLAN:** And so -- and some of those were -
17 - would have been requested as early as 1:00/2:00 a.m., very early in the morning on
18 April 19th; correct?

19 **CHIEF DAN KINSELLA:** Correct. I don't know the exact time, but
20 I believe it would have been early on.

21 **MR. MATTHEW MacLELLAN:** And you actually did provide an
22 overture to RCMP stating, "Let me know if you need anything." You had -- I believe you
23 testified that you had reached out to Janis Gray. Sorry, I may have gotten her name
24 wrong, but ---

25 **CHIEF DAN KINSELLA:** No, that's correct.

26 **MR. MATTHEW MacLELLAN:** Okay. Thank you. But you had
27 reached out and said, "Let me know if you need anything." I'm paraphrasing.

28 **CHIEF DAN KINSELLA:** Basically, yeah.

1 **MR. MATTHEW MacLELLAN:** And so from your perspective then,
2 was the HRP's posture throughout this event, "Anything you need, let us know. We'll try
3 to help"?

4 **CHIEF DAN KINSELLA:** Well I -- up until when I spoke to Janice,
5 anything over and above the inference. As I stated earlier, I didn't get specific. But I
6 can only assume, and I can only expect that when the watch commanders were talking,
7 that mid-level management position, that if they wanted something, that they would
8 have said, you know, "We could use some more units here. Can you send us some
9 bodies? Can you help us with roadblocks? Scene control?" Some of those things.
10 That that request would have been made. I think it's very reasonable to expect that that
11 would be made if they required it.

12 **MR. MATTHEW MacLELLAN:** And being aware of the hour, I'm
13 not going to belabour the point of available resources. I know it's been discussed. But
14 there is something I'm not quite clear on. I don't know if it's been directly addressed.
15 So I'm going to put it to you this way. There was -- Retired A/Commr Lee Bergerman
16 gave evidence on I believe it was April 22nd. When asked by my friend, Ms. Miller,
17 whether there was a way to leverage municipal police resources as a way to deal with
18 resourcing issues, retired A/Commr Bergerman stated in her evidence:

19 "A large contingent for municipal police forces was not
20 available at the time." (As read)

21 Sorry, I know that was a long set up. But what I'm getting at is
22 whether or not it is your opinion that just in terms of bodies, officers available, was a
23 contingent of officers available to assist if asked?

24 **CHIEF DAN KINSELLA:** We could have put some bodies together
25 and provided some assistance certainly. I'm not sure where the A/Commr got her
26 information. We had the ability to put some bodies together. I can't specify the amount,
27 but we certainly could have sent officers and sent vehicle.

28 **MR. MATTHEW MacLELLAN:** But that ask didn't come?

1 **CHIEF DAN KINSELLA:** The ask did not come, no.

2 **MR. MATTHEW MacLELLAN:** Now, again, there's been a lot
3 discussed about interoperability so I'm not going to belabour that point either.

4 I will state it was your evidence that the HRP and RCMP have
5 assisted each other in ongoing events in previous incidents.

6 **CHIEF DAN KINSELLA:** Correct.

7 **MR. MATTHEW MacLELLAN:** And so often during a critical
8 incident, this would be communicated between Critical Incident Commanders for HRP
9 and RCMP respectively?

10 **CHIEF DAN KINSELLA:** It generally would be, but it could be
11 communicated at other levels as well.

12 **MR. MATTHEW MacLELLAN:** And for HRP, that was Supt.
13 Andrew Matthews during ---

14 **CHIEF DAN KINSELLA:** That's correct.

15 **MR. MATTHEW MacLELLAN:** Okay. In terms of interoperability,
16 again, I don't think this was explicitly addressed. I know we've addressed policing
17 standards. But training standards. Was it your opinion that differences in the standards
18 of training for HRP officers and RCMP officers was a factor in interoperability issues on
19 April 18th and 19th, 2020?

20 **CHIEF DAN KINSELLA:** Not -- I mean, we can always do better. I
21 don't want to make it sound like it's a perfect system. Not to the extent that I wouldn't
22 call for assistance. It wasn't that. We actually work the RCMP regularly on a patrol
23 basis within HRM, attending calls together, crossing borders, and assisting where
24 required.

25 There are some issues around command and control and
26 communication that would have to be worked out, and I mentioned that earlier, about
27 bringing the resources to a particular staging point. You have a briefing, you get on the
28 right command channel, you tell them what their tasks are, whatever that task may be.

1 It could be go secure that scene. It could be secure the scene and check to see if -- if
2 there's anyone there that needs assistance, those kinds of things. And that's different
3 than sending people into a situation where we know there's an active shooter. I think
4 there was good information that came in along the way that the active shooter in this
5 particular situation was on the move.

6 So those are certainly things that could be done. So it's not perfect,
7 there has to be some workaround sometime, but it can be done.

8 **MR. MATTHEW MacLELLAN:** So I'm hearing that the issue is not
9 the standard of training, not that one agency has, so I'll use the example of say ERT or
10 Dog Services, that one agency has a higher standard of training over the other, it's just
11 that there needs to be some training, integrated training for these types of instances. Is
12 that fair to say?

13 **CHIEF DAN KINSELLA:** That is fair, and I think -- I think you have
14 to look at it from the standpoint of familiarity. I gave, and I won't give it again, but I gave
15 the example of ERT teams relieving each other. That's interoperability, that's working
16 together, that's covering each other off, very different from the other example where
17 they're all combined as one team.

18 **MR. MATTHEW MacLELLAN:** You said, just one final point on
19 interoperability, and I'm -- I think I'm getting your statement correct. You said,
20 "Interoperability issues did not explain what happened on April 18th and 19th" earlier
21 today.

22 **CHIEF DAN KINSELLA:** Yeah, that -- that -- that's my opinion.
23 They -- interoperability wasn't the reason that things went the way they did on the 18th
24 and 19th.

25 **MR. MATTHEW MacLELLAN:** And so ---

26 **CHIEF DAN KINSELLA:** In my opinion.

27 **MR. MATTHEW MacLELLAN:** So then I'm going to provide, this is
28 fairly open, but it seems like you have an opinion. What did happen on April 18th and

1 19th from your perspective.

2 **CHIEF DAN KINSELLA:** The only -- the only thing I can say is the
3 approach that we take in HRP. You've heard a lot of talk about the Duty Officer, and it
4 was highlighted by Participant Counsel as well. The Duty Officer is there to help assist,
5 run scenes, control things, and make the appropriate calls beyond that. And -- and you
6 know, in our case, we would have had in that situation a Duty Officer deployed. The
7 Duty Officer would go to the scene, they would make assessments, they would assist
8 responding units. That was very dynamic, it's going to take him time to get there. First
9 Responders got to go and do what they do. In regards to Immediate Action Rapid
10 Deployment, they have to go and do their thing. So all of this has to occur.

11 And then that individual from there would call for other assistance
12 as required. They have an opportunity to call the on-call deputy, they could call me,
13 there's all kinds of different things that can happen. If they were to call the on-call
14 deputy in that particular situation they might say "I could use another duty officer here. I
15 could use a Critical Incident Commander right now." We could get those balls rolling.
16 So you know, that would be our initial response.

17 The exact dynamics and mechanics of what happened on the
18 scene, I wasn't there and I don't know exactly what occurred. It was a horrific scene, it
19 was fast-changing, you know, fast-moving. I did mention earlier that, you know, my
20 understanding, from what I've heard and I haven't heard it all, is that there was
21 individuals on the scene who were responding who were asking about some sort of
22 alert, "Can we do some sort of alert?" I believe that is the evidence that's in the
23 possession of the Commission.

24 And you know, those are the kind of things that, you know, queue
25 you to think, well, you know, perhaps something could have been done differently. I'm
26 not passing judgement, certainly, and I -- I'm not pretending to be an expert. But it's
27 that overall command and control structure, in my opinion, let's you know who is in
28 charge. The person that's in charge knows that they can call for help if they need to and

1 then decisions could be made for extra deployment.

2 **MR. MATTHEW MacLELLAN:** So this is actually something that
3 we've heard a number of times in these proceedings, is that there was some confusion
4 around the chain of command throughout the critical incident. Would you say that was
5 your experience?

6 **CHIEF DAN KINSELLA:** Well, yeah. I mean, that's my
7 understanding. I don't know that particularly was my experience, but as you heard, I
8 was in the station on Sunday morning, starting -- as the information came in. I wasn't
9 alone, I had my Director of Corporate Affairs, I had Deputy Chief, I had other senior
10 officers, and we were beginning to set up our posts, and you've got to have it in real-
11 time. The Critical Incident Commander was rolling, doing the thing that they needed to
12 do.

13 So -- we had a lot of -- a lot of mechanisms in place. We were
14 doing a lot of response, a lot of officers involved, and he wasn't -- the perpetrator wasn't
15 in our area. So in my view, we were -- we were putting the appropriate mechanisms in
16 place to deal with the situation based on the information we had.

17 **MR. MATTHEW MacLELLAN:** Okay, and I appreciate that, thank
18 you.

19 I'm going to change topics here a little bit, while we have you here.
20 HRP is a part of the Mental Health Mobile Crisis Team Initiative; correct?

21 **CHIEF DAN KINSELLA:** Correct.

22 **MR. MATTHEW MacLELLAN:** And so this is a partnership
23 between, I believe it's HRP, the Nova Scotia Health Authority, and the IWK Health
24 Centre. Is that ---

25 **CHIEF DAN KINSELLA:** Yeah.

26 **MR. MATTHEW MacLELLAN:** And so that provides a first point of
27 contact for those experiencing mental health crises, where it would otherwise be done
28 by traditionally police?

1 **CHIEF DAN KINSELLA:** In certain circumstances, not in every
2 one, but in certain -- and certain times of day as well.

3 **MR. MATTHEW MacLELLAN:** And so this team includes,
4 specifically, mental health professionals who would be employed by, for example, the
5 Nova Scotia Health Authority?

6 **CHIEF DAN KINSELLA:** Yes.

7 **MR. MATTHEW MacLELLAN:** So the reason I'm asking this is in
8 his evidence before this Commission, RCMP Staff Sergeant Addie MacCallum stated
9 that a great deal of his members' time could be freed up if there was another way to
10 deal with the number of mental health checks other than just having his members
11 attend, and the impression that we're left with is that that does require a lot of officers'
12 times. I don't know if you would agree with that.

13 **CHIEF DAN KINSELLA:** Yeah, I would agree. There's certainly a
14 better way that we can respond to those, and I think I mentioned it earlier, in mental
15 health crisis.

16 **MR. MATTHEW MacLELLAN:** So where HRP is already a part of
17 this program, I'll ask, how does having a dedicated team that includes non-police mental
18 health professionals affect service provision for those crises?

19 **CHIEF DAN KINSELLA:** Well, I think that there's a number of
20 ways to look at it, and other services are ahead of us, both in the U.S. and across the
21 country. And again, not an expert on it, haven't put a ton of thought around it, but it is
22 part of the defunding discussion, reimagining, that kind of thing.

23 And I'm the first one to agree, I've said it publicly, I've spoken at the
24 Board of Police Commissioners, and to counsel I believe, to say that yeah, there are
25 other ways that we can do it. For those instances where it doesn't meet the threshold of
26 a police response, armed, dangerous, potential loss of life, those kind of things, I don't
27 necessarily think a police uniformed response is the best response in the first instance
28 when not required.

1 So there are a number of other areas, and you know, we have
2 been, you know, kind of exploring peripherally, embryonically, like looking at where we
3 could go with it, and you know, you could have a triage healthcare worker professional
4 in the IES to help triage those calls when they come in. There are other options that are
5 available for, you know, potential social worker, healthcare worker, just trained
6 professionals to go and have those interactions in the first instance where it was safe to
7 do so.

8 So there's a lot of thought and consideration that has to go into it,
9 but on -- I mean, I hope I'm answering the question, that's -- there are other areas that
10 we can explore there. The issue is getting people to the table, having those dialogues,
11 and who is going to do the work.

12 **MR. MATTHEW MacLELLAN:** Well, you've mentioned the defund
13 the police, I think it's called Defining the Way Forward for HRM report, and I think
14 actually earlier today you stated that a number of those recommendations are
15 particularly savvy, your wording was particularly sound suggestions, and the one
16 example that you highlighted was those around mental health. And so I'll note, and
17 you'll probably agree with me, that these -- you've read this report.

18 **CHIEF DAN KINSELLA:** Yes.

19 **MR. MATTHEW MacLELLAN:** And those recommendations
20 include revising the Mental Health Mobile Crisis Unit, such that crisis calls were diverted
21 to civilian only teams where it doesn't require a police presence, and the same would be
22 true of wellness checks. So you see that as a particularly sound suggestion.

23 **CHIEF DAN KINSELLA:** Well, I think it is. I think it certainly bears
24 exploring. Have to be very careful with the public safety piece of it, thresholds, that kind
25 of thing, but definitely, and I'm a proponent of it, and happy to explore what does that
26 look like, who is going to do the work, and equally as importantly, who will come if the
27 situation changes.

28 **MR. MATTHEW MacLELLAN:** So ---

1 **CHIEF DAN KINSELLA:** If we send somebody, it goes well, we
2 get them the care they need. We send the same group, initially seems like they're the
3 right response, the appropriate response, doesn't go well, where is the -- where is the
4 backup response to keep everybody safe.

5 **MR. MATTHEW MacLELLAN:** So something that's a common
6 topic in these proceedings is resource availability. So I guess the question I'll put to you
7 is does having additional mental health resources that are, you know, potentially funded
8 or provided by say the Nova Scotia Health Authority to address these calls, I'm going to
9 suggest that that does alleviate some resourcing issues so the police are able to do
10 other tasks.

11 **CHIEF DAN KINSELLA:** It should, yeah.

12 **MR. MATTHEW MacLELLAN:** Just a one off. You had mentioned
13 in regards to the 2011 bulletin, must be the officer safety bulletin:

14 “The gap, in my view, is...” (As read)

15 This is -- I believe I'm quoting:

16 “The gap, in my view, is what happened when the
17 information was sent to RCMP.” (As read)

18 Can you just elaborate on what that -- what you mean by that?

19 **CHIEF DAN KINSELLA:** So the bulletin had a, you know, a chain
20 that it went through. And there was portions of the investigation that occurred within the
21 HRP jurisdiction. They were done by a detective named Cordell Poirier. And along with
22 that, he sent information to the RCMP in Bible Hill and asked for follow up in regards to
23 the Portapique address. I may not have it all memorized, but there was some
24 conversation that the RCMP member would get back.

25 There was -- to my understanding, that didn't occur. That get back,
26 “I checked,” whatever. We don't know whether it happened or not because the RCMP
27 don't have any records of what the particular officer did.

28 So in my mind, that should have been followed up to some

1 persuasion. Perhaps it was, perhaps it wasn't. But at least if it was documented to say,
2 "Yeah, I went. No grounds." Whatever the case may be. "Couldn't find the guns.
3 Talked to the individual." But that didn't exist.

4 But the broader piece of that was the interaction after and, you
5 know, trying to map that out and those kinds of things.

6 So there was conversation, I'm sure you read the exchanges of
7 emails between C/Supt. Leather and I trying to sort that out and to see where that
8 particular issue was going to land.

9 **MR. MATTHEW MacLELLAN:** So we've talked a lot about Alert
10 Ready today, so I'm going to try to be quick on this, but I understand that you didn't
11 have an official document explaining how Alert Ready could be used for a critical
12 criminal incident?

13 **CHIEF DAN KINSELLA:** That's correct.

14 **MR. MATTHEW MacLELLAN:** You knew that it could be used for
15 each a large number of people?

16 **CHIEF DAN KINSELLA:** Yes.

17 **MR. MATTHEW MacLELLAN:** And then if something arose, such
18 as an active shooter situation, that is something that a large number of people should
19 know about?

20 **CHIEF DAN KINSELLA:** In my view. And it's important to
21 remember this is no regular situation. Worst killing in Canadian history. There's some
22 flags there that, in my view, would be going up. A lot of talk about when information
23 came in and all that kind of stuff. Dynamic, flowing, quick information coming in,
24 decisions have to be made as you go along. But -- and I won't go on about it. But I
25 knew it was a tool that could be used to send a message. I didn't know the ins and outs
26 of it.

27 And I would say, I've already mentioned it, I'll only mention it one
28 more time, someone on the ground in Portapique, I believe it was an RCMP member,

1 kind of had that on their mind, because it was mentioned. And that evidence is before
2 the Commission.

3 **MR. MATTHEW MacLELLAN:** Right. And you knew who to call,
4 being the EMO office?

5 **CHIEF DAN KINSELLA:** Oh, the EMO. Yeah.

6 **MR. MATTHEW MacLELLAN:** So after the critical incident, you
7 were in a conference with then A/Commr Bergerman and C/Supt. Leather on April 30th,
8 2020; correct?

9 **CHIEF DAN KINSELLA:** Yes.

10 **MR. MATTHEW MacLELLAN:** You had said, and I can bring this
11 up if needed, but I don't think we will, "you were baffled" that RCMP were raising the
12 issue of re-evaluating Alert Ready immediately following the mass casualty; correct?

13 **CHIEF DAN KINSELLA:** Correct.

14 **MR. MATTHEW MacLELLAN:** Okay. You had stated:

15 "The gist of the call appeared to be an attempt by the
16 RCMP to characterize the Alert Ready system as being
17 inadequate to the point of uselessness in the mass
18 casualty."

19 Is that correct?

20 **CHIEF DAN KINSELLA:** That's correct.

21 **MR. MATTHEW MacLELLAN:** So here's where I have a question
22 or I want clarification on. You stated in your answers, your written answers you
23 provided:

24 "The focus on this very specific topic at this meeting
25 seem misplaced, given the gravity of the overall incident."
26 (As read)

27 What do you mean by "given the gravity of the overall incident"?

28 **CHIEF DAN KINSELLA:** I thought they would have had higher

1 priority issues to work on. Not to say that it shouldn't be evaluated or shouldn't be
2 looked at, but I thought that there would be other priorities that would be being dealt
3 with. And that was my point with it.

4 You know, to try to explain why something wasn't used by pointing
5 out the deficiencies in it is misguided. It's not a good use of time at the time, in my view.

6 I think there should have been other things that they would have
7 been focusing on. Not that we wouldn't -- and we did get to Alert Ready. But I didn't
8 think that that was the appropriate use of -- and it wasn't just me on the call. There was
9 chiefs called to the call for what I believe to be a very specific purpose.

10 **MR. MATTHEW MacLELLAN:** And at the time, you actually were
11 of the opinion that the Alert Ready system could be used? I think you've already stated
12 this.

13 **CHIEF DAN KINSELLA:** I have. And I actually had -- or some
14 communication with Janice Gray on that, because I think it was the 24th of April, the
15 RCMP actually used the Alert Ready for a situation that was occurring in Tantallon. I
16 think there was two going on at the same time. One somebody was changing on the
17 side of the road, saw a person with a rifle or something. Turned out to be an RCMP
18 officer coming back from a memorial. There was another call where shots were being
19 fired in a rural area up in Tantallon. And I think the end of the investigation was that
20 somebody was targeting practicing or shooting at something in the woods. And the
21 Alert Ready was used in that instance. I had questions why.

22 And that's why -- and I don't want to go on about it. That's why we
23 need an overall governing body to control when those occur.

24 We had some simultaneous incidents similar to occurring in
25 Dartmouth at the time. Understanding the sensitivity, and the concern, and the hyper
26 vigilance that everyone would have had, the Alert Ready was used, and then
27 immediately assessments were being done to say, you know, it overloads 9-1-1, it
28 doesn't work here, people were confused, "I didn't know if I could get my kids."

1 You know, when Alert Ready is used, you have to look at the
2 gravity of the situation. What is the effect of doing it? What is the effect of not doing it?
3 And make sure that it's used appropriately so that it has the same impact and meaning
4 to the community when an Alert Ready is put out. It can't just be one of the things that
5 we use all the time. My view is there has to be some thought put in it. And that's why I
6 have the opinions on it that I do.

7 **MR. MATTHEW MacLELLAN:** So this is the -- this is my last area
8 of questioning. It's really only a couple. But there's been some suggestion that there's
9 been strain on the relationship between the RCMP and the municipal forces since the
10 mass casualty event.

11 And in her evidence before this Commission, again Retired
12 A/Commr Bergerman stated that:

13 "The deterioration between this relationship happened
14 after the event and the municipal forces are distancing
15 themselves from the RCMP because of the criticism."

16 (As read)

17 Being the criticism the RCMP had received.

18 What would you say to the claim that to the extent relations
19 between RCMP and municipal forces have been strained, that this is because municipal
20 forces saw criticism RCMP was receiving and wanted to distance themselves?

21 **CHIEF DAN KINSELLA:** So I got here in July of '19. I think I've
22 already said that. I don't think the issue at the higher level, strategically, started after
23 the mass casualty committing -- or the mass casualty event. I think it was ongoing. I
24 mentioned earlier in one of the communications with, I don't recall exactly what it is, but
25 it was A/Commr Bergerman, you know, and talking to people, or allegedly saying
26 something to people that things were clunky and all that kind of stuff.

27 So I don't think that is directly related to the mass casualty. It's my
28 opinion. I think it was historic before my time. It certainly commenced fairly early in my

1 -- upon my arrival. And I think the mass casualty perhaps amplified it a little bit.

2 I'm not aware of any dissociation or pushing away, at least on my
3 part, from the RCMP. I just -- I don't buy it.

4 **MR. MATTHEW MacLELLAN:** And to any extent that that would
5 be true, it's not because of criticism that the RCMP has received?

6 **CHIEF DAN KINSELLA:** No. I -- not in my view. I -- you know,
7 not at all.

8 **MR. MATTHEW MacLELLAN:** Those are all of my questions. I do
9 appreciate your time. So thank you very much.

10 **CHIEF DAN KINSELLA:** Thank you.

11 **COMMISSIONER MacDONALD:** Thank you, Mr. MacLellan.
12 Mr. Gough, do you have anything flowing from that?

13 **MR. ANDREW GOUGH:** I do not. Thank you.

14 **COMMISSIONER MacDONALD:** Thank you.

15 Ms. Young, do you have anything flowing from that?

16 **MS. RACHEL YOUNG:** No. Thank you, Commissioners.

17 **COMMISSIONER MacDONALD:** Thank you.

18 Well thank you, Chief Kinsella. The Commissioners will have some
19 questions for you now, beginning with Commissioner Fitch.

20 **COMMISSIONER FITCH:** Thank you, Chief Kinsella, for joining us
21 today.

22 And I want to thank both Commission Counsel and Participant
23 counsel for covering a lot of very, very important points today. And I commend both
24 sets of counsel for their great work.

25 As I always caveat, I always start with is that I make notes
26 throughout, so I'm going to be jumping back and forth a little bit because some of my
27 questions have been prompted by some of your answers that you've given along the
28 way, and also some holes that I felt were still missing from your question and answer

1 that you provided to the Commission through subpoena.

2 The other thing I want to say is that I think our time here today
3 might have been shorter had, under your leadership, there had been more participation
4 in our process to date. I think a lot of the questions that have been put to you today
5 perhaps could have been answered through our very diligent process so far over the
6 last two years, coming up on two years.

7 You had mentioned in your transcript, and I know that it's been
8 asked, that the fracture in the relationship in CID started when a new senior officer was
9 appointed as your RCMP person. And the comment was made that there were
10 unrealistic expectations, and I'm still not clear what those unrealistic expectations were.

11 **CHIEF DAN KINSELLA:** Right. So the unrealistic expectations
12 that I believe -- this is my opinion. I don't have anything concrete or -- I believe that the
13 new individual that was assigned was not aware of the command structure, the
14 historical working arrangement that had been there and how they work together and
15 those kind of things, and -- or perhaps was aware but we know he didn't like it. He
16 didn't like setup. He wanted a different change based on previous experience.

17 I think his expectation is that it would be different for him, that there
18 would be this opportunity to have command of the CID for certain periods of time. I'm
19 not 100 percent sure, but that's -- that's my takeaway from it.

20 Lots of discussion happened at that level, lots of conversation, and
21 that wasn't something that we could get to and most of that happened at the
22 Superintendent and Inspector level within CID to have those kind of conversations to try
23 to get to a point where we were meeting the needs of this particular officer and trying to
24 work together and what is it that you actually need.

25 Part of it was "I need to be in charge sometimes. I need alternating
26 command", so that was a point that we couldn't really get over.

27 And then I think as a result of that, the individual took some certain
28 actions and the withdrawal of major case detectives from the area and separation of

1 how they will work. And I know that on occasion when homicides occur, there's still a
2 request for assistance and we still do that kind of back and forth.

3 So that's my understanding, that that individual had unrealistic
4 expectations of how the command structure or the organizational structure worked in
5 that area.

6 I hope that's helpful.

7 **COMMISSIONER FITCH:** I recognize that Chief Superintendent
8 Janis Gray was embedded in the organization. I believe her office was directly across
9 the hall ---

10 **CHIEF DAN KINSELLA:** Yes, right beside me.

11 **COMMISSIONER FITCH:** --- from you.

12 **CHIEF DAN KINSELLA:** Yeah.

13 **COMMISSIONER FITCH:** And you'd mentioned that she's your
14 counterpart.

15 But you as the leader of Halifax Regional Police, did you approach
16 Assistant Commissioner Bergerman yourself, leader to leader, to try and work that out?

17 **CHIEF DAN KINSELLA:** Not directly to Lee, but Chris, I believe,
18 was the Acting -- Acting CO or he was in -- Chris assumed the leadership role and Chris
19 and I liaised on it. I don't know specifically if he was the Acting Assistant Commissioner
20 at the time or whether he was the representative from the RCMP at that level for these
21 particular discussions.

22 **COMMISSIONER FITCH:** Do you know if Assistant Commissioner
23 Bergerman was aware of this fracture that was bubbling?

24 **CHIEF DAN KINSELLA:** I don't know. I don't know concretely.

25 I'm going to go out on a limb and assume that she was, but
26 perhaps she was not.

27 **COMMISSIONER FITCH:** What was your working relationship like
28 with Assistant Commissioner Bergerman?

1 **CHIEF DAN KINSELLA:** Limited contact. I didn't see her a lot. I
2 did visit the station in Dartmouth. But the bulk of my interaction was either with Janis
3 and, to a lesser extent, Chris.

4 **COMMISSIONER FITCH:** Okay. And what was your working
5 relationship like with Chief Superintendent Janis Gray?

6 **CHIEF DAN KINSELLA:** I think we got along. You know, we had
7 disagreements, certainly on the way things should be managed and the way, you know,
8 deployments should take place. Janis worked very closely, I think, with Chris, so there
9 was a lot of that dialogue, but you know, I -- we had conversations. I saw her most
10 days. We didn't spend a lot of time together.

11 The bulk of our joint interest was in CID, and that was primarily
12 managed by Deputy Chief Don MacLean, so I know Janis had some interaction with
13 Don on that and had those discussions, updates, those kind of things.

14 **COMMISSIONER FITCH:** And to continue on this theme, and I am
15 going somewhere with this ---

16 **CHIEF DAN KINSELLA:** Yeah.

17 **COMMISSIONER FITCH:** --- what was your working relationship
18 like with Chief Superintendent Chris Leather?

19 **CHIEF DAN KINSELLA:** We had limited contact, but I think -- you
20 know, I'm not saying it was stellar. We weren't going out for dinner and things like that.
21 But from a business perspective, I think if he needed to reach out, he could. If I needed
22 to reach out, I could.

23 Near the end, we had more discussion because we were focusing
24 in on CID trying to get the MOU refreshed and those kind of things.

25 The reality is, the bulk of what goes on in HRM is jurisdictional
26 minus CID. And even the issues that arise in CID, if there is a major crime in Cole
27 Harbour, the RCMP has the lead. If there's a major crime in Dartmouth, HRP has the
28 lead and they do their investigations. There's always that communication, providing

1 resources, that kind of thing, so.

2 That's what I would say about it.

3 **COMMISSIONER FITCH:** Okay. One of the reasons that I'm so
4 curious about this is that we've heard a lot about breakdowns in communication. We've
5 -- you know, within the RCMP, within HRP, between agencies, with the public, with the
6 families, communication has been a recurring theme. And relationships have been
7 another very important point that continues to surface.

8 You had mentioned about -- when we were asking you about the
9 structure of policing in Nova Scotia and different policing models and you suggest, you
10 know, the RCMP could stay the provincial police force, perhaps there's another police
11 force, provincial police force, that would be stood up. And you come from Ontario, so
12 you'd have that experience working with the OPP.

13 **CHIEF DAN KINSELLA:** Absolutely.

14 **COMMISSIONER FITCH:** And you had mentioned, you know,
15 perhaps kind of a triangle of regional police services to serve the population of Nova
16 Scotia.

17 And it strikes me, and I am harkening back to my own experience in
18 policing for 30-some years, that it doesn't matter what model of policing you have, if it's
19 the RCMP as provincial police, if it's three regional police services, if it's another model,
20 if those relationships and good communication doesn't happen, we're going to continue
21 to repeat these types of problems.

22 And I often would say to folks that it's -- you know, I had some
23 wonderful relationships, absolutely wonderful relationships with colleagues and
24 counterparts in my career and then there were some that were more challenging, but
25 we're not talking about choosing between Pepsi and Coke, right. The stakes are a lot
26 higher.

27 And so I would like to know, from your perspective, what your
28 commitment is as a leader of the largest municipal police agency in the province to work

1 on those relationships. What strategy do you have? How have you put your mind to
2 that?

3 **CHIEF DAN KINSELLA:** So I have been thinking a lot about it
4 because it is important. I have certainly a role to play with my position. You've pointed
5 that out.

6 I did mention earlier that I wanted to get out quickly and reach out
7 to Chief Superintendent Christie coming down from the Yukon. I've done that. I've
8 established that contact for as soon as he lands. We've actually got cell phones
9 exchanged, we've got emails exchanged and my hope is that we get that dialogue going
10 to start building that relationship.

11 I have had conversation with Assistant Commissioner Ferguson
12 because I think it's important to do that. There's an acting Chief Superintendent
13 currently sitting in the role, his name is Jeremy Landry; I've had discussions with him.
14 So my commitment is to get back to the table and have those discussions.

15 The other part of the commitment is to have regular interaction.
16 And I think you summed it up about the relationships that you've had and established. I
17 agree, that is important; we should be able to sit down and dialogue. And we shouldn't
18 always have to talk about police work. We should be able to talk about other things.

19 And so I'm committed to it. I had a conversation with
20 Commissioner Lucki not that long ago in Quebec City about this very thing. And my
21 hope is -- and I don't know A/Commr. Daley, I know of him, and I've seen him on a
22 couple of calls, but my hope is that when they land and they replace -- Jeremy is
23 already here, he's a skilled and very fine executive, that we can come to the table in
24 good faith and have those conversations.

25 And we can agree and sometimes we're going to disagree, but we
26 have to kind of work it out. And there has to be, you know, some level of
27 acknowledgement and acceptance of how business is going to be run, because, at the
28 end of the day, we still have to run the business of policing. And in order to do that, you

1 have to be at the table having dialogue, having discussion.

2 So my commitment is to do that and continue to do that. I think I've
3 demonstrated that behaviour by reaching out to C/Supt. Christie, and I think we can get
4 there.

5 **COMMISSIONER FITCH:** I appreciate your commitment to that.

6 I'm wondering, as we go forward, if you have any thoughts or
7 recommendations on how we can do this in such a way that these relationships or way
8 of doing business together, in the best interest of the public, becomes engrained in our
9 respective institutions so that we're not continually having to rebuild relationships.

10 **CHIEF DAN KINSELLA:** Right.

11 **COMMISSIONER FITCH:** That there is a professional standard of
12 behaviour that policing and public safety and working for the people of the provinces
13 that we're responsible for, are not working in competition with one another.

14 **CHIEF DAN KINSELLA:** M'hm.

15 **COMMISSIONER FITCH:** Right? It's not two hockey teams, right?
16 So what can we do if -- do you have any recommendations for what we can do to
17 ensure that these aren't relation -- individual relationship -- it just kind of feels like it's a
18 hamster wheel, right? So how can it be engrained that it's an institutional best practice?
19 Is that something that the Province can do; is it some sort of Memorandums of
20 Understanding? What does that look like?

21 **CHIEF DAN KINSELLA:** The -- and I won't have all the answers,
22 I'll try to give you at least a suggestion for today.

23 I think not only does the Department of Justice have a role to play,
24 but all police agencies do have a role to play. One of the best fixes that I think that
25 could occur is a clear delineation of who has responsibility in certain areas of
26 jurisdiction. That -- whatever that is going to look like and whatever that reporting
27 structure is going to look like, that that is understood.

28 There are some challenges with the integration in CID and HRM,.

1 They're not new challenges, and my view is they're not because of Portapique. They
2 started the day -- the fourth day I got here. And those challenges, I think to some
3 degree, continue. There is new leadership coming in and I think they've landed already
4 in there.

5 So I think that's where we have to get to, to have that
6 understanding, because when we know who's in charge jurisdictionally, we know who is
7 ultimately responsible. And if -- we have to have that, and you know in your past
8 practice as a Chief, we need to have an understanding of exactly what we're
9 responsible for. And everybody has responsibilities, and that's why I say when a major
10 crime happens in RCMP jurisdiction, they're in charge of that. We assist, we provide.
11 Even though we all come from the same integrated CID. When one happens in our
12 area, we're in charge of it.

13 The notion of, "In the circumstances that we're in, you're in charge
14 one month, and we'll be in charge the other month," functionally and efficiently, I don't
15 see how that works. I had lengthy discussions about that with both Chris and Janis, and
16 I actually talked to John Ferguson about it and there was, I think, some level of
17 understanding based on the 80/20 split within CID that the model that we had -- and we
18 didn't get this specific into it, but there wasn't a lot of value in switching that command
19 from one month to the other or from one year to the other. And historically, although it
20 wasn't perfect, I think it did work, but I think those challenges have always been there.

21 And to your point, until we establish, in my view -- that's my
22 suggestion, until we establish that, we're going to struggle with -- you mentioned
23 competition, you mentioned the hockey team, you mentioned all of those things.

24 My background coming from Ontario, and I don't know exactly what
25 the setup was for you in New Brunswick, but, you know, I sit at a table of a Board of
26 Police Commissioners across from C/Supt. Gray, and they're advisory and cooperative
27 and all of that, I just don't know that this is the best system in these circumstances to
28 get the job done.

1 My experience in Toronto which -- or Toronto; in Ontario, which you
2 know, they don't have those kinds of integrated models. They do lots of JMTs; they do
3 lots of joint forces and, you know, only because crime has no boundaries and all of that
4 kind of stuff. But I really think that that is the best way to go forward, regardless of what
5 police or jurisdiction is chosen.

6 And I think that there is a model to be had where municipalities can
7 maintain their core police, and you mentioned law, the triangle with particularly
8 specialized services to respond to these incidents. The municipality will do their
9 municipality things, and when they need assistance, they would call and they'll have
10 confidence to know, and the public will have confidence to know, whether that's the
11 RCMP or HRP or CBRM or whoever might put a team together to do it.

12 So I think we just have to look at what is working in other areas and
13 look at the history, and I would say from some of the evidence I put forward today, even
14 C/Supt. Bergerman, when she was the Chief Superintendent, became the acting
15 Commissioner, understood that the model wasn't the greatest.

16 So I think we have to have a long, hard look at it, and if we're going
17 to -- if we're going to continue and we do; we'd meet the needs of the community, we'd
18 serve the public, but there's a lot of things that need to be fixed, clearly, in CID from that
19 wellness survey or audit that they did.

20 So I don't know, Commissioner; I hope that's helpful.

21 **COMMISSIONER FITCH:** Thank you. And I go back to one of the
22 reasons that I'm focusing so much on this is that I've heard -- I don't know how many
23 times I've heard during the course of our proceedings and our interviews, I heard it
24 myself in my former life, of people saying, "Well, you know, it works out okay on the
25 frontline. The frontline members are getting along great. It's usually at the strategic
26 level, and so, you know, we have to work on that." Well, the reality is that it makes a
27 huge difference to the people on the frontline. Because without the support of their
28 senior leadership, you're not going to have people stepping up; they're going to want to

1 go. They're going to be sitting in the locker room, they're going to want to be out there
2 working together. But if there are barriers because there is lack of cooperation and
3 communication and relationships at the senior management level, we're not going to get
4 past that. And that's a disservice to public safety, community safety and wellbeing
5 everywhere. Including other first responders.

6 So I have a question based on that. Your department's policy for
7 going outside of jurisdiction, ---

8 **CHIEF DAN KINSELLA:** Yes.

9 **COMMISSIONER FITCH:** --- what do members have to do? What
10 is their usual practice if they're going on an investigation, for example, going outside of
11 their jurisdiction? What is the protocol?

12 **CHIEF DAN KINSELLA:** They regularly -- and I mentioned earlier,
13 regularly going and assist the RCMP within HRM. They regularly go to Bridgewater to
14 assist with a canine call. We will send forensic people to Truro. We send people to
15 CBRM to assist with training, whatever the calls are. Some are more urgent, some are
16 -- can be planned.

17 So if, you know, there's an ask to send interviewers somewhere to
18 another service, those requests generally come to the Chief's office, and then we go
19 from there. But that's not emergent. Every night in emergency situations, Watch
20 Commanders, both RCMP and HRP, are talking to each other and they're moving
21 resources around.

22 But what I can tell you is that I've been very specifically told by the
23 RCMP, and I'll give you an example, we used to have eight dogs, and we called it an
24 integrated canine unit. One dog was from the RCMP and seven were from HRP. They
25 were assigned two per watch, covering all of HRM.

26 There was a moment in time, in my time, where the RCMP
27 withdrew their dog and made it a provincial asset or something. So we had our seven
28 dogs. And we were very specifically told, "Please don't come unless we call you for

1 canine calls.”

2 Having said that, canine officers are on the border every night.
3 They’re hearing calls on the radio that are going on over the other side and they will go
4 and take that action to go and assist. To your point of they want to help, they want to do
5 the right thing.

6 But that is the kind of thing that we need to get over. If we are not
7 to deploy unless we get a call, that’s a pretty strong message, for a canine call that’s
8 just over the border, and we’re all on the same channel hearing what’s going on. That’s
9 -- that’s what we have to get through. That’s what we have to determine and realize.

10 And I don’t have an easy answer for you, but I think if we
11 understand, jurisdictionally, who has responsibility, it will be easier.

12 But I do agree on the relationship part. We need to have
13 relationships beyond just our everyday grind as police chiefs and police leaders. And
14 I’ve expressed my commitment, and I think I’ve taken the appropriate actions to already
15 reach out to my counterpart, who is on his way.

16 **COMMISSIONER FITCH:** And I may not have framed my question
17 very well. It’s a little more granular than that.

18 **CHIEF DAN KINSELLA:** Okay.

19 **COMMISSIONER FITCH:** If you have an officer that needs to go
20 into another agency’s jurisdiction, ---

21 **CHIEF DAN KINSELLA:** Right.

22 **COMMISSIONER FITCH:** --- do they have to get permission from
23 their NCO? Do they have to notify ---

24 **CHIEF DAN KINSELLA:** They generally do, yeah.

25 **COMMISSIONER FITCH:** Yeah. So there’s a formal policy in
26 place that if you’re going outside of the jurisdiction of HRM, ---

27 **CHIEF DAN KINSELLA:** You get permission from ---

28 **COMMISSIONER FITCH:** You have to ---

1 **CHIEF DAN KINSELLA:** --- your supervisor.

2 **COMMISSIONER FITCH:** --- get permission.

3 **CHIEF DAN KINSELLA:** Yeah.

4 **COMMISSIONER FITCH:** Okay. That's what I was getting at.

5 **CHIEF DAN KINSELLA:** Okay. Sorry.

6 **COMMISSIONER FITCH:** So you get permission at that level to
7 have ---

8 **CHIEF DAN KINSELLA:** Right.

9 **COMMISSIONER FITCH:** --- to leave the jurisdiction.

10 **CHIEF DAN KINSELLA:** Yeah.

11 **COMMISSIONER FITCH:** Then obviously to your point, large
12 activity, there's other hoops to go through?

13 **CHIEF DAN KINSELLA:** Well sure. It moves up through the
14 chain. And because there has to be an understanding of where people are going and
15 what they're going to be doing.

16 **COMMISSIONER FITCH:** Yeah.

17 **CHIEF DAN KINSELLA:** And, you know, we've been talking a lot
18 about mobilizing a tactical team. There's a lot of considerations which we've covered.
19 And approvals would have to be at a higher level ---

20 **COMMISSIONER FITCH:** Okay.

21 **CHIEF DAN KINSELLA:** --- than just the NCO.

22 **COMMISSIONER FITCH:** And I certainly understand the concern
23 about self-deployment. And we know from the Parliament Hill shootings and the
24 recommendations that came from that, it can add to confusion when people self-deploy
25 into other jurisdictions. That's understood. And I think you're -- if I'm quoting you
26 correctly, you said that it's just simply not good policing to do that?

27 **CHIEF DAN KINSELLA:** I think I said it's not good business.

28 **COMMISSIONER FITCH:** Good business?

1 **CHIEF DAN KINSELLA:** Good police business. Yeah. I believe.

2 **COMMISSIONER FITCH:** Yeah, not good -- not good police
3 business ---

4 **CHIEF DAN KINSELLA:** Yeah.

5 **COMMISSIONER FITCH:** --- to do that. And I heard you say you
6 were previously trained as a Critical Incident Commander and I appreciate that that's --
7 that gets rusty over time and ---

8 **CHIEF DAN KINSELLA:** Oh, yeah.

9 **COMMISSIONER FITCH:** But would you not say that, given the
10 information that HRP had very early on in the game, I think it was around 1:00 a.m., the
11 perpetrator's name was known, his addresses, some of his vehicles, that he obviously
12 had a connection within HRM, that there could be a very probable chance that he would
13 end up in HRM jurisdiction? Isn't it good policing to prepare?

14 So to -- we've talked a little bit throughout our processes about the
15 failure of imagination to consider that, "Well, this could actually be a police car, not an
16 old decommissioned police car."

17 Is it a failure of imagination or preparation to say, 1:00 in the
18 morning, "There's a darn good chance he could reach into HRM"?

19 So my question is, you know, you as a former Critical Incident
20 Commander, knowing that you had people trained on the ground, why wasn't there a
21 proactive effort to staff up for that chance? I'm really struggling to understand that.

22 **CHIEF DAN KINSELLA:** Right.

23 **COMMISSIONER FITCH:** To me, that's a big gap in preparation.

24 **CHIEF DAN KINSELLA:** And what I would say is what I said
25 earlier, is based on the information, and I get the hindsight of all the information that
26 was presented, you know, the -- clearly in this instance, what I'm hearing is the thing to
27 do would be to call in the resources that were being requested, and that would alleviate,
28 somehow would have fixed the problem. I don't think it would have. But we have to

1 make -- and you'll know this yourself from your past experience, we have to make
2 deployment decisions based on inputs that are coming in. We have people that do that.
3 And they have to make those decisions.

4 As that was coming in, and as the information came in, the gravity
5 and the monster that we were dealing with became very clear. But not initially. And
6 that became known as time went on.

7 I think there's a better way to communicate that information at a
8 higher level. I think that's where we need to get to, whether that be -- I don't know if the
9 RCMP had a duty officer, but if they could have called and had that duty officer
10 conversation, I know Chief MacNeil reached out to Chris Leather. It wasn't until the
11 morning after. But we have to get there to see what the best way is to do it.

12 I don't know that we had -- although the information was coming in,
13 I don't know that everybody had it real time. I certainly didn't have that information in
14 real time. And quite frankly, I'm not exactly sure what the duty officer knew at the time.
15 But we did see some evidence that the perpetrator was somewhere else at that
16 particular time. I think as far away as Wentworth at some time in the morning around --
17 I'm not sure what time. I don't even want to speculate. But it was -- it was into the
18 morning. It was near closer to 10:00 o'clock or sometime around there. And by that
19 time, we had called in all the resources that were requested based on the information
20 and inputs that came along.

21 So to your point, yeah, it would have been -- we wouldn't be having
22 any of this conversation if we just called everybody in and had them staged and ready.
23 But to my point earlier, we have to give some consideration to the longevity of a call, the
24 duration. We have to give some consideration to whether the perpetrator is actually
25 going to be coming back here. Are they going to be coming in a different way? I'm not
26 extremely familiar with the geography here. Others are. And could he have -- could he
27 have gotten past where everyone was staged at the overpass? You know, could he
28 have gotten past? There's a potential. If he does, what are our resource capabilities

1 back in the city?

2 And we did have some ERT resources back in the city that were
3 doing other tasks. So it's the totality of the situation.

4 You know, the question, I'm not sure which counsel asked, you
5 know, what did you learn? What did you learn from this?

6 I don't think, in and of itself, the answer is, "Call in everybody we
7 have and stage them." I think we have to put our minds to the appropriate resources at
8 the appropriate time. And then couple it with -- this is the most extreme situation that
9 Canada has ever dealt with. I don't think we had that full picture until some time later.
10 And the benefit of hindsight is fantastic; right?

11 So I hope that's helpful. I truly appreciate what you're saying. And
12 I truly appreciate particularly in the face of the evidence that you've received, and I don't
13 know it all, but what you've received would beg that question.

14 And I don't know whether my response helps you, but what I can
15 tell you is, you know, we certainly will look at this differently and make sure that we have
16 resources.

17 One of my conversations with Mr. Christie, C/Supt. Christie, is
18 going to be around that canine example that I shared with you, and how do we close
19 that gap? "Do I call you? Or are you not the right person?" We've heard that even one
20 of the counsel said Janice wasn't the right person for me to call. I work with her
21 everyday. She's my counterpart. We've certainly heard that Chief MacNeil called the
22 wrong guy. So who is the right person? How do we establish that? That's one of the
23 things I'm going to work on with Mr. Christie as soon as he lands, because I don't want
24 this to happen again.

25 And if this not happening again means that we all come in and we
26 drive to the scene and we figure it out, then that's what we'll do. But we still have to
27 have the proper command and control mechanisms in place. And I know you know this,
28 so I'll end it there.

1 **COMMISSIONER FITCH:** Thank you. And this is my last question
2 and it has to do with Criminal Intelligence Service Nova Scotia. I recognize that you're
3 the vice-chair of the provincial executive committee and we've talked a lot about the
4 now notorious crime bulletin of 2011.

5 Are we any further ahead now with systems or processes that are
6 in place that not only -- and I know that this is famous in a lot of areas especially in
7 policing. What did you know? When did you know about it? And what did you do with
8 it; what did you do about it?

9 **CHIEF DAN KINSELLA:** Right.

10 **COMMISSIONER FITCH:** And I think that there's a lot of subset
11 questions that can go onto that list.

12 Are we any further ahead now in 2022 when important individual
13 threat information comes in that it's going to be communicated, that it's going to be
14 acknowledged, that it's going to be followed up, and that somebody is going to close the
15 loop on it. And if CIS bureaus across Canada aren't the right place for that, then who
16 should own it, how do we track it, how do we make a difference on those individual
17 threats?

18 It happens in every community. And talk about hindsight. How
19 many people can say, well, this person had this bit of information and this person had
20 this bit of information. But nobody tied it together and put a bow on it.

21 And so in your position as vice-chair of PEC, is there any
22 consideration to having a provincial violent threat assessment coordinator, perhaps to
23 work as an arm in the bureau to deal with those individual threats that can become very
24 very serious crimes?

25 **CHIEF DAN KINSELLA:** And that's an excellent suggestion and
26 an excellent idea. We do that with domestic violence. We have those committees; we
27 have them in place. The work of CISNS and PEC and by no means am I an expert on
28 everything in all the follow-up but just a few things.

1 You know, the dissemination -- might not use that word, but the last
2 two that you said were follow-up in closing the loop. Those two things -- I don't know
3 about the follow-up. We certainly know the loop was not closed. So my view is, how
4 does that loop get closed? That loop gets closed through supervision, and active
5 supervision to understand that that was closed. It's not the only answer but it's part of it.

6 And I don't know that PEC in and of itself is the one to do that or an
7 arm of, you know, the bureau director or the JOIS committees that are set up in the six
8 different divisions. I don't know if it's an arm of that. But we didn't have our meeting in
9 spring because of the changes in RCMP Command. And it was a specific request to
10 those from them. So we put it off to the fall.

11 I'll certainly bring that up as part of a discussion and I think we'll
12 have a lively discussion on other areas that we can do it, but -- and I don't want to go on
13 about this. Somebody's got to own that. And you and I know it and I'm sure everyone
14 knows it. And if they don't own it, somebody's got to supervise them and get them to
15 own it. And how do we close that loop?

16 And you know, I've thought a lot about this. Was it the
17 responsibility of Cordell Poirier to go to Bible Hill and follow up on that? I don't think
18 that's the way we would normally do business. So we've got to close it on the other
19 end. If it was reversed, I would be wanting to know what happened on the other end.
20 And who cleared Cordell's report to go there? Where's the quality insurance in all this
21 that's going on?

22 And you're right. These things are being repeated and it's not good
23 but we have to get there. But I'll bring your suggestion to the meeting and have some
24 discussion at the big table with all the players.

25 **COMMISSIONER FITCH:** Great. Thank you very much.

26 **CHIEF DAN KINSELLA:** Thank you.

27 **COMMISSIONER MacDONALD:** Thank you, Commissioner Fitch.
28 Commissioner Stanton?

1 **COMMISSIONER STANTON:** Thank you.

2 I'm just going to make a comment rather than ask a bunch of
3 questions.

4 I know you're aware that there's many past reports with lots of
5 recommendations that have been made about policing and many of them are with
6 respect to municipal policing issues including in Nova Scotia. So Victoria Paul and
7 Howard Hyde, and of course Donald Marshall Jr.. And we talked about history checks
8 and defunding police reports that you've obviously read.

9 And you're getting a sense of the range of issues that are before us
10 in this Inquiry. You've also seen the level of commitment from folks who are deeply
11 engaged in what we're up to. We're very glad to have you participating today and our
12 next phase starts on Monday. It's the phase in which we will have consultations to hear
13 from people who want to make sure that our recommendations are pragmatic and
14 implementable and useful.

15 And so we certainly invite you to contribute to that phase of our
16 work and I think importantly for you to see yourself as a stakeholder in the outcome of
17 this process. And so the recommendations that we make are of course going to engage
18 police forces across the province but also the country. And so I just want to encourage
19 you to see yourself; as a person who would champion the recommendations that we
20 make and bring those to the big table that you're talking about, and any other table that
21 you happen to be at.

22 And we'll do our best to make recommendations that are helpful to
23 you because obviously we all have a shared goal of making our communities safer.
24 And so I just want to invite you and encourage you to be part of that.

25 So thanks very much.

26 **CHIEF DAN KINSELLA:** Can I just make one quick comment? I
27 won't be long. And I appreciate your comments..

28 I'm glad to be here. I'm certainly -- I want to contribute. I want to

1 be part of it.

2 I would make one recommendation for you to consider. Because of
3 all the reports -- and we've had a lot of them -- I spoke about the different types of
4 reports and how I try to manage them. What I would encourage the committee to do is
5 one of the recommendations is to assign ownership of who is responsible for
6 implementation. Make it a team. Put me on it.

7 Whatever you think is appropriate and then hold those -- and I
8 would say create the team. I would say, "Listen, you need Kinsella. You need Daley."
9 You need whoever it is you think is important. And then hold us accountable to it with
10 some mechanism, either through the Department of Justice and your recommendations
11 will get implemented.

12 The challenge that we have and the mistake that we regularly make
13 is when we do these reports -- and there's been many -- there's no responsibility or
14 ownership at a direct level. Make somebody personally responsible for getting them
15 done, Chief of HRP, Assistant Commissioner of RCMP. I think that is just a suggestion
16 I have for your consideration because we all know -- and it's not lost on anybody. If
17 time and space and recommendations don't get followed up on -- and they might not all
18 be able to be done. But if we can get 80 percent, 85 percent, push for 90, that is
19 something I think that is really doable.

20 And thank you for allowing me to mention that.

21 **COMMISSIONER STANTON:** Absolutely. And I guess that's what
22 I'm saying is that if we call upon you then we're hoping that you'll answer it.

23 **CHIEF DAN KINSELLA:** I would.

24 **COMMISSIONER STANTON:** And it sounds like you will.

25 **CHIEF DAN KINSELLA:** I will be there.

26 **COMMISSIONER STANTON:** So that's terrific. Thank you.

27 **COMMISSIONER MacDONALD:** I guess it falls to me then, Chief
28 Kinsella -- all my questions have been answered -- to thank you. We since February

1 now have been having a lot of difficult conversations and as difficult as they are, they
2 are so important. And you've contributed to that and you've assisted us with your
3 perspective and your experience. And that's very important for us and we greatly
4 appreciate it.

5 And we do try to have our sessions from 9:30 until 4:30 but today
6 they were from 2:00 to 8:23. And so I'm adding to our gratitude for that and for
7 everybody else here in the room for accommodating that change. We won't make a
8 habit of it obviously. But it's greatly appreciated and thank you for being here, sir.

9 Commissioner Stanton, you're going to have some news for us or
10 some closing remarks about next week. But thank you, Commissioner -- or thank you,
11 Chief, I should say.

12 **CHIEF DAN KINSELLA:** Thank you.

13 **COMMISSIONER STANTON:** Ms. Young, I believe, has ---

14 **COMMISSIONER MacDONALD:** Oh yes, you have some ---

15 **COMMISSIONER STANTON:** --- and is keeping time. And then I -

16 -

17 **COMMISSIONER MacDONALD:** --- exhibits to tender. I'm sorry,
18 Ms. Young.

19 **MS. RACHEL YOUNG:** Some very brief remarks. But Chief
20 Kinsella, you're free to go.

21 **CHIEF DAN KINSELLA:** Okay, thank you.

22 **COMMISSIONER MacDONALD:** Thank you, Chief.

23 **MS. RACHEL YOUNG:** Thank you, Commissioner Stanton. I
24 know it's late and I just beg everyone's patience for one minute. I've been asked to
25 enter a number of exhibits.

26 So there are 150 documents that Commission counsel would like to
27 file into evidence now. There were 49 letters between the Attorney General of Canada
28 and Commission counsel.

1 There are three letters between Commission counsel and the
2 NPCOPA regarding the Wellness Report.

3 There are 9 letters between -- including enclosures between
4 Commission counsel and Employment and Social Development Canada.

5 Eight (8) letters from the Department of Justice Nova Scotia.

6 Nineteen (19) additional documents from Commission counsel.

7 And of course this list has been circulated to participants.

8 There were 21 recorded witness testimonies previously posted to
9 the website.

10 Two (2) investigative supplementary reports.

11 Thirty-four (34) exhibits about the psychological autopsy of the
12 perpetrator.

13 There were two documents filed by, or referred to by Mr. Scott
14 earlier in the week that need to be tendered into evidence.

15 And we did receive the notes of Lee Bergerman which -- from, I
16 believe, October 2020 forward. Those were received, as you know, while she was on
17 the witness stand, overnight Monday at 9:30 p.m. I mentioned it on the record Tuesday
18 morning. And so those are in five separate documents.

19 And as well there was a missing piece from Darren Campbell's
20 notes that were also provided. So that was another six total.

21 So thank you very much, Madam Registrar, if those could be
22 exhibited?

23 **THE REGISTRAR:** So exhibited.

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

25 **COMMISSIONER MacDONALD:** Thank you, Ms. Young.

26 **COMMISSIONER STANTON:** Okay. That concludes proceedings
27 for the week.

28 Once again we do thank everyone who contributed including the

1 witnesses, participants and their counsel, the media, the public, the Commission team
2 and all the teams that make proceedings possible. You know who you are. We
3 certainly know who you are and we're very grateful to you.

4 We also wanted to express our gratitude to the Harbourfront
5 Marriott staff. This is our last day at this venue. It's been home to us for the last, well,
6 quite a few weeks and we're really grateful to all the care that has been shown to us
7 here and we just want to express our gratitude to all of you.

8 If you are considering sharing research you believe may be
9 relevant to our work through the public submission process, we do need to receive
10 those submissions by next Thursday, September 1st. We'll still be able to receive your
11 ideas for recommendations through to the end of September as members of the public.

12 When proceedings resume on Monday we'll be entering a new
13 phase in our work, as I've mentioned, focused on hearing about potential
14 recommendations that can help to make our communities safer. These coming
15 proceedings and activities will be an important opportunity for us to hear from
16 participants, experts, community groups, and the public about the kinds of
17 recommendations we should bring forward, reflecting on everything we've learned and
18 heard since proceedings began in February.

19 We'll provide more details about the next phase of our work on
20 Monday.

21 So thank you, everyone.. And we'll see you next week.

22 **THE REGISTRAR:** Thank you. The proceedings are adjourned
23 until Monday, August 29th, at 9:30 a.m. Sorry, August 29th at 9:30 a.m.

24
25 --- Upon adjourning at 8:27 p.m.

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CERTIFICATION

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I, Sandrine Marineau-Lupien, a certified court reporter, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sandrine Marineau-Lupien, une sténographe officiel, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sandrine Marineau-Lupien