

Small Group Session

Séance en petit groupe

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

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Ms. Patsy Bagley	Wife of Tom Bagley
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Ms. Grace MacCormick	Counsel
Mr. Leo Artalejo	Facilitator
Ms. Emily Hill	Commission Counsel
Dr. Kim Stanton	Commissioner
J. Michael MacDonald	Commissioner
Leanne Fitch	Commissioner
Maureen Wheller	Commission Community Liaison Director

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--- Upon commencing on Saturday, September 17, 2022 at 1:00 p.m.

MR. LEO ARTALEJO: So, we are recording now. As I mentioned we are recording this session so that we can be transparent about the hearings that the Commission is undertaking. Also, this will be translated into English and French and it will be posted as a public document on our website. That said, we are just really grateful for you being here today because we know that you have a unique lived experience having gone through this as a family.

And one of the most important pieces of work for this Commission is to make recommendations that will help families in the future and so, that is why are so grateful that you are here today because we want to make sure that we do a very good job outlining the changes to the kind of supports and services that could help families like yours in the future.

And we know that you have wisdom and coping and you have been through a lot of difficult things. So, we really just want to thank you for being here and helping us to learn and to hear from you. So, some of the things that we are hoping to touch on today was, your experience as family members immediately after and during the mass casualty. How you accessed information and then how you gathered the support and services that would help you both in the short term and the long term. And in particular, you know, what was missing that could make a difference for Canadians in the future.

So, that is really kind of the focus for today. I have shared with you the three rounds of questions that we are going to use to kind of guide the conversation. I want you to know that you can say as little or as much as you would like. You can take your time. You can cry. And that --- that we are just here to support you and to listen and to learn from you. So, if you need a break, just let me know. We are happy to. Either we can take a break as a group or I am happy to recess the Commission staff and turn off the recorder and let --- this space is for you. This space is for you so we will

1 leave if you need that. Okay.

2 **MS. CHARLENE BAGLEY:** Thank you.

3 **MR. LEO ARTALEJO:** And we've done enough of these to know
4 that you may have a certain feeling about how things are going to go and then I just
5 want to honour the fact that you may feel like this is --- everything is okay and then
6 maybe something doesn't feel okay. Just --- what was the sign that you were going give
7 me then?

8 **MS. CHARLENE BAGLEY:** [Makes sign].

9 **MR. LEO ARTALEJO:** That one, yeah. And you don't even have
10 to explain it. If you give me that sign, we will take a break. So, the first question is,
11 what would you like to tell us about the experience about your and your family's
12 experience seeking information and getting support during and immediately after the
13 mass casualty?

14 **MS. CHARLENE BAGLEY:** If you recall, we as families had to
15 fight for this Public Inquiry. The three of you as well as many others were completely
16 okay for a review and we were not okay with that. We wanted answers. We wanted to
17 know what happened to our loved ones and at a time when we should have been
18 grieving our loved ones, we had to --- we had no choice but to go publicly, share our
19 grief for all to see and protest to fight for this Public Inquiry.

20 So, as far as immediately getting information, none. Our meeting
21 with the RCMP at the very beginning within --- I think it was a month after it happened,
22 they were not able to answer any of our questions due to the ongoing investigation and
23 whatever. Any information that we did receive from the RCMP were not factual. And if
24 you would like an example, I can give that. Yes?

25 When we were --- when I asked what happened to my father's
26 boots, because according to the witnesses that found him, they were missing. We were
27 told by the --- our Liaison Officer that sometimes when people get shot, boots fly off
28 their feet. So, as far as supports however, I have no complaints there.

1 Our family and friends and fellow Nova Scotians completely
2 stepped up and came forward and were unbelievably supportive during that time. And I
3 --- no words can express how thankful I am for that. And Victim Services continues to
4 go above and beyond for us. A special thank you to Barb and Christa. They have been
5 amazing and continue to be. So, I guess that is it for my first question. I don't know if
6 you have anything?

7 **MS. PATSY BAGLEY:** [indiscernible]

8 **MR. LEO ARTALEJO:** I am just going to turn the microphone
9 towards you just to make sure --- Okay?

10 **MS. CHARLENE BAGLEY:** Would it be better to have it not on my
11 mother. She is crying.

12 **MR. LEO ARTALEJO:** Then it is probably a good idea.

13 **MS. CHARLENE BAGLEY:** Or for me to switch seats? Would that
14 be better?

15 **MR. LEO ARTALEJO:** No, no. No, it is very easy to move it.

16 **MS. CHARLENE BAGLEY:** Okay, so ---

17 **MR. LEO ARTALEJO:** I am pointing the microphone at you, yeah.
18 I am just sort of digesting everything you have shared. Yep. I was just wondering if
19 before we went to the next round, if you would like, could you talk about what was
20 helpful to you. You mentioned the Family Liaison Officer and you mentioned also that
21 Victim Services has been very helpful to you. I was just wondering if you could share a
22 little more around what were the services that you were most helpful?

23 **MS. CHARLENE BAGLEY:** The supports you mean?

24 **MR. LEO ARTALEJO:** Yeah, yeah, I mean --- what I am hearing
25 you say is, they were beneficial.

26 **MS. CHARLENE BAGLEY:** Mmhmm.

27 **MR. LEO ARTALEJO:** And I just wanted to make sure that we are
28 clear about what they did that was beneficial so that we can make sure in the future that

1 ---

2 **MS. CHARLENE BAGLEY:** Well, in the very beginning, they --- it
3 was through them that we were able to seek information on therapists that we could call
4 upon. Also, any questions that we had, we could reach out and they immediately came
5 back with an answer.

6 **MR. LEO ARTALEJO:** Okay.

7 **MS. CHARLENE BAGLEY:** If they were unsure, they looked into it
8 for us further. Just even being there, Barb being there through this process for us. I
9 just --- I can't say enough of how grateful I am.

10 **MR. LEO ARTALEJO:** Great.

11 **MS. CHARLENE BAGLEY:** --- for the supports that they provided.

12 **MR. LEO ARTALEJO:** So, it sounds like they were quite --- they
13 were proactive.

14 **MS. CHARLENE BAGLEY:** Very proactive.

15 **MR. LEO ARTALEJO:** And reactive when you had a question?

16 **MS. CHARLENE BAGLEY:** Yes, yes.

17 **MR. LEO ARTALEJO:** If it is not too difficult, how --- what? How
18 did you manage it when you heard like, the example you gave about the boots and that
19 didn't --- that wasn't very helpful? What would you do then as a family member?

20 **MS. CHARLENE BAGLEY:** After I got that information, I don't
21 believe I went through Victim Services for support on that because I didn't honestly think
22 there was really anything that could be done.

23 **MR. LEO ARTALEJO:** Sure, yes.

24 **MS. CHARLENE BAGLEY:** I was extremely upset by the --- by
25 that answer because to me it seems quite obvious that he thinks I am an idiot that
26 wouldn't know the difference. So, I guess, yeah. I don't know really know if I have
27 much more to say about that.

28 **MR. LEO ARTALEJO:** Thank you. I will just check in before we

1 go to round 2. Do you feel like you would like a break or a water break or anything?

2 **MS. CHARLENE BAGLEY:** Are you okay?

3 **MS. PATSY BAGLEY:** Yeah.

4 **MS. CHARLENE BEGLEY:** I am okay. Thank you.

5 **MR. LEO ARTALEJO:** Okay. So, as you know, much of the work
6 or we might even say, where we are in the process as we are winding down Phase 3 of
7 these proceedings is to really start to formulate the recommendations and we know that
8 in particular, getting these right is very important to families. And so, really, we are
9 hoping to hear from you, what are the issues do you believe are the most important for
10 the Commission to focus on as we finalize those recommendations?

11 **MS. CHARLENE BAGLEY:** Okay, I guess the first one would be,
12 the Ready Alert was not being used. I still don't understand why --- who thought Twitter
13 was the best way to inform the province of this when I myself and I am not that old, did
14 not have Twitter. Nor did I have any intention of getting Twitter. I have it now because
15 God forbid if something like this happened again and if that is their only way of informing
16 the province, then I want to know.

17 The second thing would be, maybe perhaps during Basic Training,
18 members can be taught that it is a big no-no to destroy evidence. That way, especially
19 during a high-profile case like this. That way eight months into an investigation we don't
20 need to have a Memorandum put out in places to be told not to destroy evidence
21 regarding this ongoing investigation.

22 Can somebody please explain to me like I am three, why you need
23 to be told not to destroy evidence. I am asking that to anybody, general, because I am
24 very curious. Like, I don't understand how that it is even put in place? Is anybody able
25 to answer that for me?

26 **MR. LEO ARTALEJO:** I think -- why don't we just get the
27 questions that you have and then I will ask the Commissioners if they have any
28 comments. So, if you could just --- it is important to kind of hear all of the questions and

1 then I will ask them if they have any comments to respond. So, I do want you to ---

2 **COMMISSIONER MacDONALD:** I am sorry. Could you repeat
3 that one because I was [indiscernible].

4 **MS. CHARLENE BAGLEY:** I would like to know as if I am a three-
5 year-old, can somebody explain to me why you need to be told not to destroy evidence
6 in an ongoing investigation.

7 **COMMISSIONER MacDONALD:** Right.

8 **MS. CHARLENE BAGLEY:** Yeah.

9 **COMMISSIONER MacDONALD:** In other words, you shouldn't
10 have to be told that?

11 **MS. CHARLENE BAGLEY:** You should not have to be told that.

12 **COMMISSIONER MacDONALD:** I agree.

13 **MS. CHARLENE BAGLEY:** Okay, thank you. The third thing,
14 anyone under the influence of alcohol should not --- should not be permitted to make
15 any decisions whatsoever and for a certain individual to have been driven in by his wife
16 to the station shows that that was too much alcohol to have consumed to be making
17 decisions that he was making. And I would like to think that there is going to be a
18 consequence on that action because anywhere else if you got caught drinking on the
19 job, there would be a consequence to that.

20 My fourth thing would be, the RCMP should not be allowed to
21 investigate themselves. It has been proven through various SiRT reports that there is
22 various --- they are very far from independent and there is very --- very much so,
23 discrepancies upon them.

24 The fifth thing, I do not believe that personal cell phones should be
25 used during working hours for business purposes. For example, according to the
26 internal RCMP channel at 1:41 p.m. Dubois asks, how many 10-7s and it is my
27 understanding that 10-7s means casualties. Why is it then that Constable Harvey would
28 respond, could you please call um my personal cell phone. I am not quite sure I know

1 how to say that over the air. And I have another question, I guess, that you can answer
2 after if you'd like. Did you guys receive any of the members' personal cell phone
3 records?

4 And my other question would be, what is it that Constable Harvey is
5 seeing that he is not able to say over the air? I believe that should be disclosed. And
6 that is it for me.

7 **MR. LEO ARTALEJO:** Right, okay. So, I have talked to the
8 Commissioners and they are happy to respond to whatever questions they can answer
9 today.

10 **MR. LEO ARTALEJO:** So, I will just turn it over to them and see
11 what they are comfortable talking about and what response is most comfortable.

12 **COMMISSIONER MacDONALD:** Okay, and my apologies. Can
13 you ---?

14 **MS. CHARLENE BAGLEY:** Repeat that question again? You
15 pretty much did answer it for me, Commissioner MacDonald and I appreciate that. In
16 regards to evidence being destroyed and you said, you agreed that it shouldn't be
17 destroyed.

18 **COMMISSIONER MacDONALD:** Of course.

19 **MS. CHARLENE BAGLEY:** So, I will ---

20 **COMMISSIONER MacDONALD:** Well, more importantly, as you
21 said, an RCMP officer shouldn't have to be told that.

22 **MS. CHARLENE BAGLEY:** Exactly, yes. It should be common
23 knowledge.

24 **COMMISSIONER MacDONALD:** [indiscernible] We all agree on
25 this.

26 **MS. CHARLENE BAGLEY:** Yes, thank you. I greatly appreciate
27 that. Okay, so, I do have a few more questions if you wouldn't mind, in regards to
28 question 2. I guess, as we are nearing the end of Phase 3, I am just curious as how we

1 are going to fill in any gaps that we have going forward? So, as of right now, we have
2 had some witnesses that have testified that counter-evidence from other witnesses that
3 have testified. So, is there a plan to recall any witnesses to confirm or --- I am not sure
4 of the word I am trying to say here.

5 **MR. LEO ARTALEJO:** To reconcile.

6 **MS. CHARLENE BAGLEY:** Yes, to be able to actually make
7 sense of what is being said. Can we prove it by calling in --- recalling certain witnesses
8 that can counter what has already been put in towards evidence?

9 **MR. LEO ARTALEJO:** Okay.

10 **COMMISSIONER MacDONALD:** Let me try to do the best I can to
11 answer that and to be straight up and honest, we won't be calling any more
12 eyewitnesses. Next week will be the closing submissions and in the two-year mandate,
13 we have had the challenge of --- you can't --- it would be impossible time wise to call
14 every possible witness. So, we have had to make difficult decisions about who we
15 would call and who we wouldn't call. There have been significant discrepancies in
16 eyewitness or first-hand accounts. The fact that there have been those discrepancies is
17 not lost on us and it is a statement in itself.

18 **MS. CHARLENE BAGLEY:** Okay.

19 **COMMISSIONER MacDONALD:** Okay, so the fact that one
20 person is saying white and the other person is saying black is arguably just as important
21 as the fact of whether it was black or whether it was white. It is like why are --- the
22 question arises, why are these discrepancies in and that is a potential institutional
23 question.

24

25 **MS. CHARLENE BAGLEY:** Mmhmm.

26 **COMMISSIONER MacDONALD:** And the other answer --- and I
27 am not asking you to be satisfied with any of this. I am just trying to be --- honestly and
28 answer this as best we can. And we have relied --- and I know this is controversial and

1 hasn't been popular but we have had to rely --- not had to but we have --- as I
2 mentioned earlier, make choices about who actually we call and who we rely upon vis-
3 à-vis statements and if statements can't do it, affidavits. So, our body of evidence to fill
4 in the gaps, so you will, is a collection, I guess for lack of a better word, of various
5 means of which calling witnesses to in the proceedings is but one. And so, there are
6 gaps and I have the same --- many of the same questions as you do about the gaps.

7 **MS. CHARLENE BAGLEY:** Mmhmm.

8 **COMMISSIONER MacDONALD:** And we will have the record. We
9 have to do our best to fill in those gaps but to be honest with you, the glaring
10 contradictions are glaring. You know, the fact that they exist are glaring and for a
11 forward-looking mandate about how do we --- how does this happen and how do you
12 prevent it from happening, we have enough, in my view, for that. And so, we won't be
13 calling any more evidence to that.

14 I guess I'm repeating the answers, --- but we won't be calling any
15 more evidence but we feel we have enough to make real recommendations on that
16 area. And of course, all the other aspects of our very broad mandate.

17 **MS. CHARLENE BAGLEY:** Okay. I guess this would be another
18 thing that I would suggest then going forward.

19 **COMMISSIONER MacDONALD:** Sure.

20 **MS. CHARLENE BAGLEY:** If there were something else. In my
21 personal opinion, I felt many days were wasted on round table discussions, calling in
22 so-called experts from everywhere across Canada. I just --- I feel like the time would
23 have been much better spent calling in witnesses who could fill in those gaps.

24 **COMMISSIONER MacDONALD:** Thank you and that is --- I think
25 that is a valid observation. There are again, difficult --- you know, I used the expression
26 in the past. Our choices are often bad and worse as opposed to good or bad and we
27 have got a broad mandate and the mandate calls for us to look at intimate partner
28 violence, differentially impacted repercussions, firearms.

1 I am sure you are familiar with the Orders in Council. We don't
2 have the liberty to say, we are only going to do this and not that. We have to do them
3 all. We tried to balance them and you almost have to start with the various sections in
4 the Order in Council. We started with what had happened. We --- and I just say this
5 from the bottom of my heart.

6 We start each day and finish each day thinking and offering up our
7 work for the memories of those who were lost and those who have been damaged in
8 the mass casualty. You don't have to agree with that or whether or not you think our
9 actions have been reflected in that sentiment but that sentiment is there. And we've ---
10 we have received criticism that, you know, certain other aspects of our mandate, as
11 opposed to the what happened, took too much of a backseat.

12 So, I just want you to know it has been a difficult balancing act
13 which we did the very best we could in complying with and we just don't have the luxury
14 of saying and picking and choosing which ones we cover. So, we can only offer that we
15 were motivated so that --- and we have said it many times, so, that those whose lives
16 have been taken and those who --- including your dad and your husband, will not have
17 died in vain. And all this suffering and sorrow will not have been in vain.

18 And that's up. And to do that we have been given a huge mandate.
19 And some of it I know looks remote to what happened to your dad but at the same time
20 there is a lot of connectivity there and there is a lot --- it is a broad look at what it will
21 take to keep us all safer. And I think we have all got that shared hope. And I am not
22 here going to pretend that, you know, we got it, from your perspective. I did the --- We
23 did the best we could to get it right.

24 **MS. CHARLENE BAGLEY:** There were mistakes made.

25 **COMMISSIONER MacDONALD:** But you have every right in the
26 world to think that we didn't get it right.

27 **MS. CHARLENE BAGLEY:** Yeah.

28 **COMMISSIONER MacDONALD:** But I just want you to know that

1 we did the best we could to get it right and we, you know. I will leave it at that, I guess.
2 I don't know.

3 **MR. LEO ARTALEJO:** Lets just --- if we could just let it sit with that
4 for a minute. I guess I just wanted to say, you know, Charlene, thank you for bringing
5 that and it is important that we understand and that you have that feeling. Thank you for
6 expressing that. So, that is part of this session. We can hold both I guess is what I am
7 trying to say. It is not like, which one of these is true.

8 It is more like that it is important to honour both, and the
9 Commission has worked really hard to meet the Orders in Council and the broad
10 mandate that it has and it is also okay for you to feel like that wasn't enough. So, it lets
11 just --- I am happy just to leave it there [indiscernible].

12 **MS. CHARLENE BAGLEY:** So, I do have a question around
13 Hunter Road because when it came to Hunter Road, the Foundational Document, the
14 day they went over it, we went over my father's death and three other's deaths. It took
15 less than an hour of them speaking of that; less than an hour. We had a key witness
16 get up and talk about a fence post, if you recall. A fence post took longer time asking
17 questions about a frigging fence post compared to --- over our loved one's deaths. How
18 do you think that makes us feel?

19 **COMMISSIONER MacDONALD:** Thank you. That is ---

20 **MS. CHARLENE BAGLEY:** The fact that no witnesses were called
21 from Hunter Road period, I have no idea why. We submitted to have people called in
22 and they were denied. I am not quite sure why you can answer that one. It is like
23 Hunter Road didn't even happen. Anything?

24 **INAUDIBLE VOICES:** [indiscernible]

25 **MS. CHARLENE BAGLEY:** Please.

26 **COMMISSIONER FITCH:** The --- I can most certainly hear what
27 you are saying about the time that was spent on the fence post and I think that was one
28 of the first witnesses that we called.

1 **MS. CHARLENE BAGLEY:** That was painful.

2 **MS. LEANNE FITCH:** Yes.

3 **MS. CHARLENE BAGLEY:** Absolutely painful.

4 **MS. LEANNE FITCH:** The relevance of that was about Blueberry
5 Field Road and how containment was breached that allowed for what happened on the
6 19th to happen. So, it was a really critical --- I know it doesn't seem like it and maybe
7 even still in hindsight, it seems like it was a long and painful period of time but the fact
8 that the perpetrator got outside of that, supposed, containment point is extremely
9 important to what happened on the 19th.

10 And to some of the errors that were made that allowed containment
11 to be breached. And so, we really had to spend time on surfacing that. And we had
12 contradictory information with the documents in the evidence. Was it a rope? Was it a
13 chain? Was it up? Was it down? So, there were --- We even had different versions on
14 that, that we had to try and reconcile. So, I know it seems like a small thing but ---

15 **MS. CHARLENE BAGLEY:** Again though, if we would have called
16 certain witnesses, it probably would have been easily disputed. We could have been
17 able to just --- Like, there are certain witnesses that countered the evidence that was
18 given in testimony.

19 **MS. LEANNE FITCH:** Yeah, we [indiscernible] ---

20 **MS. CHARLENE BAGLEY:** So, had we called those witnesses up,
21 maybe that would have been avoided. We wouldn't have had to spend over an hour on
22 a fence post.

23 **MS. LEANNE FITCH:** And it was those very statements from
24 witnesses that we had contradictory information on and we were trying to demonstrate
25 in the public to get at the answers that we got to. Because we did have contradictory
26 evidence but it was in statements. So, we were trying to shine light on it and get that
27 sorted out in the public forum. So, like and I know in hindsight, that seems really hard to
28 absorb but I just --- I don't know if that helps, Charlene, but ---

1 **MR. LEO ARTALEJO:** Yeah, so.

2 **MS. CHARLENE BAGLEY:** It helps in the sense that I understand
3 that the importance of the blueberry field and I do understand that but again, it is just the
4 fact that that day that was more important than the four deaths that we were talking
5 about.

6 **COMMISSIONER MacDONALD:** Right.

7 **MS. CHARLENE BAGLEY:** And that is not okay.

8 **COMMISSIONER MacDONALD:** We understand.

9 **MS. LEANNE FITCH:** Yeah.

10 **MR. LEO ARTALEJO:** Charlene, I really want to acknowledge that
11 it is really helpful for us to hear where the gaps are for you. You know, I think --- I want
12 to make sure the session doesn't become about a debate or rebutting and so I do want
13 to make sure that you understand that we are really grateful that you are bringing these
14 questions forward. I am just not sure that this is the best place to try to answer some of
15 those questions but I am happy --- we are happy to hear them.

16 So, but I also want you to know that --- I just hope you know that we
17 are hearing you and I feel like sometimes human beings, we are always thinking about
18 what are we going to say when the person stops talking and I don't want the session to
19 become that. Like, you know, Charlene is going to ask a strong question and how are
20 we going to answer it. Those sort of things can happen but I think what is most
21 important for us today is hear what those questions are, from me. I don't know that the
22 Commission is going to be able to answer anything ---

23 **MS. CHARLENE BAGLEY:** And that is --- you know what? If you
24 can't answer them today, that is okay.

25 **MR. LEO ARTALEJO:** So, it is very --- Yeah.

26 **COMMISSIONER MacDONALD:** And that is what we will do, if we
27 can answer them, we will, but --- Sorry for interjecting.

28 **MR. LEO ARTALEJO:** No, no.

1 **COMMISSIONER MacDONALD:** The report will be the report and
2 we will be providing as many answers as we possibly can. So, there are some we can
3 answer in this particular forum. And one I want to get back to before we leave but not
4 now, but I guess just a reminder to everybody that there will be a comprehensive report
5 that we will pull everything together including everything that is said about Hunter Road.

6 And I understand that you feel that that was diminished because it
7 was done in a summary way in a presentation but it doesn't take away from the fact that
8 the facts are there and we will be dealing with those in our final report. Hopefully, that is
9 a little bit helpful but if it is not, it is [indiscernible].

10 **MS. CHARLENE BAGLEY:** I bring it up because if I don't bring it
11 up and it is not in the report then I am no further ahead.

12 **COMMISSIONER MacDONALD:** No. Thank you. That --- yep, I
13 understand completely.

14 **MS. CHARLENE BAGLEY:** Okay. Alright, I am good for question
15 2 if you want to move forward.

16 **MR. LEO ARTALEJO:** Just checking in. Would you like a break or
17 are you okay?

18 **MS. CHARLENE BAGLEY:** How are you doing, Mom? You
19 alright? I don't but are you alright?

20 **MS. PATSY BAGLEY:** I am good.

21 **MR. LEO ARTALEJO:** Are you doing okay, Patsy?

22 **MS. PATSY BAGLEY:** Pardon me?

23 **MR. LEO ARTALEJO:** Are you doing okay?

24 **MS. PATSY BAGLEY:** Yeah.

25 **MR. LEO ARTALEJO:** Do you want a break or anything?

26 **MS. CHARLENE BAGLEY:** Do you want to take a break?

27 **MS. PATSY BAGLEY:** No.

28 **MR. LEO ARTALEJO:** And you? Are you still ---?

1 **MS. CHARLENE BAGLEY:** I am okay.

2 **MR. LEO ARTALEJO:** You're okay?

3 **MS. CHARLENE BAGLEY:** I am fine.

4 **MR. LEO ARTALEJO:** Alright, good. So, the third question ---
5 Just before we go there, I want to ask a follow-up to round 2 just to see. What supports
6 do you believe we should make sure are in place for families during mass casualty
7 events in the future? We have talked a lot about this specific one but I just wanted to
8 hear from you if we look forward and we think about families in the future. That none of
9 us want to experience what you have experienced but what would be most important to
10 make sure is there for them?

11 **MS. CHARLENE BAGLEY:** I guess what we had was really ---

12 **MR. LEO ARTALEJO:** Okay.

13 **MS. CHARLENE BAGLEY:** Just to go with what was – what we
14 had was --- I would recommend I guess. I can't really say that the supports we had --- I
15 would ask for much more, so.

16 **MR. LEO ARTALEJO:** Okay.

17 **MS. CHARLENE BAGLEY:** The people went above and beyond.

18 **MR. LEO ARTALEJO:** Okay.

19 **MS. CHARLENE BAGLEY:** So, if they can just keep doing what
20 they are doing.

21 **MR. LEO ARTALEJO:** Okay.

22 **MS. CHARLENE BAGLEY:** Yeah.

23 **MR. LEO ARTALEJO:** And in particular it sounds like Victim
24 Services was very, very helpful.

25 **MS. CHARLENE BAGLEY:** Yes, yeah, yeah.

26 **MS. PATSY BAGLEY:** Very.

27 **MR. LEO ARTALEJO:** Very helpful. Okay, good. So, the round 3
28 question is, are there any other things that would be important for the Commission to

1 understand when it comes to your and your family's experience particularly seeking
2 information and getting support during and after the mass casualty? So, you have
3 touched on some larger things.

4 So, this question is really there because we heard from families that
5 they may have some other things to talk about besides information and support. You
6 touched on all of those but the third round is really just to hear from you, anything else
7 that you would like to share.

8 **MS. CHARLENE BAGLEY:** Well, I already touched upon the fact
9 that the --- most of the speakers and most of the days I felt would have been more
10 beneficial if we called in key witnesses. Let's see. I guess ---

11 I guess this would be a recommendation. I don't know if this fits
12 right now here. And I can only speak for myself here. However, we continue to use the
13 trauma informed approach. At no point have I ever been asked for kid gloves when it
14 came to this. All along I wanted to know why my dad went for a walk and never came
15 home. The fact that he never came home is probably the most traumatizing thing that I
16 have ever dealt with, obviously. And I wouldn't wish that on anybody.

17 So, my concern is, I am an adult. I have already been traumatized
18 by this event and when we ask for information, no matter how the other person deems it
19 to be, that information, if they feel it is too much, it is not for them to decide. If I ask for
20 information, I want the truth. I want the answers. I want it. It is just as simple as that.
21 We are adults. It is not for anybody else to tell me what I can handle or what I can't
22 handle.

23 I will say that one thing that continued to traumatize me after this
24 event was, basically, feeling like --- as if victims and families of this, that every where we
25 turned a wall was put up for us. It seems like, no matter what we wanted or what we
26 needed, it is like we had to fight for it. And I am not quite sure why that would have to
27 be the case. One particular instance I am referring to is when we as families, rightfully
28 got upset during certain proceedings when certain individuals were not being truthful on

1 the stand under oath and we vocalized that.

2 I didn't appreciate it Mr. MacDonald, when you shushed us,
3 basically. You told us to sit down and be quiet and then got our counsel to come and
4 basically scold us and keep us in line.

5 Nor did I appreciate the fact, when you told one of the victims that
6 you understood what they were feeling because quite obviously you don't because you
7 would never have said what you said. Nobody in this room except my mother knows
8 what we are feeling. And even ourselves are feeling two different things.

9 **COMMISSIONER MacDONALD:** Thank you for – for your
10 honesty there. I could have handled that better, so.

11 **MS. CHARLENE BAGLEY:** I appreciate that. Thank you. And I
12 guess, my final thought on everything, I guess, would be, I found it being convenient
13 timing of a new book being written on public inquiries coming out.

14 **COMMISSIONER STANTON:** My book was written before I was
15 asked to do this.

16 **MS. CHARLENE BAGLEY:** Okay, however, I ---

17 **COMMISSIONER STANTON:** It was written before I was asked to
18 do this and it is an academic press and there is a lengthy process that goes between
19 getting a manuscript accepted and it getting to the point where it gets put out. I actually
20 tried to have them hold it so that it wouldn't come out during this and they held it as long
21 as they could but there was a paper shortage during the pandemic and they printed it
22 when they were able to print it.

23 So, believe me. I didn't want that to happen but it was written
24 before this Commission. I assume it is part of why I was asked to do this and it was
25 certainly not written during this or with any intention of profiting off of this.

26 **MS. CHARLENE BAGLEY:** I am not even considering profiting. I
27 am just thinking that the whole ideology completely changed from how public inquiries
28 were done before and I personally, would much rather the old way because essentially,

1 I feel like we just got the review that we were fighting against. That's it. I am done.

2 **MR. LEO ARTALEJO:** Okay, thank you.

3 **COMMISSIOFITCH:** May I go because I always like to own my
4 pieces of responsibility [indiscernible]

5 **MR. LEO ARTALEJO:** Let me, Let me just check in with Charlene.
6 Do you need a break or are you okay?

7 **MS. CHARLENE BAGLEY:** I am fine. You can finish.

8 **MR. LEO ARTALEJO:** Yeah, okay.

9 **COMMISSIONER FITCH:** Yeah, I I was [indiscernible] piece of
10 what seemed to go wrong, and I --- I know Commissioner MacDonald doesn't need my
11 defence --

12 **COMMISSIONER STANTON:** Oh, and you said I was part of the
13 review; I wasn't part of the review. I didn't even know about the review.

14 **MS. CHARLENE BAGLEY:** Okay, I apologize. I was mistaken
15 there. Okay.

16 **COMMISSIONER STANTON:** I was asked to ---.

17 **MS. CHARLENE BAGLEY:** Okay, there was somebody else, a
18 third person, they stepped down and you came in. I apologize. I was wrong there.

19 **COMMISSIONER STANTON:** Yeah, they stepped down and many
20 months later I was asked to be part of the inquiry.

21 **COMMISSIONER FITCH:** But one thing, I just wanted to clarify
22 that --- I wasn't going to go there but I will start there [indiscernible] that didn't clarify,
23 and I can't speak for Commissioner MacDonald on this but I know that we had these
24 conversations very early on.

25 When Government called me, I was about a year into retirement
26 and I wasn't looking for extra work. And --- but as you know, I was the Chief of
27 Fredericton when there was a mass shooting incident there. I had 17 of my officers on
28 the ground in Codiac a couple of years before that, and I had a long hard conversation

1 with my family about taking this on when it was just a Review.

2 I wasn't thinking of it in terms of an inquiry versus a review. All I
3 knew was that I had been asked to help and I am saying for the record, I sat down with
4 my spouse and my mother, my counsellor, to see if it was going to be okay for me to
5 take this on and I answered the call to help. Not because --- and that is why I stayed
6 on when it turned into an independent inquiry, because I was just interested in helping
7 to find answers.

8 So, I just --- I --- human to human, I just --- for me it wasn't a review
9 versus an inquiry but you know, in our Interim Report we said very clearly that we were
10 proud of the tenacity of Nova Scotians that pushed for what they wanted and so, we
11 have put our heart and soul into trying to meet that expectation. If we have missed the
12 mark on it, it certainly wasn't intentional. That is not where I was going with any of this
13 and I am sorry for using up too much airtime, Leo.

14 Owing my piece of things, when Commissioner MacDonald said,
15 that's enough, I said that to him even before he verbalized it and I know --- I know he
16 wouldn't say that but I just --- And the only reason I did that was because I am --- I have
17 been very worried about, and you can appreciate that , just, I worked in criminal justice
18 for a long time and witnesses under the best of circumstances --- it is such a challenge
19 and the last thing you want is to have, what we call the chilling effect on witnesses.

20 Because even if there are people questioning the witness that's
21 sitting here today, if they are not telling the truth and we are trying to get at the truth, we
22 don't want other witnesses, whether they're civilian or institutional witnesses to be afraid
23 that they are going to be physically or verbally or emotionally intimidated while they are
24 trying to give their testimony. And I understand the frustration and I use that word, not
25 in terms of understanding where you folks are coming from but we've -- We have all
26 been in situations where it's been frustrating. And so, when I said that is enough,
27 which, Michael repeated, it was because I was worried about any --- shutting down a
28 witness that we were trying to get the best information out that we could have. That

1 was it and so, I just wanted you to know that that is where that came from.

2 **MS. CHARLENE BAGLEY:** Okay, just so you know, where we
3 came from as families, why ---

4 **COMMISSIONER FITCH:** Yeah, yeah, one hundred percent.

5 **MS. CHARLENE BAGLEY:** --- we vocalized and got upset was
6 because the people that were on the stand were not being truthful and we knew that.

7 **COMMISSIONER MacDONALD:** Yeah, I understand that.

8 **MS. CHARLENE BAGLEY:** Okay.

9 **COMMISSIONER FITCH:** And we do appreciate that. We do but I
10 just want you to know that he said what he said because ---

11 **MS. CHARLENE BAGLEY:** And I understand that you need order.

12 **COMMISSIONER FITCH:** I [indiscernible]

13 **MS. CHARLENE BAGLEY:** I respect that. I totally do. However,
14 we are humans and our emotions do get the best of us at times and put in a corner, we
15 are going to react. That's --- its ---

16 **COMMISSIONER MacDONALD:** And I know that and Mr.
17 O'Brien, about a month earlier, stood up and I handled that much better, I think. I could
18 have handled it better.

19 **MS. CHARLENE BAGLEY:** Well, I appreciate your honesty on
20 that, Mr. MacDonald. Thank you.

21 **COMMISSIONER MacDONALD:** And the other thing is, if you
22 recall, I said, there is one question I want to come back to.

23 **MS. CHARLENE BAGLEY:** Yes.

24 **COMMISSIONER MacDONALD:** And it is --- and it's the same
25 thing that Commissioner Fitch I wanted to say that, Commissioner Stanton had nothing
26 to do with the review so, it's ---

27 **MS. CHARLENE BAGLEY:** Okay, that is my mistake. I
28 apologized for that.

1 **COMMISSIONER MacDONALD:** And I did see her manuscript
2 before we started our work.

3 **COMMISSIONER FITCH:** As did I.

4 **COMMISSIONER MacDONALD:** So that, but I just wanted to give
5 you some context about --- I think that is a really --- I am kind of --- I was glad you
6 mentioned it because it has been on my mind and it has never been articulated. But I
7 retired in January of 2019. Just wanted to mind my own business. I wanted to hang out
8 with my grandkids and I got a call in June of 2020. Unlike you, as a Nova Scotian, you
9 know, I was shattered but again, I will never --- I don't remember saying that but I will
10 never say I understand. I am sorry. I don't remember even saying that but that is a
11 poor choice of words.

12 But I am just being honest with you. When the Minister of Justice
13 called me to head up the review, I thought it was a call to help the people of Nova
14 Scotia. This province has been pretty good to me and I, like Commissioner Fitch,
15 consulted with my loved ones and I just remembered my father saying, "Michael, if
16 someone asks you for help and you have no reason not to, you say yes." And I was just
17 answering a call. I didn't --- review versus inquiry wasn't even on my radar.

18 **MS. CHARLENE BAGLEY:** The pay didn't help?

19 **COMMISSIONER MacDONALD:** What's that?

20 **MS. CHARLENE BAGLEY:** The pay didn't --- Your guys' pay ---
21 hourly rate didn't help make decisions?

22 **COMMISSIONER MacDONALD:** Ummm.

23 **COMMISSIONER STANTON:** That's not even a consideration.

24 **MS. CHARLENE BAGLEY:** Okay, just checking. Just checking.

25 **COMMISSIONER MacDONALD:** No, I can guarantee it didn't.

26 **MS. CHARLENE BAGLEY:** Okay.

27 **MS LEANNE FITCH:** I had to actually give up some other
28 commitments that I had made in order to take this job on because I would have been in

1 conflict.

2 **COMMISSIONER MacDONALD:** Anyway. I am just trying to give
3 you an answer to your observation that we were okay with the review. It was simply a
4 reply to a call for help. It was only in, you know, like --- I wasn't tuned in as a retired
5 person and when it came out that there was --- and credit to you all for bringing about
6 the Inquiry and significantly, the ability to subpoena witnesses and evidence of course,
7 as we said, and as Commissioner Fitch did in our Interim Report, it was the right thing.
8 But it wasn't as though I was in my thought process signing up for some kind of lesser
9 process. I was simply asked to use my experience to help out with one of the most
10 horrific things that happened in this province and that is where my head was. It wasn't
11 review versus inquiry and the inquiry was the right thing.

12 And I congratulate you and Ms. Bagley and all of those who
13 marched in the street to get the inquiry. So, I just wanted you to know that. I am glad
14 you raised it because that is where our heads were at.

15 **MS. CHARLENE BAGLEY:** Thank you for clarifying it.

16 **MR. LEO ARTALEJO:** Charlene, I want to just acknowledge your
17 courage and your mom's courage for being here. I just wanted to see if there are any
18 final things you wanted to share before we close?

19 **MS. CHARLENE BAGLEY:** I think I am good. Thank you.

20 **MR. LEO ARTALEJO:** I also --- I just wanted to say that I have
21 been really touched by your courage and be some of the things that you said today. I
22 guess I just really wanted to appreciate the strength that you are showing by raising
23 some of these issues and that the feelings ---

24 If you as a family member have feelings about gaps, have feelings
25 about places that you weren't served, I want you to know that we have heard those
26 things and it is important that you brought them here. And also, I just wanted to, I
27 guess, as a Nova Scotian, you know, thank you for fighting, fighting for those things and
28 I, as a Nova Scotian, I want to acknowledge the fact that it is frustrating to feel like you

1 had to fight for those things and I want you to know that I heard those things.

2 And also, that I am seeing you just as a human, you know, as well
3 as just somebody --- you know, you have your fist in the air and I want to honour that
4 but also, I want you to know that your time here is not wasted and that I appreciate your
5 courage and your honesty.

6 **MS. CHARLENE BAGLEY:** I appreciate that. Thank you.

7 **MR. LEO ARTALEJO:** Okay.

8 **MS. CHARLENE BAGLEY:** And it is all because of my father.

9 That is --- that is the only reason I keep going.

10 **COMMISSIONER MacDONALD:** And I do as well. Everything that
11 has been said, it's appreciated. Thank you.

12 **MR. LEO ARTALEJO:** So, I think we will call it to a close, unless
13 there's final thoughts. Okay. Thank you.

14

15 --- Session concludes

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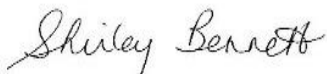
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C E R T I F I C A T I O N

18

19 I, SHIRLEY BENNETT, hereby certify the foregoing pages to be an accurate
20 transcription of the audio recording provided to the best of my skill and ability, and I so
21 swear.

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