

COMMISSIONER'S OPENING REMARKS
September 2005

- GOOD MORNING.

- AS WE MOVE INTO THE SEPTEMBER HEARINGS, I THOUGHT IT WOULD BE APPROPRIATE FOR ME, TO DO ANOTHER OF MY INFORMAL UPDATES OF THE STATUS OF THE INQUIRY.

- YOU WILL RECALL SOME OF THE REMARKS I MADE WHEN WE BEGAN THESE EVIDENTIARY HEARINGS, APPROXIMATELY ONE YEAR AGO.

- AT THAT TIME, I SAID THAT A PUBLIC INQUIRY INVESTIGATES AND REPORTS ON MATTERS OF SUBSTANTIAL *PUBLIC* INTEREST – IT IS A MEANS BY WHICH WE CAN GO BENEATH THE SURFACE OF AN INCIDENT OR SITUATION, FOR THE BENEFIT OF THE PEOPLE AFFECTED – AND, FOR THE BROADER PUBLIC.

- THUS FAR, I BELIEVE WE HAVE DONE THIS BY CONSIDERING MANY POINTS OF VIEW IN THE FACT-FINDING PART OF THE INQUIRY WHERE WITNESSES WITH DIFFERENT INTERESTS AND PERSPECTIVES HAVE BEEN AND CONTINUE TO BE CALLED TO TESTIFY. WE ARE ALSO DOING IT IN THE PART 2 POLICY REVIEW THROUGH THE PUBLIC FORUMS, RESEARCH PAPERS AND CONSULTATIONS THAT WE HAVE BEEN CONDUCTING.

- WE HAVE AND WILL CONTINUE TO DIG DEEPLY THROUGH THE COMPREHENSIVE, AND SOMETIMES SCHOLARLY, TESTIMONY OF EXPERTS TO INFORM OUR FACT-FINDING AND THROUGH OUR COMMISSIONED RESEARCH ON TOPICS THAT WILL ASSIST AND INFORM MY RECOMMENDATIONS FOR THE FUTURE.

- IN MY VIEW, IT HAS BEEN IMPORTANT AND NECESSARY FOR BOTH THOSE DIRECTLY AFFECTED OR INVOLVED IN THE EVENTS SURROUNDING THE DEATH OF DUDLEY GEORGE, AS WELL AS FOR THE PUBLIC AT LARGE, TO TELL, AND TO HEAR THE COMPLETE STORY, AS WELL AS SUGGESTIONS FOR THE FUTURE.
- THIS IS A LENGTHY, BUT NECESSARY PROCESS.
- BY DEFINITION, A *PUBLIC* INQUIRY NEEDS TO BE OPEN AND TRANSPARENT. WE HAVE TRIED, FROM THE OUTSET, TO ENSURE THAT OUR DUAL PROCESSES OF FACT-FINDING AND POLICY REVIEW ARE IN PUBLIC VIEW.
- FOR EXAMPLE, THROUGH OUR WEBSITE, WHERE DAILY TRANSCRIPTS AND LIVE WEBCASTS OF THE HEARINGS ARE AVAILABLE, AND THROUGH REGULAR POSTINGS OF WITNESS LISTS AND SCHEDULES, RESEARCH PAPERS AND NOTES FROM OUR CONSULTATIONS AND OTHER MEETINGS.
- PUBLIC ATTENDANCE AT THE HEARINGS IN FOREST IS ALSO WELCOMED AND ENCOURAGED – MOST DAYS SOME MEMBERS OF THE PUBLIC ARE HERE.
- THE MEDIA HAS ASSISTED OUR EFFORTS TO BE OPEN THROUGH REGULAR LOCAL, AND SOMETIMES PROVINCIAL AND NATIONAL REPORTING. OUR VIDEO AND AUDIO FEED IS AVAILABLE FOR THE MEDIA AND OTHER INTERESTED GROUPS, TO EXTEND THE ‘REACH’ OF THE INQUIRY.
- IN MY VIEW, THE INVESTIGATIVE CAPACITY OF A PUBLIC INQUIRY, COUPLED WITH ITS OPENNESS AND TRANSPARENCY CONTRIBUTES TO

A VERY IMPORTANT BENEFIT OF PUBLIC INQUIRIES, NAMELY PROVIDING PUBLIC INFORMATION AND EDUCATION.

- MEMBERS OF THE PUBLIC WHO ARE INTERESTED, CAN OBTAIN INFORMATION ON A REGULAR BASIS – ONE DOES NOT NEED TO WAIT FOR THE FINAL REPORT. I BELIEVE, WE HAVE BEEN SUCCESSFUL IN ENLIGHTENING AND INFORMING, NOT ONLY THE ACTIVE PARTICIPANTS IN THE PROCESS BUT THE LARGER PUBLIC AS WELL.
- AND FINALLY, I BELIEVE THE INQUIRY PROCESS CAN BE INSTRUMENTAL IN CONTRIBUTING TO HEALING, AND TO BUILDING AND REPAIRING INSTITUTIONAL AND INDIVIDUAL BRIDGES.
- I HOPE ALL PARTIES FEEL WE HAVE BEGUN TO MOVE IN THIS DIRECTION AND THAT THIS CAN BE CONTINUED LONG AFTER THE PROCESS HAS BEEN COMPLETE.
- I RE-ITERATE MY APPRECIATION OF COUNSELS' EFFORT TO WORK CONSTRUCTIVELY TO MEET OUR GOALS.
- ULTIMATELY, THIS INQUIRY WILL BE MEASURED AGAINST ITS SUCCESS IN MEETING ITS DUAL MANDATE OF FACT-FINDING AND MAKING RECOMMENDATIONS FOR THE FUTURE.
- BUT IT IS ALSO INEVITABLE AND EVEN JUSTIFIABLE THAT THE ASSESSMENT OF OUR SUCCESS WILL TAKE INTO ACCOUNT THE TIME TAKEN AND THE COSTS INCURRED, WHEN PUBLIC FUNDS ARE BEING USED.
- INQUIRIES *ARE* LENGTHY AND COSTLY BUT THEY CAN'T BE JUSTIFIED AT *ANY* COST OR OVER AN *UNLIMITED* PERIOD OF TIME . YOU HAVE

HEARD ME REFER TO THE NEED FOR ACHIEVING A 'BALANCE' IN OUR EFFORTS TO BE COMPREHENSIVE YET EFFICIENT.

- AND SO, NOTWITHSTANDING MY VIEW THAT WE HAVE DONE WELL TO DATE, INEVITABLY, THERE WILL BE A FINAL REPORT CARD.
- I BELIEVE IT IS IMPORTANT THAT MY REPORT BE SUBMITTED TO THE GOVERNMENT THAT APPOINTED ME IN SUFFICIENT TIME FOR IT TO CONSIDER, AND WHERE POSSIBLE OR DESIRED, TO ACT ON MY RECOMMENDATIONS.
- FOLLOWING THE CONCLUSION OF THE HEARINGS, THERE IS STILL MUCH WORK TO BE DONE. MONTHS OF TESTIMONY WILL BE ANALYZED, FINDINGS OF FACT MADE AND I ALSO NEED TO CONSIDER THE EXTENSIVE RESEARCH AND CONSULTATION THAT WE HAVE UNDERTAKEN. FINALLY, RECOMMENDATIONS WILL NEED TO BE DEVELOPED.
- THIS PROCESS, WHICH WILL CULMINATE IN THE WRITING AND PRODUCTION OF MY REPORT, JUDGING FROM THE EXPERIENCE OF OTHER INQUIRIES, IS EXPECTED TO TAKE APPROXIMATELY 6 MONTHS, FOLLOWING THE CONCLUSION OF THE FACT-FINDING.
- I AM, THEREFORE, URGING THE PARTIES TO CONTINUE TO WORK TOGETHER, WHEREVER POSSIBLE, AND TO SUPPORT OUR EFFORTS TO ENSURE THAT THE GOALS OF EFFICIENCY AND THOROUGHNESS REMAIN IN PROPER BALANCE.
- AS YOU KNOW, MY GOAL HAS BEEN TO FINISH HEARING THE EVIDENCE BY DECEMBER 1. COMMISSION COUNSEL, WITH THE SUPPORT OF ALL PARTIES, HAVE BEEN TRYING TO FIND WAYS OF MEETING THIS

OBJECTIVE BY IDENTIFYING THE REMAINING WITNESSES THAT NEED TO BE HEARD IN ORDER TO ENSURE A THOROUGH INVESTIGATION.

- HOWEVER, MY UNDERSTANDING IS THAT DESPITE COUNSELS' BEST EFFORTS, THE DECEMBER 1 TARGET DATE MAY NOT BE REALISTIC. ACCORDINGLY, I HAVE AUTHORIZED COMMISSION COUNSEL TO SCHEDULE ADDITIONAL HEARING DATES BEYOND THE END OF NOVEMBER AND INTO THE EARLY PART OF 2006.
- THAT BEING SAID, I CONTINUE TO BE MINDFUL OF THE PASSAGE OF TIME AND THE NEED TO COMPLETE THE HEARING PHASE OF THE INQUIRY AS SOON AS IS REASONABLY POSSIBLE. REGARDLESS OF WHEN THE EVIDENTIARY HEARINGS END, THERE WILL OF COURSE, BE SUFFICIENT TIME AND OPPORTUNITY PROVIDED FOR PARTIES TO OFFER BOTH WRITTEN AND ORAL SUBMISSIONS.
- I HAVE ASKED COMMISSION COUNSEL TO BE DELIGENT IN USING OUR REMAINING HEARING DATES EFFECTIVELY, AND I WOULD SIMPLY REITERATE MY REQUEST THAT ALL COUNSEL CONTINUE TO CO-OPERATE IN HELPING TO ACHIEVE THE PROPER BALANCE BETWEEN EFFICIENCY AND THOROUGHNESS THAT CHALLENGES ALL PUBLIC INQUIRIES.
- THANK YOU.