

**THE ELLIOT LAKE INQUIRY**  
**LA COMMISSION D'ENQUÊTE SUR ELLIOT LAKE**

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**Held at the Ernst Young Center  
Room A, Ottawa, Ontario  
on Thursday, December 5, 2013**

**Tenu au Centre Ernst Young,  
Salle A,  
Ottawa, Ontario  
Le jeudi , 5 décembre , 2013**

**POLICY ROUNDTABLE PART 2 – EMERGENCY RESPONSE**

**BEFORE /DEVANT : The Honorable/l'honorable P.R. Bélanger,  
Commissioner/Commissaire**

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**APPEARANCES :**

M. Wallace) Roundtable Mediator

**PARTICIPANTS :**

S. Campbell) Ontario Ministry of Labour

A. Gryska) Ontario Mine Rescue

L. Valcourt) Canadian Interoperability Technology  
Interest Group

C. Duerr) Calgary Fire Dept.

D. Hefkey) Ontario Commissioner of Community  
Safety

T. Wieclawek) Fire Marshal of Ontario and Chief of  
Emergency Management

B. Morgan) City of Calgary

E. Cohen) German Agency for Technical Assistance

B. Schreuders) International Association of Emergency  
Matters

J. Hay) Northern Ontario Mayors Association

R. Jenkins) Toronto Fire Services

V. Hawkes) Ontario Provincial Police

M. Pegg) Ontario Association of Fire Chiefs

S. Huxley) Association of Municipalities of Ontario

M. Ford) Ontario Association of Chiefs of Police

1 --Upon commencing in Ottawa, Ontario, on Thursday,  
2 December 5, 2013 at 9:00 a.m.

3 **THE COMMISSIONER:** Welcome, Ladies and  
4 Gentlemen and thank you for being here this morning.

5 My name is, as Mr. Bindman mentioned,  
6 Paul Bélanger, and I am a retired Judge of the Ontario  
7 Court of Justice and Commissioner of the Elliot Lake  
8 Inquiry.

9 This is the second and final set of  
10 Policy Roundtables we will be holding.

11 This time it is to discuss possible  
12 improvements and have a general discussion in the area  
13 of Emergency Response to tragedies such as those and  
14 such as that occurred in Elliot Lake with the collapse  
15 of the Algo Centre Mall.

16 Your presence here, Ladies and  
17 Gentlemen, constitutes a valuable service to the people  
18 of the Province of Ontario and a commitment to their  
19 health and their safety and their well-being.

20 As I read your CV's, I am most  
21 impressed at the level of experience and expertise that  
22 each of you brings to this Roundtable.

23 I read with care and interest the  
24 materials that you have kindly provided and I can only  
25 say that this is truly a star-studded cast in this

1 particular area.

2 For 35 years I have been a criminal  
3 court Judge and case flow management and judicial  
4 personnel management.

5 Conduct of trials are my area of  
6 expertise, and as you can guess, that expertise does  
7 not come remotely close to yours.

8 So in that sense I am very much the  
9 student here today and I am indeed extremely fortunate  
10 to be taught by a gilt-edge faculty such as is present  
11 around this horseshoe table this morning.

12 The emergency management of the  
13 tragedy in Elliot Lake was not perfect.

14 By saying that, I am making no  
15 prejudgment whatsoever.

16 The face remains, however, that no  
17 exercise of this type can ever be perfect by reason of  
18 its very nature.

19 We build on the shoulders of others  
20 who have gone before and we improve incrementally.

21 It is trite, of course, to say that we  
22 can't change the past, but I am hopeful that some of  
23 the Recommendations emanating from this Commission may  
24 contribute to making emergency management even more  
25 effective in the future; and in the process better

1 protect the lives and the safety of our co-citizens.

2 First responders are the everyday  
3 heroes of our communities.

4 As the evidence before the Commission  
5 unfolded in Elliot Lake, I was careful to let all of  
6 our first responders who testified know that they  
7 deserved our gratitude and that they deserved our  
8 admiration.

9 They put their lives and health in  
10 harm's way every time they respond to an emergency.

11 I am conscious that the value of any  
12 recommendations we make is directly related to their  
13 practicability and to their effectiveness, and I thank  
14 you all for suggesting ways in which this Commission  
15 can achieve that goal.

16 This will be a very busy day, as you  
17 can imagine.

18 I now turn Proceedings over to senior  
19 counsel, Mark Wallace, who will be our Moderator for  
20 the day.

21 I may interject once in a while with a  
22 question or two.

23 Stephen Bindman, who has addressed you  
24 previously is our facilitator and he will assist you in  
25 any way if you have any requests or any needs.

1 Thank you very much.

2 Mark?

3 **MR. WALLACE:** Thank you, Mr.

4 Commissioner.

5 I too would first like to thank you  
6 all for agreeing to participate and for the work that  
7 you have all put into the thoughtful responses that you  
8 have forwarded to us.

9 The purpose of the discussions today  
10 is to generate ideas that will assist the Commissioner  
11 in making meaningful recommendations.

12 Any recommendations are intended to  
13 hopefully improve the current state of emergency  
14 management in this Province.

15 My role, as I see it, is to facilitate  
16 a discussion among you which shows the various issues  
17 for discussion today, because that is where the  
18 evidence that was heard at the Inquiry in Phase 2, that  
19 is where it led us.

20 The evidence revealed that there were  
21 areas that should be looked at further. These appeared  
22 to be areas that were capable of some improvement.

23 I rejigged the questions a touch in  
24 the interest of avoiding duplication, as well as  
25 bringing the issues into a little sharper focus.

1 I intend to direct specific questions  
2 to specific individuals based on the subject matter of  
3 the particular topic and the expertise of the  
4 individual.

5 I will be soliciting the opinion of  
6 more than one person on any given topic, however,  
7 anybody is free to offer their opinion.

8 And as Stephen indicated all you have  
9 to do is to get my attention and then the floor will be  
10 yours.

11 There are some here who have been  
12 invited because of a specific narrow issue.

13 I do not intend to call on them except  
14 with respect to that particular issue, but again, that  
15 is not a prohibition, but offering an opinion, if they  
16 have one, on any other topic.

17 I would certainly encourage that if  
18 that situation develops.

19 So at this stage, I am going to  
20 introduce the Panel that we have assembled.

21 I will start at my left, the closest  
22 to me, is Inspector Mark Ford, and he is here on behalf  
23 of the Ontario Association of Chiefs of Police.

24 Inspector Ford has 26 years of  
25 experience with the Ottawa Police Service.

1                   He is currently the Inspector in  
2 Charge of Emergency Operations Support.

3                   In addition, he currently sits on the  
4 Emergency Management Committees of the Canadian  
5 Association of Chiefs of Police, and Ontario  
6 Association of Chiefs of Police.

7                   He was responsible for championing the  
8 introduction of IMS within the Ottawa Police Service.

9                   He was responsible for the planning on  
10 a number of major events, such as the annual Canada Day  
11 Celebrations, Anti-War Protests and Presidential  
12 Visits.

13                   In 2007 he led the planning for the  
14 Stanley Cup Celebrations related to the Ottawa Senators  
15 unsuccessful, I might add, run in the Stanley Cup  
16 finals.

17                   For four years as a Duty Inspector, he  
18 was an Incident Commander for a number of critical  
19 incidents and major events, such as the 2009 Obama  
20 Visit, Canada Day Celebrations and various protests.

21                   In 2011 he was seconded, along with  
22 Chief Charles Bordeleau, to the independent review of  
23 the Vancouver Stanley Cup riots to prepare a technical  
24 report on police planning and management of the Stanley  
25 Cup celebrations that ended up in riots.

1                   In addition to this, he is actively  
2 involved in the community, volunteering in various  
3 capacities with his children's hockey team, and he sits  
4 on the Board of Directors for the Snosuit Fund.

5                   Next to Inspector Ford, to his left,  
6 is Deputy Fire Chief Ronald Jenkins. He is here on  
7 behalf of Canada Task Force 3 in the City of Toronto.

8                   Deputy Chief Jenkins has 33 years of  
9 experience as a Chief Officer with the Toronto Fire  
10 Services and currently holds the position of Deputy  
11 Fire Chief.

12                   He held positions of Captain, District  
13 Chief, Platoon Chief and Division Commander prior to  
14 his current role.

15                   He has also served as a Volunteer  
16 District Chief with the Georgina Fire Services for the  
17 past 22 years, and holds the following designations:  
18 Committee Municipal Manager III, Fire Suppression  
19 Professional and Fire Executive from Canadian Municipal  
20 Management and a Fire Chief Officer designation from  
21 the Canadian Association of Fire Chiefs.

22                   He has also served extensively on  
23 Toronto Fire Services Heavy Urban Search and Rescue,  
24 Canada Task Force III and was formerly Team Lead for  
25 six years, from 2000 to 2006, and currently serves as a

1 Project Leader for the UCRT team.

2 He also works with the City of Toronto  
3 Office of Emergency Management and is part of the  
4 Emergency Management working group, Member of the Joint  
5 Operations Committee, he is currently the Program  
6 Director of the City of Toronto Chemical Biological  
7 Radiological Nuclear Explosive Program.

8 He has gained extensive knowledge and  
9 experience from the External Emergency Management  
10 courses he has taken, which include Emergency Site  
11 Management through the Canadian Emergency Preparedness  
12 College, Basic Emergency Management Certificate from  
13 the Province of Ontario and the National Security  
14 Studies from the Canadian Forces College.

15 To Deputy Chief Jenkins' left is Mr.  
16 Benjamin Morgan.

17 He is from the City of Calgary and he  
18 is their Crisis Communications Director.

19 He is a communications professional  
20 with ten years of expertise in public and media  
21 relations, issues management and crisis communications.

22 He holds a Master's Degree of  
23 Professional Communications from Royal Roads  
24 University, where his research focussed on the  
25 influences of the new media on crisis communication.

1                   As the City of Calgary's Supervisor,  
2 Crisis Communications, his experience and education  
3 were recently tested as he played an integral role in  
4 Calgary's communication response to the 2013 flood.

5                   He is currently participating in a  
6 targeted investment project with the Canadian  
7 Department of National Defence in social media in  
8 emergency management.

9                   During his 16 years as an advanced  
10 life support paramedic, he served as the public and  
11 media relations officer for the City of Calgary  
12 Emergency Medical Services.

13                   During his tenure, he regularly  
14 appeared on local and national television, radio and  
15 print media.

16                   Media strategies, media training,  
17 public service campaigns, key message development,  
18 crisis communication and event management underpin his  
19 career accomplishments.

20                   He is also a member of the  
21 International Association of Business Communicators,  
22 has been involved with the Toastmasters, the Canadian  
23 Association of Professional Speakers, the Calgary  
24 Public Relations Society and several community-based  
25 groups.

1                   In 2009 he founded Both Sides Media  
2 Consulting Group, a communication consulting agency  
3 which offers strategic communication media relations  
4 consulting and training, primarily to Calgary's not for  
5 profit sector.

6                   Here on behalf of the Ontario  
7 Provincial Police and next to Mr. Morgan, is Deputy  
8 Commissioner Vince Hawkes.

9                   He was appointed Deputy Commissioner  
10 of the Ontario Provincial Police in August of 2006 and  
11 in November of 2010 took over responsibility for the  
12 OPP Field Operations Command, which encompasses the  
13 operational activities of five OPP regions, as well as  
14 the Aboriginal Policing Bureau and approximately 4,500  
15 personnel.

16                   OPP field services are provided to  
17 over 300 municipalities in an area covering 942,405  
18 square kilometres of Ontario, including over 20,000  
19 kilometres of highway.

20                   Since joining the OPP in 1984, he has  
21 served in many areas, including general law  
22 enforcement, traffic, crime and technical  
23 identification services unit, he spent 11 years as a  
24 forensic specialist and was the first OPP member to be  
25 certified as a blood stain pattern analysis.

1 Deputy Commissioner Hawkes has also  
2 been the OPP's Operational Planner Advisor for the G8,  
3 G20 summits and the NATO meetings in Ottawa.

4 He is a graduate of the University of  
5 Ottawa with a Bachelors in Science.

6 He is also a graduate of the  
7 University of Toronto Rotman School of Management  
8 Police Leadership Program, as well as the International  
9 Leadership in Counter-Terrorism Program.

10 Deputy Commissioner Hawkes is the past  
11 Chair for the Canadian Integrated Response to Organized  
12 Crime, which is a multi-service partnership.

13 He is also a member of the  
14 International Association of Chiefs of Police and is a  
15 Director with both the Canadian Association of Chiefs  
16 of Police and the Ontario Association of Chiefs of  
17 Police.

18 He currently sits as the campaign  
19 cabinet co-chair of the United Way, Greater Simcoe  
20 County.

21 Since May of 2010 Deputy Commissioner  
22 Hawkes has been invested as an officer in the Order of  
23 Merit of the Police Forces, a fellowship of honour that  
24 recognizes exemplary police services.

25 He is also the recipient of the Police

1 Officer Exemplary Service Medal and the Queen's Diamond  
2 Jubilee Medal.

3 Next to Deputy Commissioner Hawkes is  
4 Mr. Stuart Huxley.

5 He is here on behalf of the  
6 Association of Municipalities of Ontario.

7 Mr. Huxley is a Senior Legal Counsel  
8 with the City of Ottawa.

9 He was called to the Ontario Bar in  
10 the Year 2000.

11 Since then he has worked exclusively  
12 as in-house counsel with the City of Ottawa, City's  
13 Clerk's Office and the Solicitor's Department.

14 He leads the City's prosecution unit  
15 and has extensive prosecution experience with  
16 regulatory matters, including the *Building Code*, *Fire*  
17 *Code*, *Planning Act*, as well as various municipal by-  
18 laws before the Ontario Court of Justice.

19 Mr. Huxley also practices municipal  
20 law and litigation before the Superior Court of  
21 Justice, and has represented the municipality on  
22 significant matters before coroner's inquests, the  
23 Divisional Court, the Court of Appeal for Ontario and  
24 the Supreme Court of Canada.

25 He is also actively involved in the

1 City of Ottawa's Emergency Management and Preparedness  
2 Program.

3 Seated next to Mr. Huxley is Mr.  
4 Richard Boyes.

5 One of two representatives on behalf  
6 of the Ontario Association of Fire Chiefs.

7 Mr. Boyes is the Executive Director of  
8 that Association.

9 He joined the Ontario Association of  
10 Fire Chiefs in June of 2012 as a Chief Operations  
11 Officer and has been in that capacity since November  
12 2012.

13 He served on the Board of the OAFC for  
14 11 years and three as the President.

15 Mr. Boyes has over 40 years'  
16 experience in the fire service and he has held position  
17 as Fire Chief in Alison, Sarnia and most recently  
18 Oakville.

19 He worked with the Office of the Fire  
20 Marshall as a Fire Service Advisor, where he provided  
21 advice and assistance to local municipalities on the  
22 delivery of fire services.

23 He has served as the Fire Coordinator  
24 for Lampton County and as Chair of the Chemical Valley  
25 Emergency Coordinate Organization, where he ensured

1 effective training and emergency response to the Petro  
2 Chemical Industries in the Sarnia area.

3 Mr. Boyes is a Certified Municipal  
4 Planner III and Fire Service Executive, as well as a  
5 community emergency management coordinator.

6 He is a graduate of George Brown  
7 College and the Ontario Fire College.

8 He has attended the Canadian Emergency  
9 Management College as well as many fire and emergency  
10 planning courses throughout Canada and the United  
11 States.

12 Next to him and at the table facing us  
13 is Mr. Alex Gryska, here on behalf of Ontario Mine  
14 Rescue.

15 Mr. Gryska graduated from the  
16 Haileybury School of Mines, as a Mining Engineering  
17 Technologist and as well he graduated from St. Francis  
18 Xavier as an Adult Educator.

19 He is a Certified Occupational Health  
20 and Safety Technologist with the American Board of  
21 Industrial Hygiene and the Board of Certified Safety  
22 Professionals.

23 He gained his industrial experience  
24 working at the Kerr Addison and Macassa Mines, where he  
25 worked in various departments, including Production,

1 Geology, Ground Control, Ventilation and Safety.

2 He had a lengthy career with the  
3 Ontario Ministry of Labour, where he worked in various  
4 capacities, including Inspector, Special Investigations  
5 Officer, Training Coordinator, Mediator Advisor,  
6 Regional Program Advisor and District Manager.

7 He has been associated with mine  
8 rescue since 1975, when he first became an active  
9 volunteer.

10 He is the Director of Ontario Mine  
11 Rescue and has been responsible for the program since  
12 2001.

13 He led Ontario Mine Rescue through a  
14 program review and helped transform the organization  
15 into the world calibre organization it is today, with  
16 more than 875 active mine rescue volunteers.

17 He has been a guest lecturer regarding  
18 emergency preparedness and response at numerous  
19 colleges, universities and academies of learning in  
20 Canada and elsewhere around the world.

21 He is Secretary Treasurer of the  
22 International Mines Rescue Body and he has helped its  
23 member nations events the global mission of making  
24 mining safe.

25 Next to Mr. Gryska, to his left, is

1 the second representative from the Ontario Association  
2 of Fire Chiefs is Deputy Chief Matt Pegg.

3 He is currently President of the  
4 Ontario Association of Fire Chiefs and Deputy Fire  
5 Chief for the City of Toronto.

6 He is also a technical committee  
7 member of the National Fire Protection Service (NFPA),  
8 1971 and 1851.

9 He has been a member of the Fire  
10 Service since 1992.

11 Prior to becoming Deputy Chief for the  
12 City of Toronto, Mr. Pegg was the Deputy Fire Chief for  
13 the City of Brampton, the Town of Ajax and the Town of  
14 Georgina.

15 He is a former member and co-chair of  
16 the Fire Service Advisory Committee, Section 21, the  
17 *Occupational Health and Safety Act*, to the Minister of  
18 Labour.

19 He has a broad educational background  
20 in public management, industrial relations, fire  
21 service administration and fire service leadership.

22 Among other certifications and  
23 designations, he is a certified Health and Safety  
24 Member, an NFPA 1033 Certified Fire Investigator, Chief  
25 Fire Officer and a Certified Municipal Manager.

1                   To Deputy Chief Pegg's left we have  
2 Eva Cohen.

3                   Ms. Cohen grew up in Germany and  
4 studied at the University -- and I will take a stab at  
5 this -- Regensburg, where she was awarded a Bachelor's  
6 Degree in English and Geography.

7                   After that, she became an active  
8 member in the THW, which is the German Federal Agency  
9 for Technical Relief, a National Volunteer Disaster  
10 Relief Organization.

11                   She is a Certified Search and Rescue  
12 K9 Team Leader, and has also trained her own dog to be  
13 an INSARAG Certified Search and Rescue Dog.

14                   She moved to Canada in 2003, where she  
15 founded Hanoverian Alkor Stables in Cantley, Québec, a  
16 small family business for the breeding and training of  
17 world-renowned Hanoverian horses.

18                   She has been active in promoting the  
19 concept of volunteer based emergency response in  
20 Canada, modeled on the THW, and she is the THW Liaison  
21 Officer for Canada.

22                   That organization is the only national  
23 disaster relief organization which is based almost  
24 entirely on volunteers.

25                   In fact, their numbers are about 99

1 percent volunteer-based.

2 Since 1953, the THW has been deployed  
3 in more than 130 countries.

4 She is currently working with the City  
5 of Ottawa Office of Emergency Management and the County  
6 of Renfrew Emergency Services to establish a volunteer  
7 emergency response pilot project.

8 Next to Ms. Cohen is Mr. Dan Hefkey.  
9 He is here on behalf of the Ministry of Community  
10 Safety and Correctional Services, and he is in fact the  
11 Commissioner of Community Safety.

12 He joined the Ontario Public Service  
13 in 1984 as a police officer with the OPP.

14 In 1995 he was among the first OPP  
15 officers to participate in the United Nations Civilian  
16 Policing Mission to Haiti.

17 Upon his return from Haiti he was part  
18 of the team that examined the state of emergency  
19 preparedness within the OPP.

20 Following that project, he worked on  
21 the development of one of those initiatives that  
22 resulted in the creation of the Emergency Management  
23 Bureau, where he became the Operational Planner for the  
24 OPP.

25 That bureau expanded to consolidate a

1 variety of operational support functions.

2           Following that assignment, he became  
3 Unit Commander of the Provincial Communications Centre  
4 in Orillia.

5           In January of 2007 he was appointed to  
6 the post of Chief of Emergency Management Ontario.

7           In 2008 he was promoted to Assistant  
8 Deputy Minister, responsible for emergency management  
9 and business continuity while retaining the position  
10 and responsibilities for Emergency Management Ontario.

11           In January of 2011, he was appointed  
12 as a Commissioner of Community Safety, reporting  
13 directly to the Deputy Minister, he is responsible for  
14 the overall accountability of public safety strategies,  
15 emergency preparedness, fire protection services,  
16 policing support and security services, animal welfare  
17 and forensic science services.

18           To Mr. Hefkey's left and around the  
19 corner of the table is Chief John Hay. He is here  
20 representing the Northern Ontario Mayors Association.

21           He is the Chief of the Thunder Bay  
22 Fire Rescue.

23           He has 30 years of experience with  
24 that service.

25           He is certified as a Paramedic I Haz

1 Mat Technical Rescue Technician.

2 His certifications include Incident  
3 Management Systems 300, Incident Management System 910,  
4 Incident Command System Level 4, Incident Management  
5 System 250 for the Emergency Operations Centre.

6 He has extensive experience in large  
7 event exercise planning and is an Urban Search and  
8 Rescue Team Leader.

9 He and the Thunder Bay Fire and Rescue  
10 are members of the provincial CBNRE Program.

11 Chief Hay is a member of the Fire  
12 Marshall's Advisory Committee and the Fire Marshall's  
13 Public Safety Council.

14 Among recent events, he has served as  
15 the Incident Commander at the 2013 First Nations flood  
16 evacuation, 2012 Thunder Bay flood, 2011 forest fire  
17 evacuation at Sandy Lake and the 2010 G8 Summit in  
18 Huntsville, as well as fire protection CBNRE and 2008  
19 Trillium Response Exercise in Thunder Bay with  
20 approximately 2,000 responders.

21 To Chief Hay's left is Basia  
22 Schreuders. She is here today on behalf of the  
23 International Association of Emergency Managers.

24 She is co-chair of the Government  
25 Affairs Committee of the International Association of

1 Emergency Managers, Canada Council.

2 She is an Emergency Management  
3 Professional with 11 years of experience in the public  
4 and private sector in Canada and in the United States.

5 She has emergency management  
6 experience in chemical, biological, radiological and  
7 nuclear hazards, public health emergencies, security  
8 and national disasters.

9 From 2009 to 2011 she was the Chief of  
10 the Federal Government Health Portfolio Operations  
11 Centre, which was the centre of the health response to  
12 such events as the H1N1 pandemic, the 2010 Vancouver  
13 Olympic Games, the G8 and G20 Summits, the 2010 Haitian  
14 earthquake, Avian influenza outbreaks, the cholera  
15 outbreak in Haiti and the nuclear emergency in Japan.

16 In 2007 Ms. Schreuders served as the  
17 Chief of Radiological Emergency Response Unit for New  
18 York City's Department of Health and Mental Hygiene.

19 She has also managed radiation surveys  
20 and site investigations through the five New York City  
21 boroughs.

22 She is also an experienced Emergency  
23 Management Educator, has conducted emergency management  
24 security, ICS, risk communication seminars for public  
25 health, diplomatic and private staff in the U.S.,

1 Canada and Israel.

2 In 2008 she completed her Masters in  
3 Public Administration in Emergency and Disaster  
4 Management at the Metropolitan College of New York.

5 She is now an Advisement Committee  
6 Member for the graduate certificate in Emergency  
7 Management and teaches Emergency Operations Centre  
8 Management at Algonquin College in Ottawa.

9 In addition to that, she also serves  
10 as the Vice President for Smiles on Us, a local Ottawa-  
11 based initiative that provides free dental care for  
12 families in need on Smiles on Us Day.

13 Next to Ms. Schreuders, to her left,  
14 is Mr. Ted Wieclawek.

15 He was appointed Fire Marshall for the  
16 Province of Ontario in January 2011 and Chief of  
17 Emergency Management in August of 2013.

18 He is currently the leader of the  
19 Office of the Fire Marshall and Emergency Management, a  
20 division of the Ontario Ministry of Community Safety  
21 and Correctional Services formed in 2011 to merge the  
22 office of the Fire Marshall and Emergency Management  
23 Ontario.

24 He first joined the Fire Marshall's  
25 Office in 1992.

1 Over the years he has progressed  
2 through the ranks by holding several positions such as  
3 Manager of Issues and Communications, Program  
4 Specialist in the Risk Assessment and Municipal Review  
5 Section, Operations Manager in Fire Protection  
6 Services, and prior to his appointment as Fire  
7 Marshall, Assistant Deputy Fire Marshall of the Fire  
8 Protection Services and Acting Deputy Fire Marshall.

9 He played an integral part in the  
10 policy and legislative development of the *Fire*  
11 *Protection and Prevention Act, 1997.*

12 During his career, he contributed to  
13 the development of risk management tools and programs  
14 to help municipalities to determine appropriate levels  
15 of fire protection services.

16 And the OFM to monitor the delivery of  
17 these services across the province in accordance with  
18 the requirements set out in the FPPA.

19 He holds a Bachelor of Arts degree in  
20 Political Science from Queen's University.

21 He is a member of the Ontario  
22 Association of Fire Chiefs, the Canadian Association of  
23 Fire Chiefs and the International Association of Fire  
24 Chiefs, as well as the National Fire Protection  
25 Association.

1                   To his left is Inspector Retired Lance  
2 Valcour. He is here representing the Canadian  
3 Interoperability Technology Interest Group.

4                   Inspector Valcour retired from the  
5 Ottawa Police Service in 2010 after 33 years of  
6 service.

7                   He now works for the Canadian  
8 Associations of Chiefs of Police, Fire and Emergency  
9 Medical Services as the Executive Director of the  
10 Canadian Interoperability Technology Interest Group,  
11 known as CITIG.

12                  Inspector Valcour has extensive  
13 communications interoperability, incident command  
14 leadership, strategic planning and technology program  
15 management experience at the national and international  
16 levels.

17                  He works cooperatively with numerous  
18 national and international strategic organizations,  
19 such as the Canadian Association of Chiefs of Police,  
20 Information and Communications Technology Committee,  
21 often in the information and public safety  
22 interoperability fields.

23                  He is on the board of the National  
24 Public Safety Telecommunications Council and as of  
25 October 2013, the Chair of the Board for the Law

1 Enforcement Information Management Section of the  
2 International Association of Chiefs of Police.

3 He was invested in 2010 as an Officer  
4 of the Order of Merit of the Police Services by the  
5 Governor General.

6 And in August of 2012 he received the  
7 Queen's Diamond Jubilee Medal.

8 To Inspector Valcour's left, here on  
9 behalf of the City of Calgary Fire Department, we have  
10 Assistant Deputy Chief Coby Duerr.

11 He began his firefighting career in  
12 the small community of Naramata, B.C. in 1993 and moved  
13 into a resident position with Penticton's Fire Service.

14 He joined the Calgary Fire Department  
15 in 2000 and quickly took on a position with the Heavy  
16 Rescue Technical Team.

17 The training and experience learned  
18 within that specialty led him to become Task Force  
19 Leader of Canada Task Force II, which he still holds  
20 today.

21 His time in Canada Task Force II  
22 resulted in leading the program through a growth phase  
23 that culminated in a provincial level deployment to the  
24 Slave Lake fires in 2011.

25 He was then promoted to the role of

1 Emergency Management Coordinator for the City of  
2 Calgary.

3 While working in the Calgary Emergency  
4 Management Agency, he was part of many large scale  
5 incidents and worked alongside numerous business units  
6 throughout the City of Calgary.

7 After his promotion to Assistant  
8 Deputy Chief in April of 2013, he continued his work  
9 with Calgary Emergency Management Agency and was  
10 Assistant Emergency Operations Centre Manager during  
11 the devastating floods this past summer.

12 In October of this year he was  
13 transferred to the position of Assistant Deputy Chief  
14 of Operations and Technical Teams for the City of  
15 Calgary Fire Department.

16 Our last panel member, to my right, is  
17 Mr. Scott Campbell, and he is here on behalf of the  
18 Ministry of Labour.

19 Mr. Campbell is Manager of the  
20 Ministry of Labour's Emergency Management Program.

21 He is consulting with internal and  
22 external stakeholders, providing expertise regarding  
23 the application of best safety practices and the  
24 *Occupational Health and Safety Act* during emergencies.

25 In 2013 he evaluated an audit of the

1 Provincial Emergency Management Program and made  
2 recommendations on how to address its findings.

3 Since joining the Ministry in 2004, he  
4 has also been a Program Manager, Industrial Health and  
5 Safety Program in Mississauga and in Hamilton.

6 He is a Provincial Specialist with the  
7 Occupational Health and Safety Branch and an  
8 Occupational Health and Safety Inspector Provincial  
9 Offences Officer as well.

10 Prior to joining the government, he  
11 worked as Principle Research Technologist at INCO in  
12 Mississauga from 1986 to 2004.

13 He was a Hazardous Material Specialist  
14 Instructor at Echelon Response and Training Inc., in  
15 Hamilton, from 1999 to 2004.

16 He holds a diploma in Mechanical  
17 Engineering from George Brown College in 1987, a  
18 certificate in Occupational Health and Safety from  
19 Ryerson University in 2004, and expects to complete a  
20 certificate in Emergency Management from George Brown  
21 College in 2014.

22 He is a Canadian Registered Safety  
23 Professional.

24 So with that, we can start.

25 The first area that I would like to

1 begin to discuss with all of you today are the certain  
2 issues with the IMS, Incident Management System.

3 The IMS doctrine was approved in  
4 January of 2019, and as you know, its use is optional,  
5 no statute requires its use.

6 It has not been around that long.

7 In fact, only about three and a half  
8 years by the time the Elliot Lake Mall collapsed.

9 Given the shortness of the time that  
10 it had to operate, it should not be too surprising that  
11 the evidence disclosed that we heard at the Inquiry, a  
12 number of shortcomings in the understanding of the IMS  
13 system itself, its nomenclature and its application.

14 I won't presume that everybody  
15 followed the Inquiry, so to put some context on what we  
16 are doing I will give you a few examples here.

17 As far as misunderstanding, the  
18 evidence disclosed -- what I am telling you is really  
19 my take on the evidence, it is not necessarily the same  
20 take that the Commission will have on it, but it was  
21 simply as somebody who was there and saw the evidence  
22 unfold.

23 It certainly appeared that there was a  
24 misunderstanding of what the term "unified command"  
25 meant in terms of the IMS doctrine.

1           A number of senior people -- this is  
2 sort of the important part of this, it wasn't simply  
3 the folks that were actually doing the rescuing, but at  
4 the senior level of the operation, felt that what the  
5 term meant was simply that the leads of a number of  
6 agencies would act together, but under the direction of  
7 one Incident Commander as opposed to the committee-  
8 style set out in the IMS doctrine.

9           There was misunderstanding about the  
10 IMS chain of command as it related to the Incident  
11 Commander and TF3.

12           The evidence disclosed on this  
13 particular point that the Incident Commander was not  
14 aware that TF3 in point of fact reported to him. He  
15 became aware of that fact on the 25<sup>th</sup> of June, which is  
16 a good two days after the event took place.

17           So he becomes aware of the actual  
18 command structure 48 hours after the fact.

19           Another thing that became quite  
20 apparent was that no single person was seen by  
21 everybody to be the Incident Commander.

22           Another feature that was disclosed is  
23 something that a number of you have raised in your  
24 materials, and I want to start with that, it was the  
25 concept of a siloing.

1                   Although the Incident Commander  
2 quickly took command of the situation, at the outset it  
3 appeared that the fire and police were working at  
4 cross-purposes because of these silos.

5                   The evidence disclosed that the  
6 responders, mainly Elliot Lake Fire, were inside the  
7 building trying to locate survivors, without any  
8 consultation between fire and police.

9                   The police sent a helicopter up to  
10 allow reconnaissance photographs of the mall to be  
11 taken.

12                   The down draft from the helicopter, it  
13 caused the beam that had actually failed in the  
14 collapse and was hanging on, that draft caused the beam  
15 to sway, which was directly overhead of the Elliot Lake  
16 Fire personnel and consequently the actions of the  
17 police, as well intentioned as they were, actually were  
18 counter-productive to the efforts of the fire  
19 department.

20                   And so it is against this type of  
21 background that we want to discuss with you certain  
22 aspects of the Incident Management System.

23                   And the materials are presented by the  
24 Province of Ontario indicated that with respect to the  
25 IMS, they conducted and prepared a consolidated After

1 Action Report and it was dated the 27<sup>th</sup> of September  
2 2013.

3 In the After Action Report they have  
4 said that they are going to establish a multi-  
5 jurisdictional committee to act on the recommendations  
6 coming out of that Report, as well as the committee  
7 will review and consider the findings and  
8 recommendations of this Commission of Inquiry.

9 This committee will be chaired by Mr.  
10 Wieclawek.

11 One of the areas that is up for review  
12 is to validate the continued use and adoption of IMS in  
13 Ontario.

14 And as part of that review, one of the  
15 things that will be looked at, the government will be  
16 forming a committee and will be looking for input from  
17 various stakeholders from the Provincial and Municipal  
18 Governments, Police, Fire, EMS and their associations  
19 to determine as currently constituted the viability of  
20 IMS system, opportunities to refine or enhance the IMS  
21 system, whether or not IMS should be made mandatory,  
22 and how IMS training can be enhanced.

23 Just so we understand where we are  
24 headed in this regard, I would like to first ask Mr.  
25 Wieclawek, what is the timetable for this particular

1 study?

2 Has anything happened, and what target  
3 date have you set, or has one been set?

4 **MR. WIECLAWEK:** We have done some  
5 preparatory work, obviously we have been following the  
6 proceedings of the Inquiry very closely and as is our  
7 normal routine, we try to be proactive and be prepared  
8 to be responsive to any recommendations, whether they  
9 are driven internally from parts of government or from  
10 the Inquiry.

11 So we have established a committee, we  
12 have started off by reviewing the history, and you  
13 mentioned it earlier that IMS is a relatively new  
14 system that has been introduced against a backdrop of  
15 different command systems, command systems that have  
16 been in existence for many, many years.

17 So we have done sort of a review,  
18 looked back at its origins to determine what was the  
19 precursors, what was the need, what was driving the  
20 imperative to develop an IMS system and introduce it  
21 into amongst emergency responders and other agencies.

22 So we have struck a committee, we have  
23 done the preparatory work. We have not established a  
24 time frame.

25 We are also awaiting the

1 recommendations from this Inquiry to help inform us in  
2 terms of focussing on some key areas.

3 I would like to say that we have been  
4 successful in identifying a number of key themes, one  
5 of them being the lack of clarity or understanding  
6 amongst the diverse groups as to what does "IMS" mean,  
7 what does that mean to emergency responders who grow up  
8 in an environment where they employ what they refer to  
9 as incident command, whether that is on the fire ground  
10 or whether that is something utilized by the Police  
11 Services?

12 So we do understand that there is some  
13 challenges with respect to understanding and clarity.

14 And one of the things we want to do is  
15 to strike this committee as soon as possible, formally,  
16 with terms of reference, reflecting any of the  
17 comments, Mr. Wallace, that you just made, with the  
18 purpose of validating and looking back and first of all  
19 asking the question: what is IMS?

20 Do we clearly understand what it  
21 means?

22 What are its central components?

23 What does it mean to the various  
24 responders and agencies that were asking to employ or  
25 implement?

1                   And based on those findings, determine  
2 whether we mandate it, by law or legislation, or  
3 whether we need to refocus our efforts in terms of  
4 ensuring that it is understood universally, it is  
5 adopted and embraced and it is not so much a doctrine,  
6 but something that the end users, whether that is  
7 police, fire, EMS or other agencies, that they actually  
8 understand and they adopt it from the ground up,  
9 because it is our belief and our position that if they  
10 do not take ownership of that doctrine and make it part  
11 and parcel of the day to day activities, then it is  
12 going to remain a doctrine on paper, it will not be  
13 accepted.

14                   So we have no established time frame.

15                   But we are very aware that an event  
16 like Elliot Lake could happen again at any time and we  
17 are very much awaiting the recommendations of the  
18 Commissioner so that we can proceed in a very timely  
19 fashion.

20                   **MR. WALLACE:** So the committee that  
21 involved the stakeholders, the broader group, this  
22 process, if I understand you correctly, this will not  
23 happen until the recommendations are made by this  
24 Inquiry.

25                   Have I got that right?

1                   **MR. WIECLAWEK:**    Yes, absolutely.

2                   We do not want to pre-empt or we don't  
3 want to make any assumptions, because obviously we are  
4 very close to it.

5                   We are the originators.

6                   We have developed a doctrine but we  
7 think it is really important that we need a -- how  
8 would you say -- a third party or an outside group,  
9 other individuals, this Inquiry to make those  
10 observations so that we ensure that when we are  
11 revisiting the doctrine that we do not have tunnel  
12 vision, that we are going to take into account all  
13 observations that are being made.

14                   **MR. WALLACE:**    Now, in addition, the  
15 consolidated After Action Report it makes note of the  
16 fact that it is the intention of the Ministry to  
17 clarify the definition of certain terms, and the terms  
18 that are identified within the After Action Report are  
19 emergency response, emergency management, IMS, unified  
20 command, unity of command, incident command.

21                   Is this definitional clarity, is this  
22 on hold until the Inquiry makes its recommendations, or  
23 is this something that is going to move forward on its  
24 own?

25                   **MR. WIECLAWEK:**    We are proceeding

1 right now, and as I mentioned earlier, we are  
2 revisiting and asking ourselves how did these terms  
3 come into being?

4 What is emergency response?

5 An example I would use is that in the  
6 Province of Ontario emergency responders, whether the  
7 policy, fire, EMS, they respond to approximately  
8 550,000 emergencies a year.

9 So a central question is when we use  
10 the word "emergency" and "emergency management", what  
11 do we mean when we move from the term "emergency" to  
12 "emergency management", is that when you declare a  
13 municipal emergency?

14 Does that involve the participation  
15 and engagement of other agencies that may not be from  
16 the police, fire or EMS background, it could be  
17 municipal officials, Public Works, Red Cross, other  
18 agencies.

19 So we are revisiting all of these  
20 definitions for one to determine how did they come into  
21 being, what is the inter-relationship of these terms,  
22 what do they mean to the various agencies involved and  
23 engaged in emergency response and emergency management.

24 So we are compiling and doing our  
25 research because it is really important that we have a

1 clear idea where we came from and why this came into  
2 being in the first place.

3 And as a backdrop, engage our  
4 stakeholders, the practitioners, as well as be  
5 responsive through the recommendations and observations  
6 of the Inquiry to help inform us and guide us in that  
7 analysis.

8 **MR. WALLACE:** Thank you.

9 Before I actually get into the first  
10 topic on IMS that I would like to talk about, I would  
11 like to get a sense from a number of you of the actual  
12 number of services that nominally at least subscribe to  
13 IMS.

14 And the reason I am asking this is  
15 because at the Hearings themselves we were not able to  
16 determine what is the acceptance level, at least on a  
17 nominal basis, of the IMS system.

18 I will ask you, Mr. Deputy Chief Pegg,  
19 on behalf of the Fire Chiefs, if you can give us an  
20 indication of the number of services in your  
21 organization that actually say we embrace this system.

22 **MR. PEGG:** Sure. Thank you, Mr.  
23 Wallace.

24 I guess further to the opening  
25 statement, the opening comments of Fire Marshal

1 Wieclawek, the Ontario Association of Fire Chiefs have  
2 been active participants in the IMS doctrine and the  
3 creation of the IMS doctrine and ultimately the IMS  
4 system in Ontario from its inception.

5 And by way, if you will permit me, by  
6 way of some history, when the IMS doctrine was being  
7 developed and from a -- I guess a developmental  
8 historical perspective, the Ontario Association of Fire  
9 Chiefs faced a primary concern, and the primary  
10 challenge and concern of the day was there has been a  
11 long-standing Incident Command System that is in  
12 existence across the Ontario Fire Service.

13 **MR. WALLACE:** That is known as "ICS."

14 **MR. PEGG:** Correct.

15 So that in a couple of different  
16 forms, but ICS or Incident Command is employed, as the  
17 Fire Marshall said, literally countless number of  
18 times, every day in fire services across the Province.

19 That has been in place for many, many  
20 years predating the development of IMS.

21 So when the development of IMS was  
22 contemplated, the primary concern of the Ontario Fire  
23 Chiefs was whatever system that is created needs to, a)  
24 compliment the long-standing and existing system of  
25 incident command that is in place every day; and

1 equally importantly, we needed to be assured that it  
2 would not negatively affect or alter or complicate the  
3 foundation that the entire fire service emergency  
4 response and command systems are based upon, which  
5 forms a large part of the fire fighter health and  
6 safety system.

7 So I will look to my friend, Mr.  
8 Campbell, from the Ministry of Labour.

9 There is a very comprehensive system  
10 of health and safety within the Ontario Fire Service  
11 documented through the section 21 process.

12 Many of the components of that health  
13 and safety system hang on the foundation of the long-  
14 standing Incident Command System.

15 So as provincial IMS was being  
16 contemplated and as we were engaged and Mr. Boyes was  
17 the president of the OAFIC in that era, when we were  
18 being engaged to participate, we simply sought and  
19 required an assurance from Emergency Management Ontario  
20 of the day that the development of the IMS doctrine  
21 would compliment and expand upon the existing ICS, but  
22 would not complicate it or render it dangerous.

23 We received that.

24 That assurance was provided to us by  
25 then -- forgive me, Commissioner, I am not sure what

1 the title was but -- Mr. Morton, of the day.

2 So Deputy Chief Mike Morton of  
3 Emergency Management Ontario then, provided the OAF  
4 with formal confirmation and validation that the  
5 Provincial Incident Management System would in fact  
6 compliment, but would not negatively impact or effect  
7 the operation that happens on the fire ground or  
8 emergency rescue seen every day.

9 So we moved forward under the  
10 signature of then President Boyes, the OAF became an  
11 active partner in IMS and certainly still is today.

12 We continue to be actively engaged in  
13 the IMS process and I guess my response to Mr.  
14 Wieclawek's statement, the OAF of course is very  
15 supportive of looking at any opportunities for  
16 continuous improvement, opportunities for review, but  
17 our primary concern and the primary concern of every  
18 Fire Chief in Ontario will be the same as it was  
19 initially.

20 There are systems in place every day  
21 and we need to make sure and ensure that the  
22 effectiveness of fire ground command, the effectiveness  
23 of emergency scene operations and the effectiveness of  
24 fire fighter health and safety are maintained, are  
25 protected and form the key fundamental principle for us

1 moving forward.

2 So our organization and across the  
3 province, the O AFC, absolutely, active partners in IMS  
4 and looking forward to seeing improvements.

5 **MR. WALLACE:** But if I get your  
6 point, the actual fire services do not use IMS.

7 Have I got that correct?

8 Use the ICS?

9 **MR. PEGG:** The response to what I  
10 will refer to as a daily emergency is handled across  
11 fire services, so speaking specifically for Toronto and  
12 Deputy Chief Jenkins can certainly speak to this as  
13 well, yes.

14 We would implement that the Incident  
15 Command system on a daily incident-by-incident basis.

16 Important to note though, Mr. Wallace,  
17 that the creation and operation of every Incident  
18 Command System, be it in any fire service in Thunder  
19 Bay or Toronto or anywhere else, all of those systems  
20 are scalable such that they are designed and intended  
21 to seamlessly transition into a larger organization,  
22 which is the basis that allowed the O AFC principally to  
23 support IMS.

24 So yes, we operate ICS, that system  
25 can scale into a larger operation as the incident

1 escalates and encompasses things like planning and  
2 logistics and finance that would not normally be held  
3 on a day-to-day basis at what I would dare say, I don't  
4 like the word "routine", but I will say a more routine  
5 or more day to day incident.

6 **MR. WALLACE:** So on a day-to-day  
7 basis the fire services throughout the Province would  
8 be using the ICS system as opposed to the IMS system?

9 **MR. PEGG:** Correct.

10 **THE COMMISSIONER:** And then you scale  
11 upwards to IMS, depending on the situation.

12 **MR. PEGG:** Correct, sir.

13 **MR. WALLACE:** And are you able to  
14 give us or is this too vague a question?

15 Are you able to say when the  
16 transition takes place?

17 **MR. PEGG:** You are correct, that is a  
18 big question.

19 I guess by matter of principle the  
20 principle concept of the Incident Command System is the  
21 command system escalates and grows in an effort to  
22 enhance and improve the overall quality of the command  
23 organization in response to a growing incident.

24 So a lot of the expansion of the  
25 incident deals with the inclusion of external partners

1 and resources.

2 So for example, if we have a fire  
3 service that is managing a structural fire today, that  
4 commonly, obviously deals with the fire service,  
5 commonly both are police partners and our Emergency  
6 Medical Services partners will be a component of those  
7 organizations or that overall command response.

8 The chief officer that is commanding  
9 that incident, so the Incident Commander, retains full  
10 care and control of the entire service spectrum.

11 If the incident continues to escalate,  
12 so a) it may be geographically escalating, so if we are  
13 dealing with some type of natural disaster and it is no  
14 longer a centralized incident or it is growing very  
15 big, or it may be, for example, a collapse or a fire  
16 situation that is growing and growing and growing and  
17 demanding the response of additional resources and  
18 service partners, then the Command Organization is  
19 going to grow in concert with that through planning  
20 cycles, through the incident command process.

21 In ICS we would refer to that as  
22 things like "sectoring".

23 So I guess the best example I can give  
24 is in your opening remarks you made a comment that --  
25 or a comment related to how the HUSAR team fits into

1 the Incident Command System within a fire ground.

2 In my experience, my respectful  
3 submission to that would be the -- and Chief Jenkins  
4 feel free to jump on this, the HUSAR functionality or  
5 Heavy Urban Search and Rescue functionality simply  
6 forms a functional sector of a command system.

7 There is no expectation of a Fire  
8 Incident Commander that the HUSAR team would assume  
9 command and control of the incident, in fact the  
10 opposite would be true.

11 The Incident Commander retains the  
12 responsibility as the Incident Commander and  
13 specialized resources, like HUSAR, will fall in line  
14 into sectors that are created and added to the command  
15 organization as the incident complexity grows.

16 **MR. JENKINS:** Yes, Deputy Pegg did a  
17 great job of specifying what I think with ICS and IMS  
18 really they're the same.

19 One and the same.

20 One goes into the other.

21 For the Fire Service you have the  
22 Incident Command System on the fire ground, as that  
23 incident grows it becomes near more management, so it  
24 becomes an Incident Management System.

25 **MR. WALLACE:** I am certainly no

1 expert, but I mean I have had a look at both doctrines  
2 and just on a fairly superficial reading I can't  
3 distinguish the difference, one from the other, they  
4 both have the same five functions.

5 **MR. JENKINS:** Exactly.

6 **MR. WALLACE:** So is this much ado  
7 about nothing in the ---

8 **MR. JENKINS:** There is a great focus  
9 on terminology, and you mentioned it earlier, unified  
10 command.

11 The command system, although the IMS  
12 document was produced in 2009, Incident Command has  
13 been around in the fire service since the early 1980's.

14 Prior to amalgamation of the City of  
15 Toronto, as with one of the former smaller cities, City  
16 of York, depending on where we responded, there would  
17 be an ICS system in place.

18 From my experience with the Georgina  
19 Fire Services, again surrounded by other  
20 municipalities, ICS systems were in place.

21 So to your question about what is the  
22 embracement?

23 What is the adoption of incident  
24 management of ICS within Ontario?

25 I would say it is very great.

1 Speaking from a fire service  
2 perspective, it certainly has been adopted.

3 From the police ---

4 **MR. WALLACE:** As ICS?

5 **MR. JENKINS:** As ICS, IMS.

6 The terminology can vary.

7 **MR. WALLACE:** Would somebody have a  
8 practical problem if one group was operating under ICS  
9 and one was operating under IMS, would that be a  
10 problem?

11 **MR. JENKINS:** There may be some  
12 terminology differences, you know, depending on your  
13 agency, your area of Ontario, but by and large they are  
14 adaptable and they are understood.

15 **MR. WALLACE:** They are both systems  
16 set up to manage emergencies.

17 They don't tell you how to solve it,  
18 but rather how to organize yourself.

19 **MR. JENKINS:** How to organize it and  
20 when I responded to your question about how to simplify  
21 IMS within Ontario, my response back was that I feel  
22 right now it is very simple and it is understood.

23 In thinking further to that, I would  
24 like to change that.

25 I think maybe for the municipal

1 sectors within the municipality, maybe it is not so  
2 understood.

3 The City of Toronto teaches IMS now in  
4 our EOC.

5 All city divisions that come in are  
6 taught IMS.

7 There is a greater understanding when  
8 there is an emergency of substance that the players in  
9 the EOC understand what a sector is, what operations  
10 planning, logistics, finance, those components are all  
11 part of the EOC.

12 So I am wondering if that is maybe  
13 where, if there are issues, that could be where the  
14 issues are from the greater public sector and the  
15 understanding of IMS.

16 But as far as the emergency service, I  
17 think where it is IMS, ICS, I think the emergency  
18 services understand the components.

19 **THE COMMISSIONER:** ICS previously had  
20 all of these functions before IMS came along, command  
21 and operations and planning and logistics and  
22 administration.

23 These things were not new concepts.

24 **MR. JENKINS:** Not new concepts at  
25 all.

1                   **THE COMMISSIONER:**    I am just  
2 wondering what the utility is of having two different  
3 nomenclatures for what essentially appears to be the  
4 same system.

5                   **MR. JENKINS:**        I don't have an answer  
6 for you on that one.

7                   **MR. WIECLAWEK:**    Could I, Commissioner  
8 and Mr. Wallace, just offer some of the products of our  
9 analysis.

10                                When we look at Incident Command  
11 System and we use the term "IMS", you mentioned earlier  
12 that we could identify different diagrams.

13                                If IMS means the function of command,  
14 you know, logistics section, finance, planning,  
15 intuitively and practically, Incident Command is one of  
16 those four components.

17                                One of the things that we have been  
18 discussing to help clarify is to say IMS is a system of  
19 organizing those four components, including the command  
20 function, whereas Incident Command is the practical  
21 implementation of the IMS system, because it is already  
22 part of the IMS system.

23                                Intuitively the function or the action  
24 of command happens because when the event occurs  
25 normally it is the emergency responders that arrive on

1 scene.

2 They begin to informally or formally  
3 start to implement the IMS system by doing size up,  
4 identifying what is the nature of the incident, what  
5 type of resources are required.

6 When we have referred to the 550,000  
7 incidents that happened, it very seldom goes beyond  
8 that Incident Command function.

9 They are able to deal with the  
10 emergency, they don't really have to get into the  
11 logistics and planning and all of those other issues  
12 dealing with HR and finance, because the incident  
13 occurs and very quickly is dealt with and ends.

14 When you get into an incident where  
15 the Commander is starting to make decisions as to this  
16 is going to be longer than three hours, it is going to  
17 go on for a day or so, the competency or the role of  
18 the Incident Commander is to say we are going to have  
19 other organizations joining in.

20 You will have police, fire and EMS,  
21 but once you may have an evacuation you have social  
22 services saying where are these people going to go?

23 We start to morph into the IMS saying  
24 this is beyond the role of the emergency responders,  
25 there is other things, consequences of that incident

1 that are occurring.

2 So the Incident Commander will start  
3 to make decisions as to where do these people go?

4 How do we rotate our staff?

5 How do we feed them, house them?

6 Do we need to deal with traffic  
7 delays?

8 How do we communicate with the public  
9 who is wanting to know what is going on?

10 How do we communicate with mayor and  
11 council who is saying what is going on?

12 Could you inform us as to the nature  
13 of the incident, what are you doing?

14 So the Incident Commander may say yes,  
15 it's time to start developing a formalized incident  
16 action plan, because obviously this is not going to be  
17 resolved in the next two hours.

18 So what I would offer is to say it is  
19 about terminology, in fact the IMS is always there,  
20 Incident Command is a part of IMS, but it is the one  
21 you most commonly see at the outset of an incident,  
22 because the Incident Commander's role is to make that  
23 determination when things like logistics, incident  
24 action plans, when the incident grows, that is the role  
25 of the commander, is to make those decisions and say I

1 need to formalize and start implementing those elements  
2 of IMS.

3 **MR. WALLACE:** So would it be  
4 reasonable to take from that that the ICS is primarily  
5 concerned with the management of the incident by the  
6 responders, whereas IMS does that but it goes a little  
7 further and it is concerned about managing resources  
8 beyond the fire.

9 So you have the people who are  
10 displaced and that sort of thing.

11 Is that a reasonable interpretation of  
12 this?

13 **MR. WIECLAWEK:** Yes, and I will defer  
14 to my colleagues, but the emergency responders pre-  
15 plan.

16 When they respond to a fire or a  
17 vehicle accident or to an incident, their training,  
18 they do this on a day-to-day basis. So they know what  
19 they are going to do when they respond to a house fire,  
20 so they don't have to write out a plan because they  
21 pre-plan and they train for that occurrence.

22 When you have other individuals that  
23 are not having grown up or a part of that, you know,  
24 they call it a "para-military" hierarchical structure,  
25 if you are taking someone say from social services or

1 another organization that is being brought in to help  
2 and assist with evacuation and housing people, they  
3 don't live their lives on a day-to-day basis and they  
4 don't think about Incident Command or IMS.

5 So there is an obligation on the  
6 Incident Commander when these organizations and people  
7 become engaged to provide some guidance as to, you  
8 know, what is your role, how are you going to perform  
9 it, how are you going to communicate it.

10 And I think that is the value of IMS,  
11 because now you are dealing with people who are not  
12 exposed to those types of events on a day-to-day basis.

13 It may come intuitively to those in a  
14 command function or in emergency services, but IMS is  
15 about how do we coordinate and ensure that all of these  
16 other individuals that are being asked to engage, how  
17 do they know what their role is and how do they fit  
18 into the bigger picture.

19 **MR. WALLACE:** Inspector Ford, are you  
20 in a position to give us some indication of the numbers  
21 of police services that have adopted IMS?

22 **MR. FORD:** Certainly.

23 In consultation with members of the  
24 OACP, I think it is best to describe it, and if I might  
25 use your term from a previous conversation, it is in

1 its infancy in the police world.

2                   There has been intermittent  
3 implementation and application just due to capacity  
4 issues, and I think that is dependent upon each  
5 individual municipality and their capacity to provide  
6 the training and then hence the application.

7                   So it is a challenge.

8                   I think as colleagues have indicated,  
9 this is a system that has been engrained in the fire  
10 world for years, if not decades.

11                   And in the police world it was sort of  
12 a paradigm shift and the challenge that we face quite  
13 often is that it depends on the definition of an  
14 incident.

15                   Looking at it through a police lens is  
16 that we look at incidents so they can be categorized  
17 and maybe to simplify it somewhat, we could have what  
18 you call police centric type issue, which could be  
19 maybe a major incident involving the stuff police  
20 respond to, bombs and guns, et cetera, and there is  
21 command models that are taught nationally that deal  
22 with that and they do draw upon tenants of the IMS or  
23 the ICS.

24                   We also look at, you know, maybe  
25 planning for safety and security as they relate to

1 events, protest demonstrations, those types of things.

2 And there you see a real broad  
3 spectrum of sort of frameworks and command models.

4 It depends where you go in Canada and  
5 even within Ontario where you have some models that are  
6 based upon military doctrine, you have some agencies  
7 embrace the ICS or IMS and then you also have UK models  
8 that are present.

9 I think where we do establish and  
10 stand on very common ground is when we get into those  
11 emergencies and natural disasters where you have seen a  
12 full embodiment and embracing of the IMS and ICS  
13 models.

14 **MR. WALLACE:** Am I right then that  
15 the adoption of the IMS system, as embodied in the  
16 doctrine of 2009 by the police services is somewhat  
17 inconsistent, but they do have a management system of  
18 some sort?

19 **MR. FORD:** Absolutely.

20 **MR. WALLACE:** So it is an  
21 inconsistent adoption by the Police Services?

22 **MR. FORD:** Yes.

23 And you know what?

24 Even though 2009 is four years ago,  
25 that still is a short timeframe for such a shift.

1                   In order to achieve that shift, it  
2 does require an intensive amount of resources.

3                   **MR. WALLACE:**    People don't like to  
4 change.

5                   **MR. FORD:**     Yes, there is that too.

6                   **MR. WALLACE:**    Deputy Commissioner  
7 Hawkes, what about the OPP?

8                   Have they embraced IMS?

9                   **MR. HAWKES:**    Yes, we have.

10                   And we have initiated the training and  
11 to train our front line officers on the 100 level, for  
12 example.

13                   We definitely support that from an  
14 organizational standpoint on what the need is for IMS,  
15 but I concur and totally agree with the fire  
16 colleagues, that the Incident Command System has been  
17 in place for day-to-day operations for a long time.

18                   For an operation, a police operation,  
19 I will use a simple example from a motor vehicle  
20 collision out there on the highways today involving  
21 fire, there is very, very good cooperation on dealing  
22 with that incident, it is contained.

23                   But when that expands and we have a  
24 500, 600 collisions that happen in one day due to  
25 multiple snowstorms across the whole organization, the

1 whole Province, then other things kick in to that.

2 How do we manage all the resources  
3 that have to go there?

4 Each component, each little incident  
5 is managed and dealt with, but once that starts to  
6 expand, then we have to bump to another level where we  
7 would involve operation centres and provincial  
8 resources from across the province.

9 When we had the 402 incident down  
10 outside of Sarnia, where the highway was totally  
11 blocked, it got to the point where we needed military  
12 assistance because there was nothing on ground within  
13 our own agency or partnering agencies that could even  
14 manage getting out to that environment.

15 So once you start to expand, that is  
16 where the value of the IMS piece kicks in because now  
17 you are going above and beyond your own capabilities,  
18 but in the end you still need to have an Incident  
19 Commander in charge.

20 That Incident Commander needs to be in  
21 a position that understands all of the added resources  
22 and the needs of every one of your partners and  
23 stakeholders coming in and bringing resources to that  
24 perspective and then to be able to be in a position to  
25 manage that so there is a good understanding of what

1 needs to be done.

2 Now, when police and fire work  
3 together, and EMS, because we do that every day it  
4 seems seamless at times.

5 It is when you start to expand that,  
6 then I agree with Ted, that you bring in players that  
7 are not used to this, or they are not trained in IMS to  
8 the level they need to be.

9 This is something that is very unique  
10 to them, even dealing with communication piece, police,  
11 fire and EMS deal with that every single day.

12 But when you start bringing in some  
13 municipal partners at times, they do not understand  
14 their role, they don't understand some of those areas  
15 because they are just not used to it or they are not  
16 trained at that level.

17 Then that becomes more of a challenge,  
18 a bigger challenge and it is generally when the event  
19 is growing.

20 So there is some definite challenges  
21 there and that is why to look at all of those issues  
22 that Ted said, proposed, is really valuable for all of  
23 us going forward.

24 **MR. WALLACE:** Thank you.

25 Chief Hay, I know you wanted to get in

1 there.

2 **MR. HAY:** Yes. Thank you, Mr.  
3 Wallace.

4 What I would like to bring to  
5 everybody's attention is it works, right now.

6 We should also be looking at how  
7 positively this IMS, ICS relationship works in the  
8 Province right now.

9 It is happening in Thunder Bay at this  
10 moment.

11 I got notified this morning of a major  
12 structural fire.

13 It is going to end up being an  
14 investigation where a chain of command and a chain of  
15 continuity for evidence has to be managed.

16 That is going to be an IMS management  
17 and IMS change of authority have on jurisdiction.

18 That is happening all the time in the  
19 Province, so we might be focussing on Elliot Lake and  
20 some challenges that Elliot Lake presented and some  
21 opportunities that may be there.

22 We should be looking at past practice  
23 that was successful, major events that were successful,  
24 and look at why they were successful.

25 What good parts of the IMS, ICS were

1 applied and used properly to come to safe conclusions  
2 of those.

3 I think it behoves us as first  
4 responders and as emergency managers to also look at  
5 the successes and not just look at the challenges that  
6 were presented by Elliot Lake.

7 **MR. WALLACE:** Mr. Boyes, in the  
8 materials that the Fire Chief submitted, although it  
9 does not directly say this, the implication is that you  
10 are very much as an organization alive to the issue of  
11 siloing and if you could just help us here, explain the  
12 concept to us and why do we have it?

13 **MR. BOYES:** Thank you, Mr. Wallace.

14 On the issue of siloing what happens  
15 and what is being missed a little bit here in this  
16 overall discussion is the term "unified command".

17 When an incident scales up, it is  
18 imperative that the decision makers are together.

19 There has to be an Incident Commander  
20 at all times, but remembering that every agency has a  
21 leader in that group and it is the unified command that  
22 works.

23 As it scales up you have to exchange  
24 the information we have talked about, the outside  
25 agencies that come in that do not understand it.

1                   That is where the siloing comes in, is  
2 that we get focussed at incidents on our own roles and  
3 that sometimes becomes a real challenge,

4                   Fire gets focussed on their issue,  
5 police gets focussed on theirs, EMS and others.

6                   **MR. WALLACE:**    So would it be a  
7 situation where you would have -- and this I imagine  
8 would happen all the time -- that a call comes in, it  
9 does not have to be catastrophic, but a call comes in  
10 and you have responders from three different  
11 organizations come in.

12                   They are all there with a commander,  
13 generic commander, and they all go about their  
14 business, all towards a common goal, but essentially  
15 acting independently.

16                   Is that what this siloing is all  
17 about?

18                   **MR. BOYES:**    You are exactly correct  
19 with that.

20                   Because then where it starts to break  
21 down is you get forces that are almost acting opposite  
22 to each other, is that if you are trying to manage an  
23 incident and deal with crowd control at the same time,  
24 if you have not got the common process and goal as to  
25 what you are doing, you could be working at opposite

1 ends.

2 So it is the infancy that the police  
3 are talking about, being not familiar.

4 Fire struggled with this many years  
5 ago and it was all brought on about the need for fire  
6 ground safety and to stop freelancing at a fire scene.

7 So we have to struggle and get rid of  
8 the silos, and that goes back to the term "unified  
9 command."

10 It is difficult because, I believe it  
11 was Mr. Hawkes said about being on the highway, in lots  
12 of cases it is one police officer, a fire crew and two  
13 people in an EMS crew.

14 That is where the other agencies do  
15 not tend to have the resources to do the formal  
16 command.

17 Fire always does it because we have  
18 been forced into doing it on the cases of health and  
19 safety.

20 So those are where the silos start to  
21 get created.

22 And when the decisions are made  
23 outside of the Incident Command that is when it starts  
24 to unravel on you.

25 **MR. WALLACE:** It seems there are two

1 things here.

2 One is a cultural thing that people,  
3 responders do not particularly embrace the idea of  
4 taking orders from somebody in a different uniform.  
5 That is one point.

6 And number two, although everybody is  
7 saying we use Incident Command, if they do not set up  
8 that structure where there is an Incident Commander, it  
9 seems that they are not adopting an Incident Management  
10 System. A true Incident Management System.

11 **MR. BOYES:** You are correct.

12 When individuals start operating at an  
13 incident on their own, there is no overall command.

14 You are operating at arms length of  
15 each other, and that is when the decisions start to get  
16 made that affect the overall incident, like as you  
17 referenced with the helicopter.

18 When that starts to happen, there can  
19 be catastrophic consequences to this.

20 And that is the lack of unified  
21 command, it is the silo operating, looking after your  
22 own issues, your own parts, all good intentioned but  
23 without the overall plan to bring it together, the good  
24 intentions can turn very negative.

25 **MR. WALLACE:** Am I right that there

1 is a cultural aspect to this, a distaste for taking  
2 orders from another service?

3 **MR. BOYES:** There is a culture of  
4 "I'm in charge", and whoever I may be at that point is  
5 that there are times that fire says "I'm in charge,"  
6 there is times that police say "I'm in charge", there  
7 is times EMS, public health.

8 And that is breaking down the silos  
9 and that is part of the training and understanding it,  
10 because it is very difficult.

11 But understand that in a unified  
12 command there is still a leader of every agency in that  
13 tent to give the orders.

14 So typically, one agency is not  
15 ordering the other agency around.

16 The Incident Commander is making those  
17 decisions based on the input received from everybody.

18 But it is a culture that needs to  
19 break.

20 **MR. WALLACE:** Deputy Chief Jenkins,  
21 please?

22 **MR. JENKINS:** At one standpoint it is  
23 a culture issue, but it is also a relationship issue.

24 Within the City of Toronto, since  
25 amalgamation, we have developed some very strong

1 relationships with our emergency service partners.

2 And prior, when I spoke about in the  
3 80's of the fire service adopted instant command, it  
4 was quite routine that the EMS and fire and police  
5 would show up, each service operating to achieve their  
6 goal, independently of the other.

7 Since the maturing of ICS, IMS and the  
8 amalgamation of the City of Toronto, the relationships  
9 have been built so that there is that silos, you know,  
10 I would like to say have been eliminated. They  
11 certainly have been reduced.

12 So now there is, you know you have  
13 your business cycle meetings have a larger instance,  
14 even at a smaller incident, if it is a fire led  
15 incident, EMS is looking what does EMS need to do to  
16 support fire.

17 If it is an EMS led incident, we do  
18 the opposite, see what we can do to support EMS.

19 It is that relationship building, I  
20 think, that is key.

21 And it is establishing those  
22 relationships long before an incident happens and  
23 getting those areas of responsibilities clear to the  
24 individuals that what incident and who is in charge.

25 Whether it be unified command, I know

1 we have focussed and we keep mentioning unified  
2 command, I look at the NIMS document and for unified  
3 command, there is no Incident Commander, it's  
4 management by committee and I heard that term out there  
5 before.

6 I have been the Incident Commander at  
7 some large incidents in the city, I deem that to be  
8 unified command. The fire responsibility area, fire is  
9 in charge.

10 As Chief Hay mentioned, as that  
11 incident leads over into a police investigation mode,  
12 police then comes up at the lead agency and we support  
13 police.

14 I deem that to be unified command  
15 under the NIMS document and I know under the provincial  
16 document there may be some variations there.

17 But unified command, management by  
18 committee may not work in some cases depending on the  
19 incident.

20 **MR. WALLACE:** I will just throw this  
21 out to the floor right now.

22 Is there any appetite among you for  
23 the notion that IMS should be made mandatory?

24 It seems to me that it is one solution  
25 to the issue of the silos.

1                   Just because you are the closest, I  
2 will ask you, Inspector Ford.

3                   **MR. FORD:** I think the position that  
4 we come from is, you know, although we support the IMS,  
5 the reality as to whether that could be implemented as  
6 per a mandatory program, the issue still stands as to  
7 capacity for organizations to train and apply this, you  
8 now.

9                   That is the biggest challenge that we  
10 hear from the people around the table at the OACP is  
11 that yes, it is in its infancy and yes the program has  
12 been around for a few years, but it is an arduous  
13 process given other competing priorities and demands  
14 placed upon police organizations to provide the  
15 training in each municipality to get this program fully  
16 implemented and applied.

17                   **MR. WALLACE:** So you would be  
18 supportive of that if sufficient training was  
19 available, is that fair?

20                   **MR. FORD:** Yes, training goes hand in  
21 hand with resources and finances too.

22                   That is the challenge.

23                   **MR. WALLACE:** Deputy Jenkins?

24                   **MR. JENKINS:** As a response agency  
25 and speaking for the task force, if we are deployed out

1 within the Province of Ontario, it is our expectation  
2 when we arrive there will be an Incident Management  
3 System established, one that we can put our part into  
4 as a sector, as was mentioned by Deputy Chief Pegg.

5 We are certainly not there to take  
6 command.

7 We are there to support the Incident  
8 Commander.

9 How that is detailed in legislation, I  
10 think the components, maybe, the plan to command,  
11 planning, finance, logistics, those components need to  
12 be looked at. Again, scalable, depending on what the  
13 size of the event is.

14 **MR. WALLACE:** If you are there, it is  
15 a big event.

16 **MR. JENKINS:** If the task force is  
17 there, yes, it is a big event.

18 But I guess my point is we do not want  
19 to put legislation in there that ties the hands of the  
20 first responders for incidents that are not that size.

21 You know, Task Force 3 is not going to  
22 go out to every incident within the Province, so we  
23 need something that works for every incident, big and  
24 small.

25 But certainly the components in IMS,

1 to me it should be mandated, some level of it.

2 **MR. WALLACE:** Assistant Commissioner  
3 Hawkes?

4 **MR. HAWKES:** I think just from the  
5 conversation we are hearing around the table that there  
6 is still some confusion about certain aspects of both  
7 ICS and IMS.

8 I think before we think about making  
9 something mandatory, that a review of that whole  
10 process, I think, would be the priority first in order  
11 to identify those issues that potentially need to  
12 evolve into something that is mandatory versus not  
13 mandatory, as opposed to if it is all mandatory now  
14 that there is a number of challenges across the whole  
15 Province from the issues that were previously spoken  
16 about, whether it is the finance, the responsibility,  
17 the control, and so on, that potentially could be quite  
18 challenging if we went and jumped right ahead with  
19 making the whole thing mandatory and then how that is  
20 included in the current operation of the ICS that is  
21 going on day-to-day right now.

22 So I just, from my perspective, a word  
23 of caution about making that mandatory right now  
24 without going through this whole review process, I think  
25 would be concerning.

1                   **MR. WALLACE:** Mr. Huxley, from the  
2 point of view of the Municipalities.

3                   **MR. HUXLEY:** Yes, thank you Mr.  
4 Wallace, Mr. Commissioner.

5                   Certainly AMO is a proponent of IMS  
6 and in the submission it is indicated that certain  
7 aspects of IMS could be considered to be mandatory,  
8 whether it is the incident action plan or the planning  
9 cycles.

10                   I think Chief Hays' comment about the  
11 benefits of IMS should be considered.

12                   I understand the view and the  
13 consideration of getting back to foundations, but it is  
14 perhaps a concern we are going to go back to square one  
15 or throw the baby out with the bath water type of  
16 concept here.

17                   There has been considerable  
18 developments by municipalities and the different  
19 provincial sectors on IMS.

20                   I think the comments is the public  
21 expects response by its government, it does not look a  
22 silos.

23                   The public does not see the silos.

24                   Emergency response and emergency  
25 management preparedness is not just by the traditional

1 first responders.

2 As the fire marshal indicated, there  
3 is a role for other services, other departments,  
4 civilians, et cetera.

5 So having that common doctrine that  
6 can be resorted to by whether it is a public health  
7 nurse or a medical officer of health, the Public Works  
8 official in the water industry, for example, that  
9 common terminology would be helpful, but I echo the  
10 comments and concerns about training, accessibility to  
11 that, so that all municipal and provincial personnel  
12 are working on the same page.

13 **MR. WALLACE:** I will ask you, Mr.  
14 Pegg, about the position for the Fire Chiefs.

15 **MR. PEGG:** Thank you.

16 I am going to largely echo my  
17 colleague, Mr. Hawkes.

18 The OAFIC would be hesitant at this  
19 point to recommend mandatory inclusion or legislative  
20 requirements for IMS.

21 I would say save and until such time  
22 as the review that Mr. Wieclawek is complete.

23 I believe that Mr. Hawkes and I are  
24 saying the same thing.

25 In principle I would not say we are

1 conceptually opposed to that, but it needs to be done  
2 in the correct order.

3 But my concern and the concern of the  
4 OAFIC would be pushing the mandatory button ahead of the  
5 review process, the enhancement, the integration, the  
6 training, the resourcing could in fact be catastrophic.

7 So from the OAFIC perspective, I would  
8 be hesitant to recommend mandatory inclusion until such  
9 time as all of the other enhancements, improvements,  
10 corrections, whatever you want to call them, have been  
11 completed, have been fully digested by all of the  
12 effected emergency response agencies and partners, and  
13 until such point in time that along the same lines as  
14 was the example given about relationships literally  
15 working on the emergency scene, those relationships  
16 need to be maintained all the way through the  
17 development of this system to the point where it may in  
18 fact be able to become mandatory.

19 But to push the mandatory button too  
20 soon, I think as Chief Jenkins indicated, could in fact  
21 cause a very negative consequence.

22 **MR. WALLACE:** So you are not opposed  
23 to the idea in principle, but don't be impulsive?

24 **MR. PEGG:** Yes, I would say that  
25 speaking on behalf of the OAFIC, we would certainly seek

1 active participation in that as a stakeholder, and I  
2 suspect that we would -- we have a very close working  
3 relationship with the Office of the Fire Marshal and  
4 Emergency Management, so you know, principally we are  
5 not principally opposed to anything.

6 We would expect to be there, but we  
7 are certainly not going to be in a position to  
8 recommend or endorse mandatory anything until we know  
9 what it is that we would be endorsing.

10 **MR. WALLACE:** Chief Hay?

11 **MR. HAY:** Thank you, Mr. Wallace.

12 Having been the recipient of good  
13 incident management events and some that were  
14 challenging, and I will use the term "freelancing" has  
15 come up, based on that experience, I would suggest that  
16 it is necessary.

17 I won't go to the word "mandatory"  
18 just yet, but there needs to be one.

19 There just is a glaring need to  
20 maintain or improve that capacity in the Province of  
21 Ontario and I think everybody should be involved.

22 It is a big challenge when someone  
23 comes to your command post and does not have a clue  
24 about Incident Management or comes in with freelancing  
25 ideas or predisposed positions on what their role is

1 going to be.

2 It is not so much a Fire Chief giving  
3 orders to a Police Commander, it is asking for  
4 something to be done that helps the scene.

5 And that would probably save some of  
6 the culture worries that is a police officer going to  
7 tell a fire chief how to run an event.

8 That is not what should be happening  
9 at that command level.

10 It is asking for resources that police  
11 is best suited to provide a perimeter for us. I don't  
12 do security. So I would be looking for that through  
13 there.

14 But is it mandatory?

15 I am right on the edge of saying yes  
16 it is, it is absolutely necessary.

17 **MR. WALLACE:** There is one other idea  
18 that I would like to get your opinion on, and that is  
19 this, because it may go some distance towards  
20 addressing the siloing type problem.

21 In New York City they have an Incident  
22 Management System and they have created what they call  
23 a "primary agency matrix."

24 I am told that the City of Ottawa is  
25 exploring this at the present time.

1 Vancouver uses this type of thing.

2 But in a nutshell, what it does is in  
3 situations where they are a single command incident,  
4 they identify in advance who the Incident Commander is.

5 So for example, in a structural  
6 collapse, they have identified as the Fire Department  
7 of New York will be the Incident Commander.

8 In a civil disturbance, the New York  
9 Police Department will be the primary agency or the  
10 lead Incident Commander.

11 And they the same with respect to  
12 unified command situations, where they identify in  
13 advance and this, I gather, is part and parcel of the  
14 standard operating procedures within the emergency  
15 management community of New York City, so that as I  
16 say, it seems to me that there could be considerable  
17 merit there in the sense of breaking down the silos so  
18 that when you get to the scene it is not a debate as to  
19 what is going on, but rather this is the way it is  
20 going to be and the parties move towards a common goal.

21 Is this a concept that would find  
22 favour?

23 Would you recommend this type of a  
24 system?

25 Go ahead, Mr. Hefkey.

1                   **MR. HEFKEY:**   Thank you, Mr. Wallace.

2                   And again, I am going to ask everybody  
3 to chime in after this.

4                   But the concept of who is on first, in  
5 a nutshell that is what you are saying, is depending on  
6 the nature of the incident.

7                   It could be a fire, it could be police  
8 or someone else taking the lead is a concept that is  
9 not foreign to Ontario.

10                  In fact, with respect to the  
11 provincial hazards, the 37 and now 39 hazards, that is  
12 what we did.

13                  We said that for particular ones,  
14 forest fires for example, the Ministry of Natural  
15 Resources will be the lead.

16                  And the same thing, you know, when you  
17 kind of bring it down into the municipal level, the  
18 same thing happens, that at the municipal level, and  
19 Matt spoke to this, when you have a particular type of  
20 an incident where it is fire specific, well, fire has  
21 the lead.

22                  Are they going to look to police or  
23 others to bring their resources in support of the  
24 objective, the overall objective at the fire ground?  
25 Absolutely.

1                   So we see that.

2                   There are times, and John spoke to  
3 this, and the vast majority of times, there is  
4 absolutely no question in terms of who has primary  
5 responsibility.

6                   Again, the who is on first that you  
7 have just described in the City of New York.

8                   It happens and it happens so  
9 naturally that it just works.

10                  There are other times though,  
11 unfortunately, that we do have the rubbing of cultures  
12 and we just need to bring folks together and work in  
13 training prior to an incident so that they understand  
14 exactly what their role is and when they are, in fact,  
15 the leader and when they are not, and in fact they are  
16 supporting that leader.

17                  I think, again, the concept is not  
18 foreign to us.

19                  We have applied it actually  
20 provincially and I know at the local level it is also  
21 done.

22                  **MR. WALLACE:** I wasn't throwing it  
23 out there as a substitute for training, but as an  
24 additional tool in terms of trying to bring harmony to  
25 this situation.

1                   Go ahead, sir.

2                   **MR. WIECLAWEK:**    If I understand, Mr.  
3 Wallace, what you are saying, and I think part of our  
4 review, and my colleagues have mentioned this, it is  
5 happening in Thunder Bay right now, we have a number of  
6 agencies that are currently on scene and they are  
7 seamlessly working out as to who has the predominant  
8 purpose.

9                   It could be a fire, a fire department  
10 obviously is going to respond.

11                  Police are there, EMS because of maybe  
12 people injured.

13                  If they identify there is a fatality,  
14 then the officer or the fire marshal will have an  
15 investigator assigned and within that best practice or  
16 that thing that happens on a day-to-day basis, they  
17 know if unity of command is going to work, there is the  
18 acknowledge that they have a single Incident Commander.

19                  The people, other agencies, are  
20 obligated to support that Incident Commander, and in  
21 return the Incident Commander is obligated to respect  
22 the jurisdictional authority and the mandate of those  
23 responding agencies.

24                  So if the Fire Department identifies  
25 there is a fatality, they know full well that it will

1 be an investigation by the police and by the office of  
2 the fire marshal, and anything they do from that point  
3 on could either take away, negatively impact on the  
4 investigation or contribute.

5 If that is happening on a day-to-day  
6 basis and works well, I think to your point, perhaps  
7 there is another way of capturing that, putting it into  
8 the form of a matrix or utilizing it in a way so that  
9 we can minimize those instances where it does not  
10 happen as seamlessly, and there are issues.

11 If we have identified that there is a  
12 lack of understanding or clarity, perhaps it is like  
13 trying to capture that which works so well on a day-to-  
14 day basis and try to codify it or attempt again to  
15 capture whether it is on paper or in training to help  
16 reinforce that which happens so well on a day-to-day  
17 basis.

18 So we could call it a matrix and I  
19 think it is an excellent observation.

20 Obviously there is a gap and there is  
21 a need to revisit how we talk about Incident Command,  
22 unity of command and IMS and I think one of the things  
23 we must do is to look at those examples that you have  
24 offered.

25 **MR. WALLACE:** Mr. Pegg?

1                   **MR. PEGG:**    Thank you.

2                   I am just really going to go echo what  
3 has been said around the table.

4                   From our perspective, and I am going  
5 to go back to some of the examples that my colleagues  
6 gave and reinforce the fact that within the primary  
7 emergency response agencies, police, fire, EMS, this  
8 literally does happen, I think to Chief Hays' point, it  
9 happens seamlessly, countless number of times every  
10 day.

11                   And there is an intuitive and fulsome  
12 understanding in general, I am generalizing somewhat,  
13 between those emergency response agencies with respect  
14 to mandate and expertise.

15                   So a quick example from my own  
16 experience.

17                   When I responded in a couple of  
18 situations, responding at the request, being notified  
19 to join the police in responding to something such as a  
20 hostage incident or bomb threat, it is clearly  
21 understood by my crews and myself, that is an incident  
22 that is being managed under the jurisdiction and  
23 expertise of police.

24                   I have absolutely no expectation that  
25 I am going to arrive at that scene and start simply

1 doing things or taking over.

2           Upon arrival there, my responsibility  
3 is the senior command officer that is responding with  
4 that team, would simply to be to talk to the police  
5 incident commander, advise that we are here, tell us  
6 what you need, what can we do, where do you want us?

7           And it literally works that seamless,  
8 much like your example of the highway or fires every  
9 day.

10           So I am very intrigued by the  
11 suggestion that you just proposed, although I do not  
12 believe that that is a massive scope of work to be  
13 undertaken.

14           From my experience, I guess, and from  
15 my set of eyes, those mandates are already clearly laid  
16 out legislatively.

17           I believe that we understand them and  
18 I will say respectfully where that may start to become  
19 grey or less understood is when we have partner  
20 agencies and allied agencies outside of the normal  
21 course of emergency response that start to join the  
22 response.

23           So when you start to see the influx of  
24 assistant agencies that are not as familiar with the  
25 traditional and legislative roles of police, fire and

1 EMS, that in my experience is where that confusion may  
2 start to begin.

3 I have not seen it personally where I  
4 am unclear about the line between fire and police, I  
5 understand that quite clearly, understand what their  
6 expertise is.

7 Every time I have been a commander,  
8 which has been many, I have never had any situation  
9 where the police senior officer has not understood what  
10 our role is.

11 But I think what I would suggest is  
12 there may be some benefit to having that clarified in  
13 some manner or maybe trained.

14 We have talked about training and  
15 resourcing, so that the larger scale picture  
16 understands and partner ministries and agencies  
17 understand clearly what is already embedded in  
18 legislation with respect to mandate.

19 **MR. WALLACE:** Thank you.

20 Go ahead.

21 **MS. SCHREUDERS:** So just on your New  
22 York City comment.

23 In the United States I think you guys  
24 mentioned that there is a presidential directive from  
25 the early 2000's that they adopt a National Incident

1 Management System, and within that National Incident  
2 Management there are pillars and one of the pillars is  
3 the structure.

4 So everybody in the United States had  
5 to follow that.

6 So when I moved to New York City and I  
7 started working in New York City, just as an example,  
8 when we were talking about a unified command, I was  
9 coming like you described, Mr. Pegg, from an agency  
10 that did not live and breathe this every single day,  
11 right.

12 So a good example is Department of  
13 Health, right?

14 And it is a unified command, the  
15 Incident Commander was the NYPD and immediately when I  
16 showed up and it was my first week he said 'Where is  
17 your ICS form to be added to the incident action plan?'  
18 and I said 'What are you talking about?'

19 And then he said it is a form that you  
20 say all this kind of stuff.

21 So I wrote it down on a piece of paper  
22 and I gave it to him.

23 And he immediately crumpled it up and  
24 threw it in the garbage and he said come tomorrow when  
25 you're ready.

1                   And it is true, you either follow the  
2 rules or you can't play, right?

3                   So this comes with millions and  
4 millions of dollars and lots of training.

5                   It is not as simple, and even with all  
6 the money that they have down in the United States, and  
7 they have been doing this, did the transition into NIMS  
8 early 2000, there was still some issues with some  
9 organizations that are not with it yet.

10                   **MR. WALLACE:** Thank you.

11                   Inspector Ford?

12                   **MR. FORD:** Yes, just speaking to that  
13 matrix, I think I am just going to be covering a lot of  
14 ground that has already been covered.

15                   But in principle I know the OACP that  
16 we would support such a matrix.

17                   I agree with the comments that for the  
18 vast mass majority of a type of incidents, it is very  
19 clear who has primacy in the lead or jurisdiction.

20                   But there are a couple of areas where  
21 that can sometimes be ambiguous and currently I think  
22 speaking to what has been said here, is that is built  
23 upon relationships that are established through  
24 training and working together.

25                   But in those instances, we do need

1 that clarity so that it can be firmly established who  
2 does have primacy and the lead, depending on the nature  
3 of the incident.

4 Having said that, I think it is an  
5 underpinning of the IMS that as an incident progresses,  
6 the priorities change and there is allowance for the  
7 transference of command as we see a scene evolve.

8 But again, coming to a statement just  
9 to support the concept that yes, we would be in support  
10 of such a direction.

11 **MR. WALLACE:** Mr. Boyes?

12 **MR. BOYES:** By way of a little bit of  
13 history, the Province went down this road in 1978 when  
14 vehicle rescue was coming on to the forefront.

15 It was called the Red Book Report  
16 where the roles and responsibilities of fire, police  
17 and EMS were defined.

18 It came about as the fact that there  
19 was rescue squads starting in the fourth emergency  
20 service was starting within the Province.

21 So through the office of the Fire  
22 Marshall it was led and looked to come in with roles  
23 and responsibilities to do exactly what we are talking  
24 about here in general terms to kind of keep it there.

25 Now, I think we have learned, coming

1 forward from the Red Book Report and specifically  
2 vehicle rescue, how it is built out into the rest of  
3 our agencies, but we are all agreeing that there is  
4 general terms, but I think Deputy Chief Jenkins said it  
5 best and I will go back to my days in Sarnia with the  
6 petro chemical industries, you have to have a  
7 relationship.

8 We had to have a strong relationship  
9 between police, fire, EMS, emergency management and the  
10 petro chemical industries because you could not meet on  
11 the side of the road and try to figure out what you  
12 were doing if you have not met, trained and built a  
13 relationship in the trust.

14 When all those pillars come into  
15 place, it works very, very well.

16 I think those are a couple of things.

17 But we have, like I say, we have gone  
18 down the road before of defining responsibilities.

19 **MR. WALLACE:** Thank you.

20 If nobody has anything further, we  
21 will take our morning break.

22 **THE COMMISSIONER:** Fifteen minutes.

23 --- RECESSED AT 10:55 A.M.

24 --- RESUMED AT 11:15 A.M.

25 **MR. WALLACE:** Thank you.

1                   At this point I am going to go to the  
2 fourth topic, which is primarily an issue involving the  
3 Ministry of Labour.

4                   If time permits, I will revisit some  
5 of the parts that I have skipped over on the IMS, but  
6 in any event.

7                   In the Elliot Lake incident, there was  
8 a very widespread misunderstanding about the role of  
9 the Ministry of Labour.

10                   This misunderstanding took many forms.

11                   Number one, people did not understand  
12 why they were there.

13                   In very basic terms, they just did not  
14 know what were they doing here.

15                   The second area where there is a  
16 misunderstanding was that people did not understand  
17 what powers the inspectors from the Ministry of Labour  
18 had when at the scene.

19                   And it was a belief by a number of  
20 people, both from the responder community, as well as  
21 government personnel, that the Ministry of Labour, an  
22 inspector, because in this case two inspectors and an  
23 engineer/inspector attended the collapse site and the  
24 inspectors were there for the purpose of conducting an  
25 investigation as to the cause of the collapse.

1                   And the engineer had a very unique  
2 mandate.

3                   Mr. Jeffries in his evidence said that  
4 he had been tasked by his superior to attend Elliot  
5 Lake and sister up with the other agencies that were  
6 there and to provide whatever assistance that he could  
7 during the exercise.

8                   The feedback that we got at the  
9 Inquiry, both from the TF3 personnel and the OPP, the  
10 UCRT team, was that they greatly appreciated the  
11 assistance and help that he gave.

12                   But the perception was that when the  
13 operation is in a rescue mode; that is that they are  
14 trying to save somebody's life, that the Ministry of  
15 Labour did not have the power to stop the rescue.

16                   That was a fairly widely held belief.

17                   The last area that there was a  
18 misunderstanding as far as the Ministry of Labour was  
19 concerned, was that there was a belief that the  
20 Ministry of Labour had actually shut the rescue down.

21                   There was a belief right at the very  
22 start, and this was just fuelled by some sort of a  
23 media rumour, that on the very first night that the  
24 Ministry of Labour showed up or in fact said 'you can't  
25 do anything until we get there', that turned out to be

1 not the case.

2 That was never said, or at least that  
3 is what the evidence on one view of it could lead to.

4 The other was that when the rescue was  
5 terminated on the 25<sup>th</sup> in the afternoon, there was a  
6 public perception that the reason the rescue was called  
7 off was on account of the Ministry of Labour stopping  
8 the work.

9 And in fact, at the evidence, some  
10 very senior people involved in the rescue, they were of  
11 that belief as well, that that is why things had  
12 stopped, because it was so unsafe, the Ministry of  
13 Labour said you can't continue any further.

14 In addition, one of the inspectors  
15 that was there had indicated in his evidence that this  
16 was the very first time he had attended at an event  
17 that was ongoing.

18 Normally when they are called in  
19 something has happened, the person has been tended to,  
20 extracted from the area and then they conduct an  
21 investigation.

22 He indicated at least that he had no  
23 training as far as how he is supposed to conduct  
24 himself in this type of an environment.

25 And he was unaware of any policies or

1 procedures or any protocol that would have assisted  
2 him.

3 In fact, he said that although he was  
4 aware of the fact that he had the power to stop things,  
5 that he just wouldn't do it. That was one point in his  
6 evidence.

7 And Mr. Hefkey, when he testified,  
8 says that it never has actually happened where a rescue  
9 operation has been stopped by the Ministry of Labour.

10 Deputy Chief Duerr, can you help us as  
11 far as what sort of powers do the Ministry of Labour,  
12 under the *Occupational Health and Safety Act* have in  
13 the Province of Alberta in a similar situation?

14 **MR. DUERR:** Well, I can speak to this  
15 incident or a similar incident happening in the  
16 jurisdiction of Calgary that I guess you would look at  
17 it from two scopes of practice, one being the fire  
18 department has the training and the expertise to deal  
19 with an emergency scene such as this.

20 Underneath the legislation within  
21 Alberta, there is a *Fire Fighter Code of Practice* which  
22 exempts us, under emergency scenes only, exempts us  
23 from certain OHS legislation.

24 We understand and have the training  
25 associated to those pieces of incidents that happen or

1 those incidents that happen in the City of Calgary and  
2 we would protect that scene and only allow certain  
3 individuals into that scene that had 1): the ability to  
4 enter into that scene with the correct personal  
5 protective clothing, as well as the expertise to deal  
6 with that scene itself.

7 In a collapse situation, you can  
8 imagine that a building typically rests in a certain  
9 fashion and has certain loads within that structure and  
10 those loads are designed to work in a certain way.

11 When a collapse happens, all those  
12 rules don't apply anymore.

13 You have to have training and  
14 expertise to deal with those anomalies that exist when  
15 a building collapses.

16 The training that takes place is  
17 significant to be able to deal with that.

18 So we would protect that scene and not  
19 allow individuals into that scene that could  
20 potentially cause us more concern and could cause the  
21 scene to degrade as oppose to increase the safety and  
22 allow for that personal protection of the people that  
23 are in there, as well as our people.

24 **MR. WALLACE:** So the situation in  
25 Alberta is significantly different than it is here in

1 Ontario?

2 **MR. DUERR:** We have certain  
3 legislations that exempts us from certain things and we  
4 also protect the scene.

5 I can say from the way that Calgary  
6 deals with a scene, it is our scene, it is the City of  
7 Calgary scene until such time as we turn it over to  
8 somebody else.

9 So we would not allow individuals into  
10 that scene unless we felt that they were safe to be  
11 able to do so, because it is our scene.

12 **MR. WALLACE:** I will ask Assistant  
13 Chief Pegg on behalf of the Fire Association as to what  
14 is your opinion as to or what is the Association's  
15 opinion, more specifically, as to whether or not the  
16 Ministry of Labour should have the ability to stop  
17 operations when attempting to save lives?

18 **MR. PEGG:** Thank you, Mr. Wallace.

19 To be concise, the position of the  
20 Ontario Association of Fire Chiefs, with respect to  
21 your question pertaining to the Ministry of Labour and  
22 what power they should have, our feeling is that an  
23 exemption similar to what Mr. Duerr just spoke about in  
24 Alberta should in fact exist in Ontario.

25 I can tell you from personal

1 experience, and I will echo Mr. Hefkey's testimony, I  
2 am not aware of a situation where the Ministry of  
3 Labour has actually stopped a rescue.

4 But I can tell you personally, I have  
5 been in a situation where as the Incident Commander, in  
6 Ontario right now you feel an extra sense of pressure  
7 over the top of your shoulder because that MOL presence  
8 is very there, very much there and very real.

9 **MR. WALLACE:** And what pressure is  
10 that you are talking about?

11 **MR. PEGG:** So as an Incident  
12 Commander, as we spoke of earlier this morning, that is  
13 a very demanding role, very complex role.

14 There are at times what seems like an  
15 infinite number of inputs coming in, you are processing  
16 a lot of information, controlling and coordinating the  
17 operations of many different crews and resources.

18 To then have to add to that the idea,  
19 even that little voice in the back of your head, 'do I  
20 need to second guess myself, am I going to put myself  
21 at odds with the MOL?'

22 It just adds an unnecessary element of  
23 doubt, if you will, and an element of concern whereby I  
24 would never want to see -- having been there -- it is  
25 not productive as an Incident Commander or an Incident

1 Manager to be caused to second guess yourself because  
2 you are afraid of who is looking over your shoulder.

3 And I say that with the greatest of  
4 respect to my colleagues at the Ministry of Labour, I  
5 have worked very closely with them for many years.

6 The right answer to this, in my  
7 opinion, is found in an already existing system in the  
8 *Ontario Occupational Health and Safety Act*,  
9 specifically the section 21 system.

10 Within the fire sector, that is where  
11 my expertise is.

12 The principle role of the advisory  
13 committee to the Minister, which we affectionately  
14 refer to as Section 21, is to help and assist the  
15 Minister, and of course the inspector operating under  
16 the Act, to define what, in essence, what the term:  
17 "reasonable precaution" means under the Act.

18 So Section 25(2)(h), requiring the  
19 employer to take every precaution reasonable under the  
20 circumstances, the primary role or one of the primary  
21 roles of the section 21 committee in fire, and there is  
22 also other sector-specific committees, is to assist the  
23 Ministry of Labour in understanding what reasonable may  
24 look like.

25 It requires, as Mr. Duerr spoke of and

1 as we spoke this morning, it requires a very  
2 significant level of expertise and experience to  
3 understand what reasonable is in this circumstance.

4 It would be unreasonable for me to be  
5 asked what are reasonable precautions at an active  
6 shooter incident. I have no idea. That is not my area  
7 of expertise.

8 But we do have areas of expertise with  
9 respect to rescue.

10 Primary service, mandate of the FPPA  
11 for the fire service, rescue.

12 So when the Incident Commander, who is  
13 duly qualified to command that incident, that expertise  
14 exists.

15 The Section 21 committee process,  
16 through the guidance notes, assists the Ministry of  
17 Labour in making pre-determined recommendations and  
18 guidelines with respect to what reasonable may look  
19 like.

20 And I would respectfully suggest, that  
21 is the appropriate format.

22 You will note that in every section 21  
23 guideline that the terminology is "should", the only  
24 time you will see the word "shall" in a section 21  
25 guideline or section 21 guidance note is where it

1 specifically references a piece of legislation.

2           Everywhere else in the document it  
3 refers to or uses the terminology of "should".

4           I would respectfully suggest that is  
5 the appropriate form to deal on a pro-active basis with  
6 those technical issues.

7           The exemption that exists in Alberta,  
8 the OAFRC suggests would be very beneficial to the  
9 overall command organization in any emergency.

10           **MR. WALLACE:** That would be a  
11 legislative change as opposed to the Section 21  
12 committee though, is that not correct?

13           **MR. PEGG:** That's correct.

14           It would require a legislative change  
15 to provide the same exemptions that Mr. Duerr spoke of  
16 in the court of practice.

17           **MR. WALLACE:** And in the context of  
18 the Section 21, your best case scenario, what would you  
19 like to see?

20           Short of a legislative change, how  
21 would that operate?

22           **MR. PEGG:** Well, I guess my initial  
23 position on that would be that I am going to suggest  
24 that it already operates.

25           The Section 21 system is very healthy.

1 I spoke earlier when I did my little  
2 history lesson of the development of IMS and where the  
3 OAFIC stood in that, it was really our primary concern  
4 was the foundation of the Section 21 guidance notes.

5 So for example, things like the  
6 personnel accountability system, which is a guidance  
7 note requiring a system that hangs as a component of  
8 the Incident Command System.

9 All of those situations, all of those  
10 conditions are in place and effective and operate  
11 today, right now I believe in Thunder Bay. They are  
12 happening today, right now.

13 So I am not sure that there needs to  
14 be a lot of work or a wholesale change.

15 The only piece of the equation that  
16 has yet to be completed or yet possibly to be  
17 considered, I am not educated enough to tell you  
18 whether this has ever been considered, but the missing  
19 piece of the puzzle or the final step that Ontario has  
20 yet to take is what has obviously happened in Alberta,  
21 which provides the emergency responders with some form  
22 of exemption under the Act to allow them to do their  
23 job in a very unpredictable and very unique set of  
24 emergency circumstances.

25 **MR. WALLACE:** Chief Hay, what about

1 you?

2 **MR. HAY:** Thank you, Mr. Wallace.

3 I believe that, along with Deputy  
4 Pegg, that there needs to be some clarification on when  
5 the Ministry of Labour can intervene.

6 Right now there is conflicting  
7 legislation, not just the need for an additional one.

8 The MOL and the *Occupational Health*  
9 *and Safety Act* says it will supersede all acts, I am  
10 paraphrasing, including the FPPA, which makes it  
11 difficult.

12 I can probably give you an  
13 application, if I had trouble with the Ministry of  
14 Labour at a scene, I would use the Occupational Health  
15 and Safety Act as my reason for -- and a reasonable  
16 caution to protect the worker, the Ministry of Labour  
17 would to be not to let him on the scene.

18 I would use their Act as my leverage  
19 to have some control on that scene.

20 Whether they would accept it or not  
21 might be a little bit difficult, but there is some  
22 leverage, but I think the Section 21 committee is the  
23 appropriate body to have this brought forward to and to  
24 offer up possible recommendations to both pieces of  
25 legislation that would be consistent so that in that

1 emergency event, everybody knows their role, everybody  
2 knows the limits of their application of their special  
3 legislations, and that they don't conflict.

4 Right now, they conflict.

5 **MR. WALLACE:** As far as the Section  
6 21 is concerned though, would you be looking at  
7 something that would say that when they come to the  
8 rescue scene they cannot stop it, or can that only  
9 happen through legislation?

10 **MR. PEGG:** I would suggest that that  
11 could only happen through legislation.

12 **MR. WALLACE:** Right, that's what I  
13 thought you said.

14 And I am just ---

15 **MR. HAY:** Mr. Wallace, that would be  
16 correct.

17 Because of the conflicting  
18 legislations right now, one of them or both of them  
19 would have to change to materially address that in a  
20 formal manner.

21 Right now, it is going to be on a  
22 personality basis whether somebody forces one Act or  
23 the other on any particular party.

24 I would certainly see a need for the  
25 Ministry of Labour to attend the command post, which is

1 the other side of the hazard zone, to be able to be  
2 briefed, to maybe as for input or thought, but once  
3 again, that would be in my version of the unified  
4 command, that would be another person to be in that  
5 command post. They would not have the right to say  
6 okay, we're stopping anything.

7 The stopping of any particular work is  
8 the choice of the Incident Commander, and I do not  
9 think the Ministry of Labour is trained or would prefer  
10 to be an Incident Commander at any scene.

11 So if they are not the Incident  
12 Commander at any particular scene, my suggestion is  
13 they do not have the authority to stop it arbitrarily,  
14 they shouldn't.

15 **MR. WALLACE:** Yes?

16 **MR. JENKINS:** I think the Act, to  
17 some degree, recognizes currently the danger of the  
18 activities of firefighting and the police, the right to  
19 refuse work the firefighters and police represent from  
20 that, that danger is inherent in your work.

21 We then have to look back to the  
22 knowledge, training and competency of the supervisors  
23 to ensure what we are assigning our firefighters to do  
24 is in fact have a risk benefit and a degree of safety.

25 So I think we need to take it the

1 further step in legislation change to do as Deputy  
2 Chief Pegg says, that oversight from the MOL at the  
3 scene of an emergency incident, can throw a different  
4 perspective into the thoughts of an Incident Commander.

5 And that is not the ---

6 **MR. WALLACE:** It can be detrimental,  
7 in fact.

8 **MR. JENKINS:** It can be detrimental,  
9 and that is not the time you want to be second guessed.

10 I have seen it at the Sunrise Propane  
11 explosion, we had MOL on scene there and we worked very  
12 well together.

13 But certainly we had to build again, I  
14 will go back to my phrase with relationship building,  
15 we had to build that relationship in very quick order  
16 at that site to see how we were going to progress  
17 forward.

18 **MR. WALLACE:** Now, as Deputy Chief  
19 Duerr said, we will use the building collapse as the  
20 example.

21 Once the building has collapsed, all  
22 bets are off. You don't know what lays ahead.

23 I am going to ask you, Mr. Campbell,  
24 how was one of the Ministry of Labour inspectors  
25 supposed to know what is an acceptable risk and what is

1 foolhardy if they really are in completely new  
2 territory?

3 **MR. CAMPBELL:** One of the things that  
4 we don't do is provide technical advice on how to do  
5 the job.

6 As has been said, the Incident  
7 Commander has the expertise to conduct the rescue and  
8 we have no notion to take over the IC role.

9 We are not in that mode.

10 What we are very experienced in though  
11 is hazard recognition and from my experience when I was  
12 an inspector I have often been standing beside the IC  
13 at an incident and I will notice something, I will  
14 mention it to him and it usually gets resolved right  
15 there.

16 There seems to be this policy that the  
17 only thing we can do is order a stop work order.

18 We have a number of compliance-based  
19 tools from having a discussion through various orders,  
20 being a forthwith order is something that is dealt with  
21 right away, or a time-based order, but we do not take  
22 the issuing of a stop work order very lightly in any  
23 sector.

24 It is the top of our enforcement tools  
25 outside of prosecution, but what we are looking for is

1 the safety of the workers.

2 Our mandate for the Occupational  
3 Health and Safety Branch is to set, communicate and  
4 enforce the *Occupational Health and Safety Act*.

5 We have had both order-in-council  
6 responsibilities that make us responsible for workers'  
7 safety in emergencies as well.

8 So we are there.

9 I mean, the reason we are there is to  
10 monitor compliance, but we are also there so that we  
11 can advise, as available, if the expertise is present  
12 as in the case of Mr. Jeffries, who was in Elliot Lake,  
13 provided the service that was required.

14 Additionally, I mean, our inspectors  
15 are instructed not to be going into hot zones, to stay  
16 on the periphery, but to be cognizant of what is going  
17 on in the situation and provide advice as is needed.

18 **MR. WALLACE:** Are the inspectors  
19 given any training in terms of a structural collapse  
20 scene and to be able to recognize a problem or a  
21 situation when they can exercise the powers that they  
22 have?

23 **MR. CAMPBELL:** My office gets the new  
24 inspectors as they are being indoctrinated for half a  
25 day of training and it is a two-part course and the

1 first one is, I titled it, "We Are Not First  
2 Responders" and I go into the roles of how we should be  
3 responding, and then we go into more of the emergency  
4 management, because our function within emergencies  
5 goes far beyond just the first responder situations and  
6 it could end up involving health emergencies or  
7 agricultural emergencies where there is a potential for  
8 a pandemic outbreak from foreign animals.

9 So we give them a high level of  
10 training.

11 What is being done right now, and we  
12 are just putting the finishing touches on it, is an  
13 amendment to our policy and procedure manual which will  
14 give guidance to the inspectors on working with first  
15 responders at emergencies, what their role is, what the  
16 inspectors roles are and who to check in with.

17 The IC is the person who is calling  
18 the shots on the scene.

19 And like I said, the whole stop work  
20 issue really is the last resort and it would not come  
21 without much consideration and guidance from within the  
22 Ministry.

23 **MR. WALLACE:** It is really hard to  
24 sort of envisage a circumstance where that is actually  
25 going to happen in the sense that the responders are

1 not suicidal and so the first and foremost is a self-  
2 interest at stake here.

3 They do take a lot more risks than I  
4 was ever prepared to take, but how is somebody from the  
5 Ministry of Labour supposed to know when the line has  
6 been crossed?

7 **MR. CAMPBELL:** They are going to have  
8 to get advice from our specialist engineers or  
9 industrial hygienists.

10 They are there. They have seen the  
11 situation, is it ---

12 **MR. WALLACE:** This is a call that  
13 they have to make on the spot.

14 **MR. CAMPBELL:** It's one of those  
15 things were if it is not a clear contravention, and we  
16 also have the Section 21 guidance notes that will give  
17 us some indication of what acceptable ---

18 **MR. WALLACE:** Are you in the same  
19 camp as Mr. Hefkey, that is that you have never  
20 actually heard of a situation where that power has been  
21 exercised?

22 **MR. CAMPBELL:** Yes. I have never  
23 heard of that.

24 I have done some looking around and  
25 there has been some misconceptions about what we are

1 doing on the scene, but we have never, as far as I have  
2 been able to find, issued a stop work.

3 Most of the time it is managed by  
4 consultation.

5 **MR. WALLACE:** If the power has never  
6 been exercised, on the one hand, and the threat of the  
7 exercise of the power has a detrimental effect on the  
8 overall response, as we have heard from two of the fire  
9 people, is it really a power that you want to have?

10 **MR. CAMPBELL:** It's something that  
11 needs to be there.

12 It is part of our tool box of how we  
13 do our business.

14 We also have to balance that the  
15 emergency responders have a limited right to refuse,  
16 which decreases their protection under the Act to a  
17 small degree.

18 And just being onsite to be available,  
19 and this is only --

20 I mean, of all the situations where  
21 generally there are only going to be onsite of a  
22 workplace, if that is where the collapse is ---

23 **MR. WALLACE:** As I understand it,  
24 that any place a responder is responding at is a  
25 workplace, whether it is or it was not in its former

1 state.

2 **MR. CAMPBELL:** Yes.

3 And we did attend to the Woodstock  
4 incident which was a residential facility, but there  
5 was questions around the natural gas at one point and  
6 workers being in there, fixing some of the equipment  
7 onsite, which engaged our activity.

8 And then once past the rescue stage in  
9 a building collapse situation, we would be into the  
10 construction regulations for the site, the emergency  
11 site.

12 **MR. WALLACE:** And lastly, is the  
13 Ministry doing anything to inform other ministries of  
14 the powers that they have?

15 Because it appeared that this  
16 misunderstanding was not restricted to responders.

17 **MR. CAMPBELL:** Yes. So what we have  
18 done is, as I said, the first piece is to try and gain  
19 consistency among our inspectors so that they know what  
20 they are doing.

21 We are working with Community Safety  
22 and Correctional Services, looking to leverage the  
23 courses at each of their colleges, to impart the  
24 information to the various levels who go through the  
25 colleges in regards of *the Occupational Health and*

1       *Safety Act* Roles and Responsibilities.

2                       There is also a responsibility with  
3 the employers that we have met recently with an OFM OML  
4 joint presentation that has been given to senior  
5 officers and AMO representatives for different  
6 municipalities, going over both the Office of the Fire  
7 Marshal's role and the Ministry of Labour's role.

8                       So we have been across the Province  
9 doing that in the last year.

10                      Now we are looking to see what we can  
11 do to spread that message further down to some of the  
12 people who will be working on the site.

13                      **MR. WALLACE:**    Thank you.

14                      Deputy Chief Pegg?

15                      **MR. PEGG:**       Thank you.

16                      It may be beneficial to the Commission  
17 if I provide a little bit of context.

18                      There is a history in the Province of  
19 Ontario with respect to the amendment of certain health  
20 and safety regulations providing exemption for  
21 emergency work.

22                      And one of them I was directly  
23 involved in.

24                      The one I am referencing that you may  
25 be interested to know of deals with Ontario Regulation

1 278-05, which of course is the Asbestos Regulations.

2 Prior to the amendment, all of  
3 emergency work, including fire scene operations, fell  
4 under the jurisdiction of the Asbestos Regulations, and  
5 this predates my time in Toronto, but I am sure Deputy  
6 Chief Jenkins can speak about the situation on Queen  
7 Street, I believe, which really became the impetus that  
8 came forward to the Section 21 committee, which at that  
9 point I was involved in, and I had the opportunity,  
10 alongside the labour co-chair of Section 21 to lead  
11 amendments to OREG 278-05, which in fact happened.

12 And in that circumstance, following  
13 the recognition of a demonstrated need for exemption  
14 for emergency work, that regulation made under the  
15 *Occupational Health and Safety Act* was amended and as  
16 it stands today the function of emergency work and the  
17 way it is defined is any emergency operation that is  
18 being conducted on an emergency scene under the care  
19 and control of the fire service, as defined by the *Fire  
20 Protection and Prevention Act*, is exempt from the  
21 requirements of OREG 278-05 for asbestos regulations  
22 under the *Occupational Health and Safety Act*.

23 That exemption starts upon the arrival  
24 and assumption of command by the fire service, and  
25 transcends all the way through the incident up to and

1 including the culmination of the investigation into  
2 that incident, which frequently is extended by our  
3 office of the Fire Marshal partners.

4 So I just wanted to point out, Mr.  
5 Wallace, that it is not entirely uncommon in Ontario to  
6 see these types of exemptions happen.

7 We have been active participants in  
8 them before, and quite frankly they work very well.

9 **MR. WALLACE:** And that starts with  
10 the Section 21 process and then it may lead to that.

11 Is that correct?

12 **MR. PEGG:** In the case of 278-05 and  
13 asbestos, yes sir, it did.

14 It ultimately started with some very  
15 challenging situation that the Toronto fire folks of  
16 the day encountered in navigating the regulations, that  
17 was brought forward through our association to the OAFCA  
18 as a concern which I took forward on behalf to the  
19 Section 21 committee.

20 We worked through that process and  
21 ultimately resulting in the amendment by then Minister  
22 Fonseca of the Ministry of Labour, amending 278-05.

23 **THE COMMISSIONER:** Is the rescue  
24 recovery distinction a useful one in any way?

25 **MR. PEGG:** In my experience and

1 certainly in the context for which we are speaking now,  
2 there is no distinction between rescue and recovery.

3 Our mandate, and certainly from my  
4 knowledge, training and experience, is recovery is  
5 simply an extension of rescue.

6 The methodologies, the operations, the  
7 tactics, the training, the PP, everything that is  
8 required is one and the same.

9 I would suggest that there is the  
10 absence of a line of demarcation between those two  
11 services.

12 **MR. WALLACE:** Would not a practical  
13 distinction between the two be the level of risk a  
14 responder would take?

15 **MR. PEGG:** Absolutely a fair  
16 statement, Mr. Wallace.

17 And I am sure any of my colleagues  
18 from emergency services around the table will attest to  
19 the fact that any emergency response group, I will  
20 speak specifically for fire.

21 As a fire Incident Commander we will  
22 assume a calculated level of risk in the effort to save  
23 a saveable life.

24 That is part and parcel of what we do.  
25 You are absolutely correct, as the

1 likelihood of saveable life decreases and obviously  
2 advances to the point where we now know conclusively  
3 that we are no longer dealing with a rescue but we are  
4 now dealing with the recovery of a now deceased body,  
5 the level of risk that will be calculated, that will be  
6 assumed, obviously will decrease.

7 That is normal and incidental in our  
8 command process and in our thought making process and  
9 decision-making processes.

10 But there is no formal hand-off or no  
11 formal change of thought process that happens when you  
12 know, you pass some magical point where rescue ends and  
13 recovery begins.

14 The way that we train, the way that we  
15 deploy, the way that we operate, they are one and the  
16 same all the way through the conclusion of the  
17 incident, which as we were successful in the asbestos  
18 world, needs to and appropriately includes all the way  
19 through to the completion of the fire, post fire  
20 investigation and analysis that needs to happen for the  
21 purposes of understanding what happened and making  
22 recommendations so it does not happen again.

23 **MR. WALLACE:** Go ahead, sir.

24 **MR. CAMPBELL:** I just wanted to  
25 clarify Deputy Pegg's statement about the exceptions.

1                   There is a number of exceptions that  
2 have been applied to emergency services related to OREG  
3 278 with asbestos.

4                   The Confined Space Regulation and  
5 there is a couple more that slipped my mind right off  
6 the top of my head, but while there is an exception  
7 there, the Act has not been amended.

8                   The employers are still responsible to  
9 take the reasonable precautions to protect the health  
10 and safety of the workers under section 25(2) (h) of the  
11 Act.

12                   So even though they are exempt from  
13 some of the specificity of regulation, they still need  
14 to take into consideration the health and safety of  
15 workers and to account for that within their systems.

16                   **MR. WALLACE:** But the regulation  
17 would inform the decision as to what is reasonable.

18                   **MR. CAMPBELL:** Right, yes.

19                   **MR. WALLACE:** Mr. Gryska, in the mine  
20 rescue world, is the Ministry of Labour a presence?

21                   I know they are certainly a presence  
22 in the mines, but in the rescue in the mines?

23                   **MR. GRYSKA:** Yes, I have the good  
24 fortune of having been on all sides of the fence with  
25 regards to that, so having been an inspector involved

1 with situations, I know what I used to do as an  
2 inspector and currently what happens in the field  
3 during an emergency.

4 Typically what we have happen is the  
5 Ministry of Labour does not initiate the investigation  
6 until the rescue or the recovery is completed.

7 Only at that point in time will they  
8 intervene and begin their investigation.

9 So they typically lay off.

10 **MR. WALLACE:** When you say "lay off",  
11 do you actually mean that they stay away?

12 **MR. GRYSKA:** They stay away, yes.

13 Typically they stay away.

14 They are not involved in the situation  
15 whatsoever.

16 Again, I can speak on behalf of myself  
17 and where incidents that were unfolding, I would not  
18 even attend the mine as such time as the situation was  
19 ended, you know.

20 One way or another it was either a  
21 rescue or a recovery operation.

22 And only then would we intervene and  
23 initiate the actual investigation.

24 **MR. WALLACE:** You are speaking from  
25 your days as an inspector.

1 Do you still understand that to be the  
2 case in the context of mines?

3 **MR. GRYSKA:** Yes, in the context of  
4 mines.

5 **MR. WALLACE:** As things unfold the  
6 Ministry of Labour does not have a presence except save  
7 and until it is over.

8 **MR. GRYSKA:** Occasionally, an  
9 inspection will be present during the incident, but  
10 they are not there to advise and they will not give  
11 direction.

12 That is what we see today.

13 **MR. WALLACE:** So they may be there,  
14 but they are a completely passive role?

15 **MR. GRYSKA:** That is correct, yes.

16 And again, it will depend on the  
17 individual, because they know what their authority is,  
18 but what we see happening is they will stay behind sort  
19 of thing, and they will not offer direction.

20 **MR. WALLACE:** Mr. Duerr?

21 **MR. DUERR:** The mining world is a  
22 small community and I think there is a good familiarity  
23 between the inspectors and each of the businesses and  
24 the mine rescue that perhaps allows some of that  
25 discretion, the inspector's discretion.

1                   **MR. WALLACE:**    Is that a reflection of  
2 the level of confidence that the Ministry of Labour has  
3 in the mining industry in the context of safety and  
4 rescues?

5                   **MR. CAMPBELL:**    Yes, and it is because  
6 they are all essentially involved in doing the same  
7 jobs in that mine rescue is a voluntary organization of  
8 people who work in the mines on a regular job, and then  
9 have the additional duties of mine rescue.

10                   If I am correct, Alex?

11                   **MR. GRYSKA:**       That's correct.

12                   **MR. CAMPBELL:**    So the inspectors know  
13 many of these people personally, and I think that goes  
14 back to something that was said earlier in IMS is  
15 building relationships to have that comfort and  
16 confidence.

17                   **MR. WALLACE:**    So at least within the  
18 mining sector the Ministry of Labour's powers include  
19 the mining sector, obviously?

20                   **MR. CAMPBELL:**    Yes.

21                   **MR. WALLACE:**    But within the mining  
22 sector, although they have the same powers that they  
23 would in Elliot Lake, the Ministry has made a  
24 considered decision that they are not going to get  
25 involved as Mr. Gryska has indicated to us?

1                   **MR. CAMPBELL:**   And it is also more  
2                   difficult in that a mine rescue, as I said earlier, the  
3                   instruction is no hot zone work, no physical  
4                   participation in the rescue for inspectors, like moving  
5                   rocks or what it may be.

6                   When the rescue is being conducted  
7                   down in a mine, there is not a whole lot for an  
8                   inspector that they can witness.

9                   Whereas an emergency site up on the  
10                  street level is wide open for everybody's -- or it is  
11                  more visible of what is going on.

12                  So there is I guess a difference in  
13                  that sense.

14                  **MR. WALLACE:**    But the Elliot Lake  
15                  situation was such that you could not see what was  
16                  going on from the street.

17                  You had to be in there and the  
18                  Ministry of Labour were in there.

19                  **MR. CAMPBELL:**    Yes.  But they were  
20                  not in -- I guess -- and I am not sure where exactly  
21                  Mr. Jeffries and Mr. Saunders ended up working ---

22                  **MR. WALLACE:**    They weren't on the  
23                  rubble pile.

24                  **MR. CAMPBELL:**    No, but they were  
25                  overlooking ---

1                   **MR. WALLACE:**     But you couldn't see  
2 from the street level.

3                   **MR. CAMPBELL:**     So again, you know, we  
4 don't want to be inside ---

5                   **THE COMMISSIONER:**   Your folks would  
6 not be going down the mine shaft.

7                   **MR. CAMPBELL:**     No. We would go down  
8 the mine shaft, but once it is stable.

9                   **THE COMMISSIONER:**   Not during.

10                  **MR. CAMPBELL:**     No.

11                  **MR. GRYSKA:**     If I could, just for the  
12 record, there is a mandated requirement for mine  
13 rescue, it falls under the *Occupational Health and*  
14 *Safety Act.*

15                                 So there is a specific regulation that  
16 mandates all of the underground mines established  
17 emergency response capability.

18                                 I guess from a historical perspective,  
19 Ontario Mine Rescue was directly a part of the Ministry  
20 of Labour.

21                                 So from an illusionary perspective, we  
22 were one and the same until 2001. So we had a very,  
23 very good working relationship.

24                                 So there was a real close  
25 understanding as to how events unfold.

1                   So perhaps that is why the kind of  
2 relationship that we had continues to this point in  
3 time.

4                   **MR. WALLACE:**    You wanted to say  
5 something, Chief Duerr?

6                   **MR. DUERR:**    I just wanted to  
7 highlight the fact that the relationship that has been  
8 described in the mine rescue world in the sense of the  
9 Ministry of Labour is what you find in the fire service  
10 in Alberta.

11                   We typically do not see -- I can speak  
12 to Calgary -- do not see the Ministry of Labour on our  
13 scenes until such time as the scene has already been  
14 turned over, either to them in an investigative type  
15 stance, if they have an OH&S legislative responsibility  
16 to do an investigate a scene or something, but we  
17 typically do not see them on scene.

18                   They have given the latitude to the  
19 fire service to be able to do the job that they need to  
20 do, with the understanding that they are the experts in  
21 those fields and they let them do their job and then  
22 come in afterwards.

23                   In my time, I have only been on scene  
24 in one case where there was a Ministry Of Labour person  
25 there and an Occupational Health and Safety person

1 there.

2 **MR. WALLACE:** Thank you.

3 Did you want to add something?

4 **MR. CAMPBELL:** I think the other  
5 thing that we need to go back is the evidence at the  
6 Inquiry did not suggest at any time that the Ministry  
7 of Labour interfered with the rescue and that the ---

8 **MR. WALLACE:** I hope I didn't suggest  
9 that, because I was ---

10 **MR. CAMPBELL:** No, no. That is just  
11 the added pressure that has been talked about on an  
12 Incident Commander is -- wasn't expressed either during  
13 the evidentiary phase, as far as I have been able to  
14 follow.

15 The thing that I think we are looking  
16 for is that an extra set of eyes with a different set  
17 of experience is hopefully going to spot a hazard that  
18 may have been overlooked.

19 **THE COMMISSIONER:** The only written  
20 order that emanated from MOL exempts specifically  
21 exempted the first responders.

22 **MR. CAMPBELL:** Yes, exactly.

23 **MR. WALLACE:** Okay.

24 I am moving along to a different area  
25 here.

1                   This is a combination of items 2 and  
2 the first one on Roundtable 2; that is it is a  
3 combination of organization and search and rescue and  
4 what should be the future of the Province's urban  
5 search and rescue resources?

6                   I want to use this statement from the  
7 materials submitted by the Province to sort of frame  
8 this discussion.

9                   It says:

10                                   *"The vast majority of*  
11                                   *municipalities have limited to*  
12                                   *no capacity to provide an*  
13                                   *urban search and rescue*  
14                                   *capability in response to a*  
15                                   *building structural collapse,*  
16                                   *and therefore rely on*  
17                                   *resources available from the*  
18                                   *Province."*

19                                   (As read)

20                   Currently, as I understand it, those  
21 resources that are available are two in nature.

22                   There is the Toronto's TF3 team and  
23 the OPP's UCRT team.

24                   I am aware of the fact that the Fire  
25 Marshal's Office and the Emergency Management Ontario

1 they offer some logistical support and in some cases  
2 some support in terms of organization, but I am talking  
3 about the actual rescuing resources.

4 As far as I understand it, the only  
5 two that are available right now are the two that I  
6 have just mentioned.

7 And this is a big Province, we are  
8 spread out.

9 I will ask Chief Hay his view as to  
10 whether he thinks, from the point of view of Northern  
11 Ontario, we are adequately served with those two teams.

12 **MR. HAY:** Thank you, Mr. Wallace.

13 My comment directly to that would be  
14 Northwestern Ontario is huge, a lot of road, a lot of  
15 trees, a lot of rocks and isolated communities that are  
16 virtually very small.

17 And for them to have an urban search  
18 and rescue component as part of their emergency  
19 response would be difficult, not to say that they can't  
20 be the first responders to that event.

21 From a provincial perspective, having  
22 those two teams is a distance equation that would be  
23 difficult, probably the UCRT team or UCRT portion of it  
24 would be a little bit more speedy; would be the term.

25 But I think the capacity for urban

1 search and rescue in the Province needs to be bolstered  
2 and it needs to be bolstered starting with Toronto's  
3 task force, that needs to be maintained or expanded,  
4 and that there needs to be complimentary capacity built  
5 within the Province geographically.

6 That complimentary capacity could be  
7 enough to sustain rescue for 24 hours as an example,  
8 until a task force is available or can be deployed and  
9 arrive.

10 **MR. WALLACE:** So you say  
11 "complimentary", you are referring to a medium team?

12 **MR. HAY:** A medium team or additional  
13 resources.

14 There are a number of levels that you  
15 can get to.

16 Thunder Bay does train and have  
17 equipment to last for 24 hours on any particular  
18 collapse that we would be asked to go to.

19 **MR. WALLACE:** Mr. Hefkey in his  
20 evidence at the Inquiry indicated that in the case of a  
21 structural collapse, the Province has the ability to  
22 deploy the two teams that I have mentioned.

23 We are aware of the fact that Ottawa  
24 and Thunder Bay both have medium teams, but unlike the  
25 TF3 there is no memorandum of understanding between the

1 teams in Ottawa and Thunder Bay, therefore as I  
2 understood the situation, the Province does not have  
3 the ability to deploy those two teams.

4 Have I got that right, Mr. Hefkey?

5 **MR. HEFKEY:** Yes, you do.

6 **MR. WALLACE:** So if, for example,  
7 what would be the situation if we had a situation where  
8 we had a structural collapse in Cornwall, you can't  
9 deploy the Ottawa team.

10 Assuming mutual aid has been exhausted  
11 and the local responders can't do it, the people in  
12 Cornwall would have to wait for the team in Bolton or  
13 Toronto to arrive, notwithstanding the fact there is a  
14 team in Ottawa?

15 **MR. HEFKEY:** The short answer is that  
16 the solution or the response may not only be driven by  
17 the Province, that in fact if there is -- and I don't  
18 know this for a fact -- but if there is some kind of an  
19 arrangement between Cornwall and Ottawa through  
20 informal relationships or through formal arrangements,  
21 then those capabilities could be brought to the scene  
22 in Cornwall.

23 However, absent of that, you are quite  
24 correct, that the resources would then have to come  
25 from either the UCRT, from the OPP and/or the heavier

1 Search and Rescue Team out of Toronto.

2 **MR. WALLACE:** Mr. Huxley, from the  
3 point of view of the Municipalities Association, do you  
4 receive any feedback about expressing concern about the  
5 ability to cope with an Elliot Lake?

6 **MR. HUXLEY:** I think the position of  
7 the AMO would be local municipalities have the local  
8 expertise that deal with these issues.

9 With respect to expanding those  
10 resources, whether it be agreements as has been  
11 suggested between the municipalities, it really comes  
12 to an issue of the funding and the resources that would  
13 be available.

14 So yes, you have identified some of  
15 these resources that are scattered around the Province,  
16 and the question will be whether those can be bolstered  
17 on a municipal level and whether there can be resources  
18 allocated to those municipalities that would allow a  
19 timely use of -- if Cornwall does not have the funding  
20 or resources to deal with the issue within that  
21 municipality, whether Ottawa could be looked to and  
22 Ottawa would have the funding and resources to deploy  
23 within a reasonable period of time.

24 **THE COMMISSIONER:** Does Ottawa have  
25 MOU's with municipalities going beyond their immediate

1 risk in that particular area?

2 **MR. HUXLEY:** There may be others at  
3 the table that may be better able to speak to that.

4 But certainly that is not within the  
5 realm of impossibility.

6 **MR. WALLACE:** I think the answer  
7 might be over your shoulder!

8 --(laughter)

9 **MR. HUXLEY:** Not in the concept you  
10 are referring to.

11 **MR. WALLACE:** Inspector Ford?

12 **MR. FORD:** No, I think the answer ---  
13 --(Laughter)

14 **MR. WALLACE:** Okay.

15 What about you, Chief Hay, I mean up  
16 in Thunder Bay something happens 200 miles or 200  
17 kilometers from Thunder Bay, going west, are there any  
18 agreements in place up your way where your team can  
19 deploy?

20 **MR. HAY:** There is no formal  
21 agreements.

22 Our team is for the City of Thunder  
23 Bay primarily.

24 But through our relationship with  
25 Northwestern Ontario, if they ask for help we are going

1 to be a good neighbour and we are going to go and they  
2 are going to get a bill.

3 **MR. WALLACE:** So I guess if the  
4 Province asked you, they would get the bill?

5 **MR. HAY:** Correct.

6 **MR. HEFKEY:** And again, not to kind  
7 of make light of it, but in fact that is what has  
8 happened.

9 So let's look at Oliver Paipoonge.

10 So while not an urban search and  
11 rescue situation, it was a chem. bio situation where  
12 again, the services of Chief Hay's service were used,  
13 because in that particular, as was stated in the  
14 submission, the vast majority of communities are so  
15 small like Oliver Paipoonge they could not sustain any  
16 kind of a specialist capacity.

17 So as John says, quite rightly, he is  
18 a significant presence in Northwestern Ontario.

19 So he can bring that to those  
20 situations, but then again when he does so, he is not  
21 doing it gratis or pro bono.

22 **MR. WALLACE:** And in that particular  
23 example you are talking about, was that a situation  
24 where Chief Hay's team was requested by the Province as  
25 opposed to ---

1                   **MR. HAY:**     That came under the  
2 provincial CBRNE program and the associated MOU's, so  
3 the cost recovery is defined in schedules that we  
4 supply back to the province and we get no loss, it is  
5 supposed to come out even. I don't make a profit on  
6 it. I get the backfill if I have to send staff out of  
7 town or off the trucks for any particular amount of  
8 time.

9                   And I think that may be something that  
10 should be considered in building a capacity of urban  
11 search and rescue in the Province.

12                   There is model that works fairly well.

13                   It probably needs some attention to be  
14 modernized, as any process was.

15                   But that puts a program in for the  
16 Province, and right now we have a HUSAR asset for the  
17 Province, a huge one and a very good one, but we only  
18 have an asset, we don't have a program for the  
19 Province.

20                   With the Feds also leaving the table  
21 for supporting the HUSAR teams it is going to become  
22 much more difficult for Toronto to maintain that on  
23 their own, and they are going to certainly be sending  
24 bills if they have to go where there is not an MOU or  
25 some other understanding.

1                   Declarations of emergency from the  
2 communities help that, but that only engages the Office  
3 of the Fire Marshal to send a team out.

4                   But I think the program, from the fire  
5 department level up to regional and finally task force  
6 level is something that should be considered, and we do  
7 have a viable platform that has worked effectively, not  
8 the best, sometimes a little late getting the money  
9 back, but that is just a technicality of dealing with  
10 senior levels of government.

11                   But in Oliver Paipoonge, it has worked  
12 well, we deployed a number of times and we have always  
13 broke even. I think that would be a good place to  
14 look, if you are going to look at this capacity.

15                   **MR. WALLACE:** When you say we have  
16 deployed on a number of occasions, is that the CBRNE?

17                   **MR. HAY:** That's correct.

18                   **MR. WALLACE:** But that is governed by  
19 an MOU?

20                   **MR. HAY:** Correct. And I think that  
21 would be the model to build a capacity in the Province  
22 that we should be looking at.

23                   **MR. WALLACE:** So your suggestion  
24 would be a regionally situated series of medium teams  
25 that were deployable by the Province through MOU's?



1 I just wanted to highlight from Chief Hay.

2 **MR. WALLACE:** Just before we leave  
3 you, what is the situation in Alberta right now?

4 The TF2 is not a provincial asset, it  
5 is a city asset, is that correct?

6 **MR. DUERR:** It is a city asset, but  
7 it has an agreement with the province currently right  
8 now, yes.

9 So the province does fund and does  
10 support the TF2 team.

11 **MR. WALLACE:** Okay. So in addition  
12 to that, to the heavy urban search and rescue, the TF2  
13 is the only heavy team in Alberta, correct?

14 **MR. DUERR:** That is correct.

15 **MR. WALLACE:** Are there other medium  
16 teams in existence in the province?

17 **MR. DUERR:** There are other  
18 municipalities very similar to Ontario that have a  
19 capacity for urban search and rescue.

20 Those assets are situated throughout  
21 the province.

22 They are supported, to some degree,  
23 through their municipalities and may have some support  
24 from a provincial entity, I am not sure of the exact  
25 support from the provincial entities, but I know that

1 they have supported some of those teams.

2 In saying that, the Province of  
3 Alberta is a little bit -- I want to say a little bit  
4 more fluid in their ability to move assets.

5 As long as we receive what is called a  
6 tasking number from our provincial operations centre,  
7 we have the ability to deploy assets as long as those  
8 assets are not required within our municipality at that  
9 moment in time.

10 So we have done that on numerous  
11 occasions where we have deployed assets outside of our  
12 region or outside of our municipality under a tasking  
13 order by the Provincial Government, without a set  
14 agreement in that regard.

15 **THE COMMISSIONER:** How many medium  
16 teams apart from...?

17 I take it Edmonton would have one?

18 **MR. DUERR:** So Edmonton has capacity,  
19 yes.

20 So does Strathcona County in the  
21 Province of Alberta, as well as Red Deer County has a  
22 capacity as well.

23 I am not sure about Fort McMurray's  
24 capacity currently right now.

25 **THE COMMISSIONER:** Forgive my

1 ignorance of geography.

2 But does that essentially cover the  
3 four corners of the province?

4 **MR. DUERR:** No, it is not as vast as  
5 it would need to be to be a full programmed approach  
6 and with the light, medium and heavy capacities all  
7 working together in that complimentary fashion.

8 I think there is a real strong need  
9 for that approach from a provincial standpoint, and I  
10 won't even get into the federal standpoint.

11 **MR. WALLACE:** Ms. Cohen?

12 **MS. COHEN:** Thank you.

13 I think what we are talking about  
14 right now relates closely to the concept that I am  
15 proposing, which is basically the German Federal Agency  
16 for Technical Relief.

17 It has "federal" in its name but what  
18 that means is basically just that the Federal  
19 Government as well as the provinces enable the  
20 municipalities to respond to the local emergencies in  
21 the best, effective way.

22 And especially with Chief Hay  
23 referring to JET being cancelled, the beauty of this  
24 concept lies in the actual responders being volunteers  
25 and -- but the name "volunteer" comes unprofessional,

1 but I think in this context it has to be seen that they  
2 are highly trained and specialized responders.

3 In Germany the THW has been  
4 established 60 years ago and that organization has a  
5 lot of experience, mostly gained internationally as  
6 well as nationally of course, but they can use that  
7 knowledge and experience for their local response, and  
8 I think that is a very interesting concept for Canada  
9 to consider because of the vastness of the country.

10 And the Federal Government, as well as  
11 the province providing the municipalities with a tool  
12 to respond to their own local emergencies.

13 What it is, is basically a technical  
14 support to the first responders, so the moment you have  
15 a remote area and the first responders respond to the  
16 incident and they feel that they are overwhelmed, they  
17 would not have to wait for an asset being identified  
18 and sent because the local municipalities would have  
19 their own community able to respond to it, which of  
20 course needs to be financed by -- we have not quite  
21 figured out in Canada what it would be, the provinces,  
22 then federal government or industry jumping into that.

23 But I think the model as such is very  
24 interesting to consider.

25 **MR. WALLACE:** The volunteers, are

1 they coming from beyond the world of police, fire and  
2 EMS?

3 **MS. COHEN:** The volunteers come from  
4 all walks of life and all kinds of age groups.

5 In fact, the German teacher already  
6 has a youth group which is a big component, and their  
7 main source of recruitment, which basically means that  
8 people grow up in an environment where they are trained  
9 and responsible to help others.

10 So you get all the input from all  
11 different professions within your community response.

12 You have engineers, you have doctors,  
13 you have all kinds of trained civilians who are capable  
14 of responding to an emergency.

15 **MR. WALLACE:** And do they pay for  
16 their own training?

17 **MS. COHEN:** Well, the training is  
18 basically done by other THW members who have been  
19 trained.

20 So the way I am picturing it for  
21 Canada is really that we could use some of the  
22 currently USAR teams who are specialized and trained to  
23 train the first volunteers.

24 And then those volunteers can train  
25 the next recruitment of volunteers.

1                   So in the end most of the training is  
2 done on the weekends or, in my detachment in Garmisch-  
3 Partenkirchen, we used to train every Friday night.

4                   So the volunteers would gather, train  
5 together, and again the training is done by other  
6 volunteers who have to be certified, of course, but  
7 that is the first round, basically, who needs to be  
8 trained to be certified, and then after that every  
9 volunteer does 120 hours of training, will then be  
10 certified and only then be able to respond to an  
11 incident.

12                   There are more specialized courses  
13 which are offered to THW training schools and those are  
14 usually a week long.

15                   But there too, financing the training  
16 is not a big component.

17                   **MR. WALLACE:**    And is this what you  
18 are doing with the City of Ottawa?

19                   **MS. COHEN:**    With the City of Ottawa  
20 and County of Renfrew we are trying to establish a  
21 program that would work for Canada where we can say we  
22 can use this huge asset of willing citizens who would  
23 like to help in an emergency, who can bring in their  
24 knowledge from their professions, be trained to respond  
25 to an incident without having to pay them for training

1 or for the time they use to be deployed.

2 Because I think if you look at the  
3 Canadian nature in helpfulness and willingness to help  
4 in a disaster, and we have just seen that in the recent  
5 bus accident that we had in Ottawa too, people come and  
6 want to help.

7 So I do not think there will ever be a  
8 shortage of people who volunteer to help, but this is a  
9 very interesting concept to actually channel this  
10 helpfulness into a means that will be effective when  
11 you need it.

12 So you basically train your own  
13 community to look after their own province.

14 **MR. WALLACE:** And has this model gone  
15 beyond the four corners of Germany?

16 **MS. COHEN:** Well, the model is seen  
17 these days by a lot of countries as very interesting to  
18 look at, because everywhere funding is scarce.

19 This is the most cost-effective way  
20 possible to maintain a big capacity, because if you  
21 think of, let's say the fire department, you know that  
22 I think in Ottawa it is about 82 percent wages for the  
23 budget.

24 Now, if you think of having the  
25 capacity without having to pay the wages as the most

1 expensive asset, leaves you so much more room to  
2 actually finance in the areas where you need to build  
3 on your equipment or training or resources, if you  
4 don't have to pay wages.

5 For the momentary situation, with  
6 HUSAR, for example, if you have to pay professionals  
7 just to train, if you have to pay them the time they  
8 are training for an incident that might not even  
9 happen, that is a very costly venture.

10 So I think in a new approach and  
11 realizing that there is a big capacity out there, the  
12 example of Calgary, for example, when you had the big  
13 flooding, you have thousands of volunteers who want to  
14 come and help and they basically have to be turned away  
15 because they are not insured, they could be in danger  
16 themselves, so if you could channel these people  
17 beforehand and give them the tools and the means to do  
18 a safe job and help when they are needed, it is an  
19 excellent model, I think.

20 **MR. WALLACE:** Thank you.

21 Deputy Chief Pegg, you wanted to say  
22 something?

23 **MR. PEGG:** Thank you, Mr. Wallace.

24 I am very encouraged by the discussion  
25 around the table and certainly the recognition, in my

1 estimation and my years tell me that there is a very  
2 common theme as we engage the discussion around the  
3 provision of urban search and rescue, and that is  
4 following the bouncing ball of money and funding. Or,  
5 I dare say, the lack thereof.

6 I am also very intrigued by the  
7 discussion that we have talked about with respect to  
8 opportunities to diversify.

9 We have had some discussion around  
10 medium teams or regional teams or something, you know,  
11 a model like that.

12 I would suggest that all of those need  
13 to be considered, but on behalf of the OAFRC I would  
14 respectfully suggest not until such time as Task Force  
15 3 and the heavy urban search and rescue capacity in  
16 this Province is adequately funded, operated,  
17 maintained and sustainable such that we have that  
18 foundation to build upon.

19 One of the areas or issues that the  
20 OAFRC struggles with, you know, I guess when you take  
21 the OAFRC hat off and we are all sitting in our  
22 municipalities every day as senior executives and  
23 municipal managers, we are all fighting the same  
24 dilemma and that is the expectation for enhanced  
25 services at reduced available funding.

1                   So our Commissioner Hefkey spoke about  
2 our present system where we have Task Force 3 and  
3 HUSAR, there are resource or some resource allocation  
4 available, as I understand, from UCRT, I don't profess  
5 to be a UCRT expert, by no means am I.

6                   I am not sure it is appropriate for  
7 me to ask a question.

8                   I will say it this way, if I were able  
9 to ask a question, my question would be is -- I  
10 couldn't even answer the question -- is UCRT and the  
11 Urban Search and Rescue Component of UCRT, are those  
12 resources available to municipalities not under OPP  
13 jurisdiction, and if so, who funds that and how is it  
14 funded?

15                   We can defer ---

16                   **MR. WALLACE:** I actually know the  
17 answer.

18                   **MR. PEGG:** Oh, well, I can learn it.

19                   **MR. WALLACE:** The answer is yes, and  
20 we all pay.

21                   So this is what I learned through Mr.  
22 Hefkey when he testified, is that it can be deployed  
23 through the OPP outside the four corners, or the  
24 province as well.

25                   And when that happens, the Province

1 pays.

2 **MR. PEGG:** So my concern, Mr.  
3 Wallace, is the fact that I believe there is a common  
4 recognition, Deputy Chief Jenkins can speak to this  
5 factually, my understanding is there is a recognition  
6 that present day in Ontario we have a significant  
7 funding problem as it relates to Task Force 3 and  
8 HUSAR.

9 That, I respectfully submit, needs to  
10 be fixed and I believe that that needs to be addressed  
11 before any consideration is given to developing any de-  
12 centralized model or trying to build and staff any  
13 additional resources ahead of ensuring we have the  
14 foundation of TF3.

15 Again, my limited understanding of  
16 UCRT and my limited understanding of the difference  
17 between a medium urban search and rescue team and a  
18 heavy team, Ron correct me if I am wrong, but one of  
19 the primary distinctions is the ability to sustain long  
20 duration operation.

21 So maybe in an over-simplistic  
22 statement, there is nothing that a medium team can do  
23 that the heavy team cannot, but the reverse is not  
24 true.

25 So the heavy team, you know, the OAFRC

1 has given great consideration to the issue of HUSAR and  
2 trying to wrestle with, you know, what does it mean in  
3 the context of the Ontario Fire Service, what does it  
4 mean to the residents of Ontario.

5 We believe and believe through  
6 experience, it is critical.

7 The maintenance of heavy urban search  
8 and rescue capacity that can be deployed is properly  
9 funded and I think sometimes we just focus too much on  
10 that word "funding" and don't articulate what it means.

11 Funding translates into resources,  
12 into people, into equipment, into training.

13 And I think equally importantly, there  
14 needs to be funding to allow the team to deploy such  
15 that as we have heard all morning about relationships  
16 and experience-based learning the ideal scenario is one  
17 where Ron's TF3 team is regularly in use, be it in  
18 exercise, be it in functional operation, that is only  
19 possible when it is adequately funded to be able to be  
20 sustained.

21 So what I offer on behalf of the OAFIC  
22 is we would, you know, would I ever say that we  
23 shouldn't look at in enhancing the model, of course I  
24 would never say that.

25 I would love to see an enhanced model,

1 but not before and not at the expense of a properly  
2 funded operated and maintained heavy urban search and  
3 rescue capacity in the Province.

4 **THE COMMISSIONER:** Has Alberta solved  
5 the TF2 funding problem with the absence of Federal  
6 funding?

7 **MR. DUERR:** No, we have not. So we  
8 have done as much as we -- we have lobbied as much as  
9 we can to the Federal entities and to try and re-  
10 establish funding through some form that exists or does  
11 not exist that needs to be created.

12 So we are still pushing that envelop  
13 alongside all of the other teams, no different than  
14 Chief Jenkins across the table.

15 A couple of things I would like to  
16 add, as Chief Jenkins mentioned, the fact that medium  
17 teams have a capacity and heavy teams have a capacity.

18 I can say first-hand from going up to  
19 a region like Slave Lake, who had a devastating  
20 incident happen in their municipality, the self-  
21 sustaining capacity that is required underneath the  
22 heavy program is important to have, because they had  
23 nothing, no services, no capacity to house anybody.  
24 Nothing.

25 So we had to do -- we lived in camp

1 for two weeks, for 14 days -- well, 16 days, actually.

2 No water, so we had to purify water.

3 We had to do all of the different  
4 pieces that exist within the heavy program.

5 Now, there are some medium teams that  
6 have a certain capacity within that ability to house  
7 their people and to do certain things, but medium is  
8 used very lightly and very broadly across the scope.

9 You will have teams that have a  
10 capacity within their municipality that will say that  
11 they have a medium capacity, but they may not have the  
12 ability to self-sustain, they may not have the ability  
13 to camp their people.

14 So that is just one thing I wanted to  
15 highlight and make sure it was clear.

16 The other piece that I would like to  
17 put out there is the fact that when we talk about urban  
18 search and rescue, this relates to the Elliot Lake  
19 Commission and the fact that it is a structural  
20 collapse event.

21 But the teams, as they exist, have a  
22 far broader capacity than just structural collapse.

23 You can see that in the way that  
24 Alberta's team, Canada Task Force 2, has been deployed  
25 to floods, has been deployed to, as incident management

1 teams to support municipalities, more municipalities in  
2 being able to manage their large incidents.

3 So I think that the scope of the HUSAR  
4 program can expand beyond just structural collapse and  
5 move into a more all hazards approach and working into  
6 that capacity as well, utilizing the skill sets that  
7 exist within the teams.

8 **MR. WALLACE:** Deputy Jenkins?

9 **MR. JENKINS:** Just at the risk of  
10 repeating a lot of points which have already come up,  
11 in order to have a strong program, as Chief Hay alludes  
12 to, putting more teams in place, more medium teams, is  
13 not the answer.

14 We have teams out there now, medium  
15 teams that are not recognized.

16 **MR. WALLACE:** Why is that?

17 **MR. JENKINS:** They have not been  
18 recognized provincially, they have been trained.

19 We have got Thunder Bay and we have  
20 got Ottawa.

21 Are they strategically located where  
22 we want them?

23 We would have to look at that and look  
24 at a gap analysis to see if that fits our needs, but we  
25 need to adequately fund the teams, whether it be Task

1 Force 3 or the medium teams.

2 And we need to fund them for a lot of  
3 reasons which have been stated.

4 These are low probability, high risk  
5 events.

6 An immense amount of training needs to  
7 take place to make these teams experts in their field,  
8 whether they be medium or whether they be a heavy team.

9 In order to do the training, you must  
10 exercise.

11 These teams need to get together, work  
12 together, train together and exercise together.

13 There needs to be funding in place for  
14 that.

15 The relationship building that comes  
16 out of that is one component.

17 It is the capacity of the level that  
18 comes out is the next component.

19 Tied in with that, and Chief Pegg  
20 touched on it, is deployment.

21 If you look at the INSARAG  
22 documentation, they have been in this business far  
23 longer than we have in Canada, in order to have a  
24 strong program, it needs to be deployed locally.

25 "Locally" for us means provincially,

1 if not nationally.

2 There needs to be deployment to get  
3 expertise and the ever-needed experience.

4 Add all of those together, and yes,  
5 you will have a strong HUSAR or search and rescue team  
6 within the Province of Ontario.

7 The amount of medium teams we need to  
8 put in place, before we go expanding, let's take a look  
9 at what we have now and strengthen that program.

10 **MR. HAWKES:** Just to clarify on that  
11 UCRT piece, as mentioned already, the UCRT component of  
12 HUSAR is just one small piece of what they do, because  
13 they do do the CBRNE, the canine, ground penetrating  
14 radar.

15 They evolved as an asset for law  
16 enforcement under the *Police Services Act*.

17 And they just happen to have that same  
18 function of the UCRT function and in working with  
19 HUSAR, they compliment each other from that  
20 perspective.

21 So that works out great in that we  
22 have one asset that is available to do that function  
23 that happens to be on the police side of things and  
24 that works out quite well from that perspective.

25 But doing a handful of calls a year is

1 not enough.

2                   You know, you really need to have that  
3 expertise, the training and all of those pieces that  
4 were previously mentioned.

5                   But I also want to comment on the  
6 vastness of the Province of Ontario.

7                   And we talk about assisting our  
8 northern partners up there.

9                   I will use the example of a tactical  
10 team.

11                   We have a shooting incident in  
12 Pikanjikum.

13                   In order for us to get 20 members from  
14 a tactical team, negotiators, et cetera, we are not  
15 driving up there, we have to charter planes and so on  
16 to get into that emergency response.

17                   So it is not something that can just  
18 happen.

19                   There is a lot of thought, planning  
20 and finances that kicks in when that happens.

21                   The third point I want to make is on  
22 the volunteer issue.

23                   We have within the OPP one of the  
24 largest mass numbers of volunteers on the law  
25 enforcement side, and with that comes significant

1 challenges.

2                   You did mention the training piece,  
3 but that is a huge, huge challenge for us to train  
4 auxiliary police officers in order to do a very basic  
5 function.

6                   In order to not do a function that is  
7 dedicated to a police officer because of the challenges  
8 we have with labour relations and so on.

9                   So it is not just a quick snap of the  
10 fingers solution.

11                   A lot of thought and effort has to go  
12 to into the planning and understanding of how a  
13 volunteer system like that would have to work.

14                   Because we know from a policing  
15 perspective it is a big challenge for us and we have  
16 one of the largest contingencies of volunteers in  
17 Canada from that perspective.

18                   **MR. WALLACE:** Ms. Cohen?

19                   **MS. COHEN:** To that I would just like  
20 to add that this is the reason why I think it would be  
21 beneficial for Canada to work closely and hand in hand  
22 with the THW, who have offered to help Canada in the  
23 process of developing a system that would work better  
24 for Canada.

25                   They have, as I said, 60 years of

1 experience and it has worked wonderfully, so why would  
2 it not work here.

3 But what I also wanted to add was a  
4 few numbers, because we are talking about medium teams,  
5 medium HUSAR teams.

6 The THW detachments also are all  
7 hazards and UCRT is just a small part of that.

8 But if you look at the capacity and  
9 the capabilities, you have around 700 medium HUSAR  
10 teams in Germany next to all the other hazards they are  
11 covering.

12 And if you look at the finances, it  
13 costs the German taxpayer three Euros a year to  
14 maintain those teams.

15 They are all in training and ready to  
16 go 24/7.

17 So I think it really makes sense to  
18 have a close look at how this model works, especially  
19 as the Federal Government of Canada is really  
20 interested in it, it just needs to be a joint venture  
21 with the provinces to make it work and make it a  
22 success.

23 **MR. WALLACE:** Mr. Gryska?

24 **MR. GRYSKA:** With regards to the  
25 emergency response capability, the one thing that we do

1 have here in Ontario is a very comprehensive mine  
2 rescue system.

3 We have 875 volunteers.

4 Now that term "volunteers", they are  
5 highly trained individuals.

6 Let's be clear.

7 They are volunteers only because they  
8 are not full-time, however they are well-trained and  
9 capable.

10 And we talk about when an emergency  
11 unfolds, typically every underground mine is  
12 legislatively required to have response capability and  
13 maintain these themes.

14 So we are scattered across the  
15 province, especially in the north. That is where we  
16 are most highly concentrated.

17 So theoretically I think that there is  
18 quite a large pool of highly trained individuals that  
19 are potentially available to assist with responding to  
20 some emergencies.

21 The other point is we don't only do  
22 fire response; we also do non-fire response.

23 And furthermore, the roles of our  
24 responders is expanding to include other like  
25 responses.

1                   Again, because the individuals are  
2 highly trained responders, we are adapting them to a  
3 broader mandate.

4                   So perhaps that might be worth  
5 consideration going forward.

6                   **MR. WALLACE:**    Has there ever been an  
7 attempt to explore partnerships with your organization  
8 on a sort of municipal level, assisting in municipal  
9 incidents as opposed to things that take place within  
10 the mine?

11                   **MR. GRYSKA:**    Not on a formal basis.  
12                   However, what you will find is a lot  
13 of the individuals that are volunteers within our  
14 system, they are probably volunteers in other areas.

15                   So as I say, I don't believe it has  
16 ever been formally explored as an option in order to be  
17 able to respond to disaster management across the  
18 north.

19                   **MR. WALLACE:**    I understand from the  
20 evidence that you presented at the Inquiry that you  
21 have quite a cache of heavy equipment and things at  
22 your disposal.

23                   Have they ever been used on a  
24 municipal basis or on a non-mine incident?

25                   Are they available for us?

1                   **MR. GRYSKA:**   absolutely.

2                    Again, when a situation unfolds the  
3 volunteers that we have, they will be utilized.

4                    So we have loaned out equipment and  
5 responded to non-fire emergencies, it would be roadside  
6 accidents using jaws of life or whatever it might be.

7                    So it all depends on the  
8 circumstances.

9                    So have those resources been utilized?  
10 Most definitely.

11                   **MR. WALLACE:**   Machinery, but not  
12 personnel?

13                   **MR. GRYSKA:**   No, personnel.

14                    These guys are volunteers, so again,  
15 they would not have been formally deployed, but again  
16 because of the nature of the business that they are in,  
17 they will volunteer their services, recognizing that --  
18 -

19                   **MR. WALLACE:**   You mean they may be a  
20 volunteer fire fighter, in addition to being a miner?

21                   **MR. GRYSKA:**   They would, yes.

22                   **MR. WALLACE:**   I see.   Okay.

23                    Yes, Mr. Boyes?

24                   **MR. BOYES:**    When we talk about  
25 adequately funded teams, it should not be lost in the

1 fact that at the municipal level they are paying.

2 If there is no funding, I think it  
3 would be very bad thinking to think that in the event  
4 of an emergency you could call a municipality and ask  
5 them to come and provide something outside your  
6 boundaries.

7 There are cases where municipalities  
8 fund and look after their resources, but do not ship  
9 because they feel it is an undue burden on their  
10 taxpayers.

11 So to say we are not going to fund any  
12 provincial level teams and to rely on the good wishes  
13 of the City of Thunder Bay, that is a municipal council  
14 decision that may not allow that resource to leave the  
15 city for whatever reason.

16 Some of it is as simple as the cost to  
17 maintain and do it, when other municipalities may not  
18 wish to do it and say we can just call our neighbour to  
19 do that.

20 So that is a very real problem that  
21 you have to look at, and if that was the City of  
22 Toronto that decided not to do -- if they are not  
23 funded, there is probably going to be a HUSAR team in  
24 the City of Toronto.

25 Whether it would be allowed to leave

1 its borders, I am not sure, and it would really be as  
2 simple as not having fire insurance on your house and  
3 deciding to call the agency the day the house is on  
4 fire to renew your policy.

5 It may not be there, and that happens  
6 an awful lot within the fire community, the fire chiefs  
7 are being constantly challenged to meet needs and  
8 decrease costs, and they are doing that.

9 So programs become at risk because  
10 council say 'When have you used it last?'

11 The chief is challenge, and it is a  
12 bad argument to say my neighbour might need help.

13 So I think when we look at this, a  
14 provincially funded program, and I will ask the  
15 question that I believe the CBRNE program is on  
16 decreasing funding, and I stand to be corrected, from  
17 where it started, which is still challenging the  
18 municipalities to maintain these teams for external  
19 things, and I stand to be corrected on that if I am  
20 wrong.

21 **MR. HAY:** I will give you the "you're  
22 correct."

23 **MR. BOYES:** So that is the issue that  
24 you could lose the level 2 or level 3 CBRNE teams,  
25 again due to improper funding, and the Province has to

1 play a role in providing the funding if they want a  
2 provincial-wide response.

3 **MR. WALLACE:** So you are saying that  
4 it is like a mutual aid system with no mutuality?

5 **MR. BOYES:** Yes. And the old mutual  
6 aid system used to work on the fact that you could not  
7 get if you could not give.

8 You know, that started a long time ago  
9 with fire departments and aerial apparatuses, because  
10 cities had a tendency to abuse the neighbours aerial  
11 apparatus.

12 Why would we spend a large amount of  
13 money for one fire, so we will call the neighbour. So  
14 ultimately the council says this vehicle will not leave  
15 the municipality.

16 I think everybody needs to be really  
17 cognizant of that fact that the Province should not  
18 expect the municipalities to fund, create, maintain and  
19 look after this resource, and then call when needed.

20 It should be the other way around.

21 They should fund, and the  
22 municipalities will respond under proper agreements,  
23 and then we will use and deployment strategies and  
24 everything else.

25 You know, I can't understate that very

1 strongly, because the chiefs of this Province or Fire  
2 Chiefs of this Province are facing severe budget  
3 constraints and we know what will come next, because  
4 there are municipalities now looking at decreasing  
5 response fire fighters.

6 I will leave it at that.

7 **MR. WALLACE:** Go ahead.

8 **MR. WIECLAWEK:** I just think it's  
9 important to understand that the governance model  
10 within the Province, municipalities, they are in the  
11 driver's seat when it comes to deciding on what level  
12 of service they are going to provide and whether they  
13 are going to fund it or not.

14 But we can enter into -- and we have  
15 with the City of Toronto and the Province, we have a  
16 partnership expressed in the MOU.

17 But ultimately the Province is really  
18 limited if the municipalities themselves do not agree  
19 and make a commitment to say we want to do this.

20 My colleagues made some really good  
21 points where at any time the City of Toronto could  
22 decide we are not in the business any longer. And that  
23 is their right, as a municipality, to make those types  
24 of decisions.

25 So there is capacity and there is

1 funding issues.

2 But at the heart of it there has to be  
3 a desire and there has to be a commitment from the  
4 bottoms up approach from the individual communities to  
5 say we will work together, we will pool our resources  
6 together, we will share them.

7 Is there an expectation that the  
8 Province will provide support?

9 Yes.

10 And it is one of those things that as  
11 part of this review that my office is going to lead, is  
12 to ask those questions and meet with municipalities and  
13 talk to them and say is there an interest, a  
14 fundamental interest at the local level for the  
15 municipality to get into that business.

16 And I will use the example of say more  
17 teams beyond Toronto.

18 It will start with the question "Do  
19 you have the commitment at the local level to establish  
20 it?"

21 We talk about volunteers, we know  
22 that there is 30,000 firefighters in the Province of  
23 Ontario, 20,000 of them are volunteers.

24 Right now we are having a recruitment  
25 retention issue, meaning demographics, things are

1 changing making it much more difficult and less  
2 appealing for someone to volunteer their time, even  
3 though they will get nominal compensation from the  
4 municipality, they will be provided with equipment and  
5 training.

6 And it is a really good system, but it  
7 is still being tasked by the fact that people,  
8 individuals, are not willing to commit.

9 So my observation is, and comment, is  
10 that if it is going to work we have to establish first  
11 of all whether there is a need beyond Toronto.

12 Is there any other municipality out  
13 there, or group of municipalities, that are willing to  
14 share and pool their resources to establish that  
15 capability?

16 So there are governance issues, but  
17 there are also issues of capacity.

18 If we rely, for instance, on a  
19 volunteer outside of Thunder Bay, by the time they  
20 arrive, because they are volunteers and they can choose  
21 to respond or not, you can't compel them, by the time  
22 they arrive and assemble and actually deploy, it is  
23 very possible that a team from Bolton, southern  
24 Ontario, may get there quicker because at least you  
25 have the assurance that they are full-time, they are

1 paid and they can basically be told you're being  
2 deployed.

3 So there are other considerations  
4 aside from geography.

5 It is once you start relying on  
6 volunteers, you lose a lot of control in terms of a  
7 formality. You can't order them or direct them, they  
8 volunteer. They are very committed, but at any time  
9 they can decide not to volunteer.

10 And the same goes for municipalities.

11 As Richard suggested, sometimes  
12 municipalities they just don't chose to want to share  
13 their resources.

14 The Province, we developed a Mutual  
15 Aid System, we enable them under the FPPA to enter into  
16 agreements, to share to leave their boundaries so that  
17 they are protected from things like indemnification,  
18 personal liability, they have got those protections  
19 that we need to provide them so that they don't take on  
20 this type of unfunded liability.

21 So I agree that there is a need to  
22 revisit our deployment model, but it is going to take  
23 that type of discussion, at the local level amongst  
24 municipalities to identify who is willing and capable  
25 to make that commitment to sustain a team.



1 volunteers and the way they would not want to  
2 volunteer.

3 I just took a Canadian delegation to  
4 Germany this year and that was really one of the things  
5 we realized, is how the people, the helpers of the THW  
6 feel as if they are a family.

7 They are coming together to work  
8 together, train together and afterwards they socialize  
9 together.

10 So it is a real community effort.

11 You get to know your fellow citizens,  
12 but you also feel committed to the cause.

13 So if you train on a regular basis and  
14 voluntary always sounds like you can do it or not, but  
15 if you actually do volunteer for the THW, you really  
16 commit because you have to do 120 hours of training to  
17 start with, and then you are adding on to your  
18 training, you become more specialized.

19 Why would you want to quit?

20 It is such a good feeling to be able  
21 to help, to be ready, you have been training for years.

22 In Germany it is the same as here,  
23 that people do not have time anymore, everybody is  
24 busy, nobody feels that they really can commit to  
25 anything or have the time to volunteer.

1                   But on the other hand, even now with  
2 the end of conscription, the THW still has 2,000 new  
3 recruits every year.

4                   And whenever there is a big incident,  
5 like the last big flood we had last year in Germany,  
6 people see the THW out there and they say this is  
7 great, what they are doing is fantastic, I want to be  
8 part of this.

9                   And the moment you are part of this,  
10 you stay with it, because why would you not want to do  
11 that, if you are the kind of person that wants to help  
12 and you say this is something I can do for my family,  
13 my neighbours, my community, but also my province and  
14 my federal government because that is who I am with,  
15 that is the organization I am representing, I am  
16 wearing this uniform, I am proud to be part of this,  
17 why would I want to quit?

18                   And again, I can only say it has been  
19 existent in Germany for 60 years and it is growing even  
20 bigger, so I think it is really worth considering this  
21 model.

22                   Now, we can all have lunch.

23                   **THE COMMISSIONER:** Alright, one hour  
24 folks.

25                   It's 12:55 now, so we will reconvene

1 at 2 o'clock.

2 --- LUNCHEON RECESS AT 12:55 P.M.

3 --- UPON RESUMING AT 2:00 P.M.

4 MR. WALLACE: Thank you.

5 I would like to move now to the fourth  
6 topic on the first day, the Decentralized Emergency  
7 Management.

8 There seems to be uniform agreement  
9 That the bottom up approach, that is the local, mutual  
10 aid, provincial approach to emergency management does  
11 not need any tweaking in the sense that people think  
12 that is the direction we should continue on.

13 I am not going to discuss that, but  
14 rather I wanted to talk about the use and need for  
15 Incident Support Teams.

16 So when you have a situation that has  
17 overwhelmed the communities ability to cope, they have  
18 exhausted the resources that a Mutual Aid Agreement  
19 has, and then the turn to the Province for resources.

20 The people in the community, including  
21 the Incident Commander may be, not surprisingly, be  
22 overwhelmed with the task that they are facing and how  
23 to deal with it.

24 It would appear, on one view at least,  
25 that you could make that observation with respect to a

1 Chief Officer, because it seemed that at times that  
2 although he would never articulate it this way, but in  
3 terms of how it would appear and how it may have  
4 actually unfolded was that the authority of the  
5 Incident Commander was handed off to Staff Inspector  
6 Needles.

7 The question I am asking is: is it  
8 realistic to expect that a local Incident Commander can  
9 manage an incident of this size or, in this particular  
10 case it was not necessarily the size, but it was the  
11 technical problems that it faced without turning for  
12 other assistance and to look at what assistance is  
13 available?

14 We know that he had the assistance  
15 from both the TF3 and the USRT team, which were there  
16 to solve the problem, but managing the event was a  
17 different story altogether.

18 This is the area I would like to  
19 discuss now in terms of to see if there exists a gap  
20 within the current set up so that the Incident  
21 Commanders in the community can get help -- and I am  
22 very clear here, it is assistance, it is not a takeover  
23 I am looking at here, it's just simply can they get  
24 help beyond the boots on the ground, as it were?

25 And I would like to ask Chief Duerr

1 about the situation in Alberta because I know that a  
2 form of management assistance is offered to other  
3 communities, and I would like you to explain that for  
4 us, please.

5 **MR. DUERR:** Sure. Thank you very  
6 much, Mr. Wallace.

7 So the task force team, Canada Task  
8 Force 2 has identified to the Province of Alberta the  
9 ability for it to go in and support other  
10 municipalities from a management perspective under the  
11 terminology of an Incident Management Team or an  
12 Incident Support Team functionality.

13 It has been deployed in that capacity,  
14 it was deployed in that capacity to High River, as  
15 recently as this last summer, where we did go in and  
16 work alongside our sustainable resources teams, so our  
17 wild land firefighting teams, within the province and  
18 built an Incident Management Team and supported the  
19 local jurisdiction in their efforts.

20 **MR. WALLACE:** So what specifically do  
21 you do?

22 First of all, the Incident Commander  
23 remains the same, correct?

24 **MR. DUERR:** Yes. So typically the  
25 Incident Commander will be -- in this capacity it was

1 more of an emergency operations centre functionality,  
2 because it affected the whole community and really when  
3 it gets to that large of a state, you have got the  
4 Emergency Operations Centre which is coordinating the  
5 whole entity in that regard.

6 But yes, the authority having  
7 jurisdiction always maintains the capacity of the  
8 overall responsibility of the incident, yes.

9 **MR. WALLACE:** And does this Incident  
10 Report Team, do they offer assistance with planning,  
11 logistics, these sorts of things?

12 **MR. DUERR:** That is exactly right.

13 So for example, in High River I was  
14 the plan section chief, so I took over the planning  
15 role, supporting once again the Incident Commander or  
16 the Director of Emergency Management at that point.

17 They are the ones that set the  
18 objectives and we are yet the ones that fill out those  
19 objectives or take those objectives and assign  
20 resources accordingly.

21 So we took over the responsibility for  
22 operations section chief, planning section chief, and  
23 we also did logistics in High River.

24 **THE COMMISSIONER:** Communications?

25 **MR. DUERR:** Communications, no.

1                   Communications was taken over or was  
2 the responsibility of the municipality.

3                   They were being supported currently at  
4 that time by the Province in that role.

5                   But no, we did not take over  
6 communications.

7                   In High River ---

8                   **MR. WALLACE:**   Excuse me.

9                   But the municipality did receive  
10 communications assistance?

11                   **MR. DUERR:**    Yes.  Yes, there was  
12 support from the provincial body assistance-wise in the  
13 sense of communications.

14                   And with much prodding and pushing  
15 they also got some additional resources from a  
16 contracted company with their communications capacity.

17                   **THE COMMISSIONER:**  Are you talking  
18 about communications within the group or communications  
19 with the community?

20                   **MR. DUERR:**    I am saying both.

21                   So communications within the actual  
22 responder efforts, as well as to the community itself.

23                   **MR. WALLACE:**  Does this type of a  
24 resource, does it exist anywhere other than within your  
25 task force?

1                   Is there such a thing as an Alberta  
2 resource that would do this?

3                   **MR. DUERR:**     Not that I am aware of.

4                   I know that other municipalities  
5 within the Province of Alberta, inclusive of Calgary,  
6 outside of Canada Task Force 2, will offer support for  
7 incident management as well.

8                   In saying that, Strathcona County has  
9 done it, Edmonton Fire Service has done it.

10                  There has also been some support from  
11 other municipalities like Medicine Hat and such.

12                  So they will come in and they will  
13 also support in those initiatives as well.

14                  I look to Slave Lake as an example.

15                  When Slave Lake hit it lasted for  
16 about 16 days when we were up in Slave Lake.

17                  Through that time there was rotation  
18 of personnel from different municipalities coming in  
19 and supporting Slave Lake in those larger command  
20 functionalities like logistics, like planning, like EOC  
21 manager and such.

22                  But once again, the authority having  
23 jurisdiction maintained overall accountability and  
24 responsibility for the event.

25                  **MR. WALLACE:**   Mr. Hefkey, as things

1 exist currently, is this type of assistance -- like for  
2 example, if a Chief Officer had called up and said this  
3 is just beyond me, I need help in managing this, we  
4 know that we got the Task Force 3 out the door and the  
5 UCRT team, but this type of thing that Chief Duerr is  
6 talking about, is this currently available?

7 **MR. HEFKEY:** So in terms of kind of  
8 like in a very disciplined and packaged way that  
9 Alberta has it, but we don't have that.

10 But to answer your first question,  
11 which is had Chief Officer asked for resources  
12 specifically of the Office of the Fire Marshal and  
13 Emergency Management he would have received them?

14 If he was looking for, for example,  
15 someone with some particular expertise in a particular  
16 area, again something as you said that may have been  
17 beyond his capabilities, again we would be doing our  
18 best to find that resource for him, and not just in  
19 Elliot Lake but for any community where they ask for  
20 assistance, we are happy to provide it where we can.

21 **THE COMMISSIONER:** Is that part of a  
22 protocol that is specified somewhere, Mr. Hefkey?

23 **MR. HEFKEY:** So what we do, it is not  
24 that it is part of a protocol, what it is, it is part  
25 of the kind of bottom up approach and emergency

1 management doctrine within the Province of Ontario.

2 So with our community emergency  
3 management coordinators, again it is shared with them.

4 And you used the term "exhausted", we  
5 try and get to them before it is totally exhausted.

6 You want to be able to provide for a  
7 resource before it becomes a gap in the operation.

8 So we ask when things like this happen  
9 and when they are starting to declare, that is where we  
10 ask the question: is there -- and it is typical, our  
11 duty officer asks the question do you need any  
12 provincial assistance?

13 The answer can be yes, it can be no.

14 Sometimes the duty officer will ask  
15 some probing questions to find out exactly what may be  
16 required or not.

17 **MR. WALLACE:** But as a package deal,  
18 that does not exist currently?

19 **MR. HEFKEY:** Correct. As a package.

20 So that goes back to Mr. Duerr's  
21 comment as it relates to 'okay, we can come and we have  
22 got this group.'

23 Again, you used the term to begin the  
24 conversation of an Incident Support Team, again I heard  
25 you say two things, for me it is Incident Support and

1 then there is Incident Management teams.

2 Two separate functions.

3 And in Alberta they may have that  
4 package available. We do not have that in Ontario just  
5 yet.

6 **MR. WALLACE:** I think everybody would  
7 agree that it is not desirable that the command be  
8 taken away from the community.

9 It is ultimately the community's event  
10 and they are the ones that should be managing it.

11 **MR. HEFKEY:** As you prefaced your  
12 comments, this is bottom up approach, everybody around  
13 this table, I saw some of the contributions for the  
14 other organizations, we all really for us, even in our  
15 emergency management doctrine, that really for us that  
16 is the orientation we want to take.

17 We do not want this top down approach  
18 where we are starting to impose our own interests over  
19 and above what the municipality is requiring.

20 **MR. WALLACE:** Yes?

21 **MR. WIECLAWEK:** Perhaps I will  
22 augment those comments to provide some clarity.

23 Within the fire service in terms of  
24 the Mutual Aid Provincial Program and Mutual Aid Plan,  
25 it was mentioned earlier by some of my colleagues here

1 that a local fire department, if they have exhausted  
2 their resources and they require specialized equipment  
3 and additional water, tanker shuttles, they can call on  
4 the Mutual Aid System to receive those, and it is all  
5 pre-planned and it is part of this sort of collective  
6 effort to identify who has what within that Mutual Aid  
7 System, and often times they are based on a county  
8 level.

9 Right now, within the Province and  
10 part of my job as the Fire Marshal, we administer the  
11 Mutual Aid Program under the FPPA, but it is run by the  
12 local municipalities, the local municipal fire service.

13 As it stands now, while they can call  
14 upon resources, staff, equipment, there is no defined,  
15 within the Mutual Aid Plan, a package where an Incident  
16 Commander or Fire Chief could say I need an assistance  
17 and there is a package team of experienced Incident  
18 Commanders or command staff that are available to go  
19 into that municipality.

20 That being said, we could very well,  
21 if the fire service believed that there was a need for  
22 that, we could expand the Mutual Aid System to make  
23 that an additional resource or availability, but I  
24 would offer again from the bottom up approach, this  
25 would have to be something that would be supported by

1 the fire service and they would need to identify the  
2 need. And that resource would not come from the  
3 Province.

4 While we may facilitate it through the  
5 Mutual Aid Plan, I would offer that, if it was to  
6 happen it would be amongst the municipal fire service  
7 professionals who would offer that and use the Mutual  
8 Aid system as a way of making a request and providing  
9 that resource.

10 **MR. WALLACE:** I understand from  
11 speaking with some folks at the Ministry of Natural  
12 Resources that they have a system in place now where  
13 they have teams that are made up of --

14 I will step back here for a second.

15 Their area is broken down into a  
16 number of different regions and in the regions they  
17 have teams put together that can be called on to go in  
18 and, in their case, manage the events when it reaches a  
19 scale that is too much for the local group.

20 Are you aware of that?

21 **MR. WIECLAWEK:** Yes.

22 **MR. WALLACE:** And their model in  
23 terms of managing events is an all-hazard model, is  
24 that not correct?

25 That it is not just restricted to

1 forest fires.

2 It also includes floods?

3 **MR. WIECLAWEK:** To my knowledge it's  
4 forest fires, I am not really that knowledgeable to  
5 have the specifics of how --

6 Ministry of Natural Resources, they  
7 are Provincial staff and they all work under one lead,  
8 so for them to organize themselves that way is  
9 relatively simple because they are all employees of one  
10 organization.

11 When looking at it from the Municipal  
12 Fire Service perspective they would be coming from  
13 different municipal fire departments and again it would  
14 have to be a shared agreement or a system set up by the  
15 fire service municipalities on agreement to share that  
16 type of resource.

17 **MR. WALLACE:** Ms. Schreuders, in the  
18 materials that you submitted to us you had mentioned a  
19 type of service that exists in the United States and if  
20 you could just share that with us, please?

21 **MR. SCHREUDERS:** Sure.

22 Well in the United States things are  
23 run a little bit differently. They do not easily  
24 translate to a Canadian perspective.

25 The U.S. has a lot of federal assets,

1 whether it is DMAT, DMORT, et cetera, but specifically  
2 the International Association of Emergency Managers,  
3 Canadian Council in this submission specifically spoke  
4 about the U.S. FEMA teams, the Incident Support teams  
5 and one was the National Urban Search and Rescue Team,  
6 which can be rapidly deployed actually to the field.

7 And then they also had the Incident  
8 Management Assistance Team that can be rapidly deployed  
9 and that would be more in an EOC setting to help  
10 support decision makers, et cetera.

11 Again, these are federal assets.

12 They do not need a Stafford  
13 Declaration, so that usually means when a state makes a  
14 Stafford Declaration money just kind of pours in. This  
15 is just basically an ask.

16 So they come and support and in the  
17 United States they have several different types of  
18 teams to support municipalities, but it is a big job,  
19 especially in the medical field.

20 **MR. WALLACE:** And again, the idea is  
21 not to take over, but rather to support the local ---

22 **MS. SCHREUDERS:** Definitely.

23 It really helps to have a sounding  
24 board when you are trying to make decisions, am I  
25 forgetting something et cetera, et cetera, and this is

1 what this group would help provide.

2 **MR. WALLACE:** Mr. Morgan, I  
3 understand that within the Calgary municipality you  
4 have assisted other communities in the area of  
5 communications.

6 Is that correct?

7 **MR. MORGAN:** Mr. Wallace and  
8 Commissioner, yes, that is correct.

9 Post-event we were asked and did  
10 supply some communications support to the community  
11 south of Calgary and High River.

12 **MR. WALLACE:** Now, communications is  
13 your business.

14 In your former life you were involved  
15 in emergency response.

16 The call comes in from the  
17 municipality asking for help.

18 What sort of help do you provide?

19 **MR. MORGAN:** Well, in the City of  
20 Calgary we have a very dynamic group of professionals  
21 or communicators or public information officers, if you  
22 will, with our fire service and our police department  
23 and certainly with our emergency medical services.

24 Day-to-day they do a great job of  
25 keeping the public informed of events.

1                   But a lot of discussion today about  
2 scalability of events, and the City of Calgary has  
3 recognized that during larger scale events, whether it  
4 requires a municipal emergency plan activation or state  
5 of local emergency, the municipalities recognize the  
6 need for unified communication.

7                   We do that through our activation of  
8 the Calgary Emergency Management Agency.

9                   When we move in that direction,  
10 essentially what we are saying is that we need to  
11 ensure that the communication coming on behalf of the  
12 city on behalf of all services is consistent and  
13 accurate.

14                   And at that point, the individual  
15 communication channels now are funnelled through the  
16 emergency operations centre, and ultimately seek  
17 approval from the Director of the Emergency Management  
18 Agency.

19                   So it is my role within that, and my  
20 team, to help coordinate, collate and produce  
21 communication on behalf of the municipality.

22                   **MR. WALLACE:** Now, when you are  
23 called upon to assist a municipality, your materials  
24 mention that the provincial message can be different  
25 than the municipal message.

1                   But when you are called upon to assist  
2 the municipality, is the face of the event still the  
3 municipal face, or do you come in or someone like you  
4 come in and take over?

5                   **MR. MORGAN:** No, I don't think there  
6 is ever the notion of taking over, it is more of a  
7 behind the scenes supportive role.

8                   I think if you look at any crisis  
9 communication, community wants to hear from people that  
10 they trust.

11                   Community wants to hear from the  
12 people that are in authority, the people that have the  
13 knowledge.

14                   And that comes from the source that  
15 they are comfortable with that they have seen every  
16 day, whether that be the mayor or the director of their  
17 Emergency Management Agency, the fire chief, they look  
18 to those people, as leaders in their communities, for  
19 the accurate sources of information.

20                   That is not to say that the mayor or  
21 the fire chief has all the answers, but the answer are  
22 around those people, they can be strategically collated  
23 and delivered through that channel as to who people are  
24 looking to for that source of information.

25                   **MR. WALLACE:** And you had mentioned

1 in your biography the fact that you are now involved in  
2 a project involving social media.

3 What sort of challenges does that pose  
4 in this day and age in terms of crisis communications?

5 **MR. MORGAN:** That is a whole other  
6 discussion.

7 Social media has really changed the  
8 landscape of communication, especially during crisis.

9 Years past, traditionally, how we  
10 would respond to crisis is make sure that we gather all  
11 the facts, verify them, put them together in a nice  
12 package, put them out to the media outlets and hope  
13 that we make the 6 o'clock news. That could take three  
14 to five hours.

15 The first tweet of the Boston Marathon  
16 was within one minute of the first explosion, so that  
17 is how fast information moves.

18 As organizations, companies,  
19 municipalities, governments, whoever, there are people  
20 looking to us to lead the conversation and as we are  
21 seeing that conversation lead time, it is one minute.

22 So there is an obligation from  
23 organizations to be positioned to respond to their  
24 communities expectation of communication and  
25 information.

1                   There is a different way to define  
2 those two pieces, but the demand for answers and  
3 information from community is exceptionally high in  
4 today's technological environment.

5                   **THE COMMISSIONER:**   And the potential  
6 for misinformation.

7                   **MR. MORGAN:**   The potential for  
8 misinformation is huge.

9                   We saw that in Boston, as a prime  
10 example.

11                   In the absence of information from  
12 trusted sources, community relies on speculation, what  
13 they have heard, what they have seen, what they have  
14 interpreted.

15                   And when that occurs it can actually  
16 take away and hinder efforts from investigation and  
17 response.

18                   We saw that in Calgary during the  
19 recent floods.

20                   There was lots of discussion in the  
21 community about a boil water advisory and some sense  
22 that the water in the City of Calgary was unsafe, which  
23 was actually very opposite. The water was safe and was  
24 safe throughout the entire event, thanks to our water  
25 treatment folks.

1                   But recognizing that, you know, social  
2 media, it can be a great tool in emergency management  
3 for responders as well as information gathering, but it  
4 can also create a crisis inside of a crisis if it is  
5 not used efficiently.

6                   **THE COMMISSIONER:** In Elliot Lake the  
7 lack of appropriate information from the appropriate  
8 sources led to something approaching a mob scene.

9                   Was it the Monday evening?

10                  And to such an extent, it literally  
11 could have very, very seriously hampered the rescue  
12 effort and was interfering with the work the people  
13 were doing.

14                  But it literally came close to being a  
15 mob scene and people literally taking over.

16                  **MR. MORGAN:** What we are learning now  
17 is that there is a distinct difference between  
18 information and communication. I will use it as an  
19 example.

20                  Information is highway A is closed at  
21 intersection B. That is information.

22                  There is no reason that that can't  
23 come out as information to the community as soon as we  
24 know it, because if we are not talking about it,  
25 everybody else is and you can see it.

1                   Information is available to anybody,  
2 and as an organization we should be sharing information  
3 as we get it.

4                   Communication is the strategic pieces.

5                   So in Calgary, Chief Burrell was  
6 amazing at finding innovative ways to allow Calgarians  
7 back into their homes, but in a self-assessment  
8 process.

9                   But that required very strategic  
10 communication, very thoughtful communication.

11                   What is the process?

12                   Who is allowed?

13                   What do they need to check?

14                   What are the agencies involved?

15                   Very strategic and high-level  
16 communication pieces.

17                   So there is a place for communication  
18 which takes a lot of thought and time and planning, and  
19 that is what we used to hold on to for years.

20                   But now we need to realize that there  
21 is a high level or a very high volume of information  
22 that is publicly available that if we are not sharing  
23 it as municipalities or as responders, that other  
24 people are going to start sharing it and sharing their  
25 own interpretations of what they are seeing.

1                   **THE COMMISSIONER:**   And expectations  
2                   have changed.

3                   In a very short time people are  
4                   expecting that kind of information very quickly.

5                   **MR. MORGAN:**   Yes, sir.

6                   **MR. WALLACE:**   Ms. Schreuders?

7                   **MS. SCHREUDERS:**   I just wanted to add  
8                   to that what we found was obviously we know that the  
9                   communication has a direct impact on events during an  
10                  emergency response.

11                  Successful communication could rally  
12                  the community, provide it much needed info and calming  
13                  of its public.

14                  But poor communication or no  
15                  communication could fan emotions, promote rumours and  
16                  undermine confidence and lose trust in public  
17                  officials.

18                  So what people are looking for is  
19                  trust, empathy and a transparency in the approach to  
20                  the response.

21                  So let's just imagine a press  
22                  conference and there is all these public officials and  
23                  police officers and people wearing funny hats and the  
24                  majority of the public is listening to what they have  
25                  to say.

1           The reason they are listening is not  
2 because they pull out their guns and threaten them with  
3 violence.

4           The reason they listen is because they  
5 trust these officials.

6           But the moment that we take that for  
7 granted and we lose that trust, then we are in big  
8 trouble because nobody is going to listen.

9           So every time we communicate we are  
10 not communicating just for this event, we are actually  
11 communicating for the next event as well, to ensure  
12 that they trust us and listen.

13           **MR. DUERR:** One of the other things I  
14 just wanted to highlight was Mr. Morgan mentioned the  
15 fact that the information and the communication that  
16 was going out was collated and then also coordinated.

17           Very important pieces of information  
18 in the sense that if you equate it to the Calgary  
19 floods, from an informational standpoint, we would give  
20 a certain amount of information that the communicators  
21 could communicate on at their leisure.

22           As tweets came in, they could  
23 communicate on those things, they would not have to  
24 seek approval because the approval was already given.

25           If something came in that was outside

1 of that realm, they would seek approval or seek  
2 information to be able to provide it. And once again  
3 it would have to go through the levels to be able to be  
4 approved to go out.

5 So if you equate that back to Elliot  
6 Lake, communication would not be released out of Elliot  
7 Lake unless the Incident Commander was aware of that  
8 communication, was aware what was heading out.

9 So that once again, the information  
10 that is being provided is coordinated and it is the  
11 same, everybody is talking from the same songbook, so  
12 everybody understands and everybody is speaking the  
13 same language.

14 **MR. WALLACE:** In Calgary, either one  
15 of you answer the question, who had the final word on  
16 what information went out?

17 Was it the Incident Commander or  
18 somebody else?

19 **MR. MORGAN:** Coby!

20 Absolutely, at the end of the day we  
21 ensured that every bit of information went through the  
22 Director of the Calgary Emergency Management Agency.

23 And in his absence it would have been  
24 his Acting Director.

25 And just on that point is beyond our

1 business units and beyond City processes within our  
2 Emergency Operations Centre, power was one of the key  
3 elements to the flood and the disruptions to the City.

4 So we had our INMACS partners not just  
5 the CEO but their communicators, and it was a  
6 coordinated effort to make --

7 One of the last things you want is for  
8 your power company to say we are energizing this grid  
9 at this time as your responders are saying we are going  
10 to be closed for the next two days.

11 So all of the information between our  
12 Boards of Educations, our energy companies, our zoo,  
13 our Stampede Board, every communication element that  
14 was linked or related to flood activity had to be  
15 approved by the Director of the Emergency Management  
16 Agency.

17 **MR. WALLACE:** If there was a dispute  
18 as to what was going to be released, would your  
19 Director, would he be the person that would have the  
20 final word?

21 **MR. MORGAN:** Absolutely.

22 **MR. WALLACE:** As far as this  
23 discussion is concerned, I will ask Chief Hay to start.

24 If you see a need for this type of --  
25 I will call it "service", but the Incident Support

1 Teams and thinking firstly of the communities around  
2 where you live and a lot of them would be fairly  
3 smallish and it would sound to me that if they had an  
4 incident like this they could certainly use the help.

5 **MR. HAY:** Mr. Wallace, I certainly  
6 would agree that there is going to be a need for help  
7 when a smaller community with maybe a fire chief and no  
8 deputies, as an example, as in Elliot Lake, they had a  
9 very small command staff and the event was five days  
10 long.

11 There is no expectation that any one  
12 person could be the IC for five days straight.

13 What Chief Officer may have used was  
14 someone to continue his Incident Action Plan for a few  
15 hours so he could get some sleep or he could get some  
16 proper food and get himself de-energized from all the  
17 adrenaline, the excitement from that scene, so that he  
18 can come back and continue on.

19 And he would have needed five days of  
20 that support, because after 12 or 16 hours the  
21 potential for errors or mistakes certainly is going to  
22 increase.

23 I think that having some ability that  
24 would parachute in a support team to help Incident  
25 Commanders when they ask for it, that is a key. It is

1 when they ask for it and when they need it and provide  
2 what they ask for.

3 If they need some people that are  
4 operationally geared for their activity but maybe not  
5 Incident Commanders, don't send them three Incident  
6 Commanders.

7 We need to be able to provide what is  
8 asked for, and certainly Elliot Lake would have  
9 qualified for some assistance for the Chief Officer.

10 **MR. WALLACE:** This assistance is  
11 broader than simply the Incident Commander's stamina.

12 I was thinking also in terms of his  
13 ability to cope with the size. So more in terms of  
14 organizational expertise.

15 **MR. HAY:** Correct. I think that was  
16 probably part of what my answer should have been. I  
17 should have clarified that.

18 If you sent a support team that had no  
19 experience with a large event, you may be just sending  
20 him someone else he has to manage and take care of.

21 That would be counter-productive to  
22 what the Chief or the authority having jurisdiction is  
23 required.

24 So the profile of what you send has to  
25 be what is requested, but it also would have to be

1 skilled and experienced to get the best benefit out of  
2 a 12 hour rest for the Incident Commander or some new  
3 ideas, fresh eyes on the scene.

4 Because the assistant could also be,  
5 not in place of the Incident Commander, but as advice  
6 to the Incident Commander.

7 I think that any team that goes there  
8 should be able to do both.

9 So you would have to send experienced  
10 people or people that have some time with those types  
11 of events, and also have the ability to work with  
12 another fire chief and respect the authority having  
13 jurisdiction.

14 You can send a lot of people to help,  
15 but if they don't respect that authority having  
16 jurisdiction, you are going to have a conflict, someone  
17 is going to have a better idea.

18 They are going to all be the Ford  
19 Motor Company, come up with a better idea.

20 That is going to be counter-productive  
21 to what you would send that team there for.

22 So I believe if they were going to  
23 choose it and as part of an asset to the Province and  
24 if the Province was going to coordinate it, they should  
25 be looking at the profile of the people they send,

1 matching it up with the needs of the Incident Commander  
2 who is the authority having jurisdiction.

3 **MR. WALLACE:** Mr. Boyes, on behalf of  
4 the Fire Chiefs, do you see this as it currently  
5 exists, a gap, and do you see that these incident  
6 support teams that we are talking about could fill that  
7 gap?

8 **MR. BOYES:** Yes, Mr. Wallace, there  
9 is.

10 The membership has spoken a number of  
11 times and I did some research previously in a report to  
12 the membership.

13 One of the issues that came forward  
14 from the Fire Chiefs was the need for that level of  
15 help, respecting everything that Chief Hay has said.

16 But there is a definite need.

17 It poses a number of challenges as  
18 well.

19 One is what authorizes the person to  
20 get there?

21 If it is under mutual aid, how does it  
22 fit in, how does it work?

23 There is liability issues and  
24 everything else that goes with creating this team to  
25 put them into that role, because as much as you may be

1 a caretaker for four hours in the Incident Command  
2 System, there may have to be decisions made as the  
3 incident changes.

4 So you have to make sure that you have  
5 got all the bases covered.

6 In certain parts of the Province it is  
7 as simple as collective agreement issues that have to  
8 be complied with that pose barriers within the system  
9 that we operate.

10 So there is a need, it needs to be  
11 administered and run, dare I say by the Fire Chiefs for  
12 this point to ensure that it is there. Maybe it's  
13 coordinated through the office of the Fire Marshall,  
14 but I am not sure.

15 The IAFC (the International  
16 Association of Fire Chiefs), participates in an issue  
17 which is more the FEMA-based side as well to send  
18 people into areas where they are having the large-scale  
19 incidents to do it, because it is quite simple, you  
20 need to rotate out every eight hours, maximum 12,  
21 because your decision-making ability goes downhill  
22 steadily.

23 But our membership has said that there  
24 is a need, but it certainly has to be looked at and  
25 well thought out before you do it, and it is again

1 match the need to the resource.

2 **MR. WALLACE:** Mr. Huxley,  
3 representing the Municipalities, is that a need that  
4 has been expressed through your members?

5 **MR. HUXLEY:** The legislation requires  
6 the planning to be undertaken by all municipalities,  
7 all municipalities were to have emergency operations  
8 control centres and groups and emergency information  
9 officers.

10 All that planning should be in place,  
11 but where there is a need that it is identified by the  
12 local authorities, or the local municipality, as Chief  
13 Hay has indicated, that should be identified by the  
14 local authority, whoever that may be, dependent.

15 And then that turns into how does the  
16 municipality get that resource or fill that gap,  
17 locally or externally to look into the Province to  
18 provide those resources or funding so the municipality  
19 can access those resources.

20 But when we look at the legislative  
21 scheme that municipalities are governed by now, those  
22 decisions are made at the municipal level and should be  
23 made at the municipal level.

24 **MR. WALLACE:** Does anybody else want  
25 to offer an opinion on the need or the --

1                   Go ahead, Ms. Cohen.

2                   **MS. COHEN:**    I don't want to bore you  
3 with this but I think the THW really answers all these  
4 questions because it is exactly what it is, the local  
5 fire chief realizes the incident is getting too big for  
6 me or I am overwhelmed or we don't have the resources.

7                   He takes his cell phone and he calls  
8 the THW which is there immediately, it is a local  
9 response, they are there, there is no frustration with  
10 the community because it is the community responding.

11                   So with all the aspects I am hearing,  
12 I am always coming back to this would solve a lot of  
13 the problems that are being addressed.

14                   **MR. WALLACE:**    Go ahead.

15                   **MR. DUERR:**    I think the last thing  
16 that I would like to highlight in this approach is the  
17 Incident Management or Incident Support, depending upon  
18 what level of expertise you require, if you are looking  
19 at that, as Mr. Boyes has said, and running it through  
20 the different departments, it needs to be a coordinated  
21 program because once again, as I have said earlier,  
22 Alberta has moved people into other municipalities and  
23 helped them in times of need, but it has been a very ad  
24 hoc type of program.

25                   It has not been a set program with

1 common training and common understanding and all of  
2 those different pieces.

3 They may be trained in the Incident  
4 Command based system, but once again, the whole getting  
5 people together and having them work together and  
6 exercise together is a key piece, especially as you  
7 related into this Incident Management Program as well.

8 So it needs to be a programmed  
9 approach, it can't be ad hoc.

10 It is a better approach and a  
11 programmed approach.

12 **MR. WALLACE:** So the people that  
13 would be sent in would be a group of people, in your  
14 opinion, that would have practiced this together.

15 It's not simply a case of having four  
16 or five seasoned responders working together, but you  
17 want these people to have done the job together?

18 **MR. DUERR:** If possible, it is always  
19 best.

20 If you were to go in and pull two  
21 people out of Toronto and two people out of Ottawa and  
22 two people out of Thunder Bay and put them together and  
23 say manage this incident, and you have got one person  
24 who is the logistics chief, one person is the planning  
25 chief, one person is the operations section chief,

1 there is going to be nuances that are going to be  
2 different in that regard.

3 So it is always best to have the  
4 ability to do some common training associated to those  
5 different functions and work together in that capacity  
6 and be able to train in that capacity as well.

7 That is not saying that it has to be  
8 done -- I don't know what the ideal model is for how  
9 often they train together and such, but it is a better  
10 capacity when you train together.

11 In both Slave Lake and in High River,  
12 we noticed nuances and differences associated to each  
13 of the individuals as they relate within their own  
14 service, their home service, to planning or to  
15 logistics or to operations.

16 So it is always best if you can do it  
17 as a team and start to do common training associated to  
18 the Incident Management Teams or Incident Support  
19 Teams, depending upon what they need.

20 **MR. WALLACE:** Mr. Hefkey, in the  
21 provincial piece there was mention of a program that  
22 had been discontinued, apparently it is going to be  
23 started up again working.

24 There was a program that originated  
25 through the Ministry of Natural Resources in terms as

1 part of a program that could answer this type of  
2 question.

3                   Could you tell us a little bit about  
4 that?

5                   Where that is at and what is the end  
6 game for that?

7                   **MR. HEFKEY:** So what happened is it  
8 was back in -- actually, I had just started at  
9 Emergency Management Ontario, which is what it was  
10 called at the time and the MNI was facing a staffing  
11 issue in that they had a number of forest fires, forest  
12 fires for which they wanted trained incident  
13 commanders, kind of like Mr. Duerr's point.

14                   They were looking for trained  
15 individuals, however they did not have them within  
16 their ranks.

17                   So this is at the same time as the  
18 Incident Management Development Team and all of the  
19 contributors from the OAFIC or the OACP, all got  
20 together and they were saying, you know, this would be  
21 a really, really good opportunity, again circa 2007,  
22 this would be a really good opportunity if we could get  
23 individuals who are wanting to develop their skills to  
24 actually do so in a very practical way through, for  
25 example, a forest fire.

1                   And that they would progress through  
2 the ranks, kind of like John goes through the ranks of  
3 being a section lead to ultimately an Incident  
4 Commander.

5                   So the whole proposition then got  
6 brought up and at that point to the deputy ministers  
7 from both ministries, and it was decided that the  
8 proposition would not be addressed at that particular  
9 point in time because of issues of resourcing,  
10 liability, things at that point there was a decision  
11 made we didn't want to go down that road.

12                   **MR. WALLACE:**    So a person who is in  
13 that program, would they as part of their training  
14 learn about planning, learn about logistics, learn  
15 about operations, learn about being a commander?

16                   They would have transferrable skills  
17 to run any one of those five lines, is that it?

18                   **MR. HEFKEY:**    Well, it depends.

19                   If you are individual who, for  
20 example, has a particular affinity to planning and that  
21 that is what you wanted to do and you wanted to develop  
22 those skills and further refine them, then you could do  
23 so.

24                   Now, if ultimately your goal was to be  
25 the overall Incident Commander, then yes, it would be

1 to cycle through each one of those distinct areas that  
2 you know very well, and then ultimately with an  
3 opportunity to become a commander but doing so in a  
4 very measured approach.

5 So you are not just being thrown into  
6 this large-scale event having never done one before.

7 So it is just a game of kind of  
8 walking before you run, and so that is what we were  
9 trying to do.

10 To go to the last part of your  
11 question, so what we would like to do now is to revisit  
12 that, and you heard Fire Marshal Wieclawek talk about  
13 this.

14 We are going to ask our, again through  
15 our group of stakeholders we are going to ask them,  
16 what is the best configuration?

17 Because I take Mr. Duerr's point, in  
18 that if you are going to send a whole team it would be,  
19 in my opinion, in my estimation, it would be the best  
20 possible approach would be to have a team that is  
21 familiar with each other so that you don't have folks  
22 coming from one community and from another who have  
23 never worked together, because there is something to be  
24 said about relationships.

25 We can all, again, read the book, but

1 the nuances between how we work together are things  
2 that have to get worked out through common training,  
3 through exercising together and through simple  
4 conversations.

5 That is what we want to do and we want  
6 to figure out how can we, because we do recognize to  
7 your first problem statement, we recognize the need for  
8 these Incident Support Teams, these Incident Management  
9 Teams.

10 Now it's how can we best create the  
11 resource and then deploy it to where it is articulated  
12 as a need.

13 **MR. WALLACE:** Thank you.

14 Chief Pegg, has your membership been  
15 canvassed in terms of -- Mr. Boyes has told us about  
16 seeing the need for this sort of thing, but you have  
17 access to a great many very seasoned, very capable  
18 Incident Commanders.

19 Have you canvassed your membership in  
20 terms of participating in this type of a program,  
21 because it seems to me at least you don't have to  
22 reinvent the wheel here?

23 I mean if you have got across the  
24 province a lot of people who are very skilled at this,  
25 getting them together rather than training everybody

1 from scratch.

2 **MR. PEGG:** Mr. Wallace, to my  
3 knowledge, and I am going to look at Richard to nod  
4 "no" if I am telling you something incorrectly, to the  
5 best of my knowledge I am not aware of a resolution, an  
6 OAFIC resolution that speaks specifically to that.

7 I guess the direct answer to your  
8 question is at this point no, the membership of the  
9 OAFIC have not taken a formal position, certainly not to  
10 say that it is not something that couldn't be  
11 considered and quite frankly shouldn't be considered.

12 I echo your comments that there is a  
13 plethora of experience within the ranks of the OAFIC and  
14 I mean, as evidenced notably to colleagues sitting at  
15 the table who form both members of the OAFIC, a vast  
16 wealth of command knowledge that would be immediately  
17 transferable, providing that it is implemented in a  
18 coordinated approach and in a manner that would be  
19 doable.

20 And if you will permit me just a  
21 little bit of context for my eyes, in my own experience  
22 I personally have not encountered a situation where, to  
23 use the term that you opened this discussion on, being  
24 that of overwhelmed.

25 I have not experienced a situation

1 where a commander becomes overwhelmed by the complexity  
2 or the technical difficulty of an incident.

3 The very nature of the Incident  
4 Command System is that you are managing resources at  
5 somewhat of a macro level and not necessarily in that  
6 technical ditch, if you will.

7 However, what I would suggest is two  
8 of the most common ways to overwhelm an Incident  
9 Commander, one is by duration, so as we have spoken to.

10 We are humans, everyone has human  
11 limitations and as incidents build and things go on,  
12 people need to rest.

13 So duration is one that needs to be  
14 accounted for.

15 The second is simply by escalation or  
16 increase in scope.

17 What I would ask the Commission to  
18 consider, these are important discussions when we are  
19 talking about how we can provide assistance to Incident  
20 Commanders; that is very important.

21 But what is equally important is we  
22 need to be cognizant and make a sincere effort to the  
23 greatest extent possible limit the contribution to  
24 escalation that happens at major emergencies.

25 And where I am going with that is what

1 inevitably becomes a very large problem of every  
2 Incident Commander, which is self-deployment.

3 So in the case of Chief Officer, who  
4 has the utmost respect of the OAFIC, and I want to, by  
5 way of soap box both Commissioner and Mr. Wallace, I  
6 want to acknowledge and thank you for how evident and  
7 how obvious you have been acknowledging the phenomenal  
8 work the PAUL Officer did in that situation and he has  
9 the respect of his peers, he has the respect of the  
10 OAFIC and certainly should be commended for all of that  
11 work.

12 But we all acknowledge he is one human  
13 being that, you know, like all of us, runs out of gas  
14 and needed to reach out for some support.

15 There were a number of examples of  
16 success that happened there.

17 Very early on into that operation, he  
18 contacted Bob Thorpe, his protection advisor from the  
19 Fire Marshal's office, who was able to provide him with  
20 some very early and very timely and very much requested  
21 assistance, and that is an absolute model of success.

22 What I would ask that the Commission  
23 not lose sight of in any system, in any large scale  
24 incident, one of the -- and I will base it from the  
25 lenses of a Fire Incident Commander -- one of our

1 biggest objectives and biggest challenges as a  
2 commander is getting, removing all the unnecessary  
3 people, people that aren't necessary to the operation  
4 away from the scene.

5 And we always look to our police  
6 colleagues to help us do that.

7 So I think we can't lose sight of the  
8 fact that whatever process we talk about, whatever  
9 system we are going to talk about, whatever we  
10 contemplate cannot ever contribute to a very dangerous  
11 problem of self-deployment.

12 Chief Hay spoke of it.

13 The request for assistance needs to  
14 come from the Incident Commander, it needs to be  
15 specific to what I need and the response needs to be  
16 limited to what I asked for; because if you overwhelm  
17 me, if you add resources to that with all of the best  
18 intentions, it literally just becomes another person or  
19 another group or another thing I need to think about  
20 and that diverts my attention from the rest of the  
21 command organization I am trying to run.

22 So what I would offer is, you know  
23 direct answer to your question, Incident Support teams,  
24 the OAFIC needs to look at that. I am committed to doing  
25 that.

1                   We will look at that, we would be  
2 happy to get a position from the membership on what  
3 that is and, you know, at the risk of precluding what  
4 that is going to be, I can fully acknowledge that there  
5 is a wealth of experience and talent and expertise  
6 there that could be deployed if we could work out the  
7 logistics.

8                   But you know, just to close, I implore  
9 the Commission to consider anything we can do to limit  
10 or eliminate self-deployment, we will only serve to  
11 enhance their overall command organization and  
12 ultimately to enhance the safety of the emergency  
13 workers and the outcome of the incident.

14                   **MR. WALLACE:** So you certainly, at  
15 least in principle, support the idea but the question  
16 is you don't force these resources on someone, number  
17 1, and you send what they ask for, you don't send them  
18 every single crew you have got.

19                   **MR. PEGG:** Right.

20                   In the discussions that I have had  
21 with many of my peers around this topic, the general  
22 consensus -- there is no math to this -- but the  
23 general feeling I get is if as an Incident Commander I  
24 had to choose being under-resourced or facing the  
25 proverbial Greyhound bus approach, a Greyhound bus full

1 of people that I now have to manage, I will choose to  
2 be under-resourced.

3 When you overwhelm me, being  
4 overwhelmed is worse than being under-whelmed. You can  
5 always scale your incident down.

6 Worst case scenario, if you don't have  
7 the resources to do "X", you can make a command  
8 decision that we are not going to do "X", but if you  
9 thrust a whole organization or a whole group of people  
10 on top of an Incident Commander and then expect he or  
11 she to manage those people in addition to the incident,  
12 I would suggest that nothing good is going to come of  
13 that.

14 **MR. WALLACE:** I am going to shift  
15 gears here, because I want to make sure that Inspector  
16 Valcour gets more than lunch out of this!

17 **MR. VALCOUR:** I do feel like the kid  
18 on the street that gets picked last for the hockey  
19 game!

20 **MR. WALLACE:** Can you briefly,  
21 Inspector, just give us a thumbnail sketch of what you  
22 can bring to the emergency scene to make things more  
23 efficient, because I read your paper with a great deal  
24 of interest, because you disclosed a couple of facts in  
25 there that I was unaware of.

1 I knew from having been up there and  
2 heard the evidence that the radios that the OPP had did  
3 not work with the radios that the TF3 team had.

4 They got around that problem by giving  
5 a radio to the OPP UCRT team lead and he communicated  
6 in that fashion.

7 But you made a statement in your paper  
8 that police and EMS cannot speak to one another and  
9 fire was at a disadvantage as well.

10 So if you could just flesh that out  
11 and tell us what are the ways around this that don't  
12 break the bank?

13 **MR. VALCOUR:** Thank you.

14 Certainly in Ontario, it depends on  
15 where you are, frankly.

16 If I look around the table and if  
17 every one of the serving members of a police or fire  
18 entity and Coby brought his radio and we said 'okay,  
19 let's talk to each other', I would argue that probably  
20 none of us could actually talk to each other.

21 And the reason for that is long,  
22 historic and very technical.

23 So what CITIG has created for by the  
24 Chiefs of Fire and Police Canada, so we are a not-for-  
25 profit corporation owned by those folks, so for all the

1 people in uniform here or working from those three  
2 agencies, so I work for them, CITIG is owned and  
3 operated by them.

4 Our principle focus is to work to  
5 raise the level of discussion away from the technical  
6 to the strategic and it is all really about --  
7 everything that I have heard here today, whether it be  
8 the corporate communications or the crisis  
9 communications out to the community or the internal  
10 operations of who knows what, it is all about effective  
11 decision-making.

12 Who has the information and how do we  
13 get it to the people that need it?

14 So in order to do that, one of the  
15 things that we borrowed with pride, similar to many of  
16 the things we have talked about with the states, with  
17 NIMS, is something called "Interoperability Continuum",  
18 which is on page 11 of our submission.

19 Essentially what that document says is  
20 first and foremost it is about planning.

21 In Ontario we have now something with,  
22 thanks to the Ministry and the partners at police, fire  
23 department, a broad range of partners like Hydro, we  
24 heard about in Calgary, we have something called Point,  
25 which is a partnership developing a provincial-wide

1 interoperability strategy.

2 So as the highest level it is about  
3 who needs the information and how do we get it to them.

4 Radios, yes, they can be complex, but  
5 there are systems around that today.

6 We are working on -- and I am not  
7 going to get into it here today -- but in our document  
8 we talked about a wide range of capabilities from in-  
9 building location or advanced situational awareness  
10 tools, common operating pictures.

11 These are all things that are really,  
12 frankly, fairly simple in the City of Ottawa where I  
13 come from where we do quite well.

14 But there are policies in the Ontario  
15 Association of Fire Chiefs, paramedic chiefs and chiefs  
16 of police, just recently all three passed a resolution  
17 on this issue and it has to do with policies that  
18 prohibit and make communications a challenge.

19 So CITIG's submission and really why I  
20 believe it was helpful to be here today is that  
21 everybody at the table has a piece of information that  
22 they either have and should be sharing or could be  
23 sharing, and others have the requirement for that  
24 information.

25 What CITIG is about is building

1 strategies, whether it be in Thunder Bay or the City of  
2 Ottawa or provincially, that allows that to happen.

3 There are challenges for some of that,  
4 for example, in the paramedic world they have something  
5 called HIPPA and that is about privacy and protecting  
6 of information.

7 But what it does not preclude the  
8 sharing of information, what it means is that you need  
9 to find a strategic way to share information.

10 So the vast majority of firefighters  
11 in Ontario that are non-municipal, so in Toronto,  
12 police and fire and paramedics, everybody can talk to  
13 one another.

14 But I come from a village of 1,100  
15 people, a little place called Iroquois on the St.  
16 Lawrence River, the vast majority of volunteer fire  
17 fighter service in this country, in this province,  
18 can't talk to most of their counterparts.

19 So there are ways around that, of  
20 course.

21 We can get together in the command  
22 post and we can do that.

23 But what CITIG is all about is making  
24 sure that we have and our recommendation to the  
25 Commission is that Ontario has a draft interoperability

1 strategy that we have all started to develop.

2 It needs to be properly resourced, it  
3 needs to be moved forward, it needs to be confirmed and  
4 then it needs to be like this continuum talks about, it  
5 needs to be exercised and implemented.

6 So when Coby is talking about moving a  
7 team into a community, it is very similar, if I could,  
8 to the Canadian Forces.

9 Why can an infantry officer for one  
10 part of the country work with an infantry officer from  
11 another part of the country, or in any part of the  
12 world?

13 Because they have similar  
14 capabilities, similar training and similar  
15 understandings of what their roles are.

16 One of the powers I think that we have  
17 that has come, certainly in my career, is I have a much  
18 better understanding today of how the fire community  
19 works, what they need from me.

20 I have a much better understanding of  
21 what the paramedic community needs.

22 So when we are having these joint  
23 discussions or unified command, a piece of information  
24 that I might have should be shared almost automatically  
25 and it is not -- I think the key message in our

1 document was that this is almost nothing to do with  
2 technology and almost everything to do with the people  
3 and processes and planning or lack thereof.

4 **MR. WALLACE:** So if I understand you  
5 correctly, one of the points you make in the paper says  
6 despite being on the same Government of Ontario radio  
7 system, police and paramedics cannot talk to each  
8 other.

9 Is this across the Province or simply  
10 outside municipalities?

11 **MR. VALCOUR:** The Province of Ontario  
12 radio system, there is a current prohibition of policy  
13 in place that prohibits the paramedics from being on  
14 the same radio channel.

15 And if I understand correctly, and  
16 this goes back many, many years, it was based  
17 originally on privacy concerns around HIPPA.

18 The reality is if anybody took out  
19 their iPhone right now they could listen to every  
20 paramedic call in the Province of Ontario, because it  
21 is on an open channel.

22 So this is not meant to point fingers  
23 at anyone, it is meant to say we need to find ways that  
24 if the fire chief does not want me coming across his  
25 radio channel and running a CPIC check, I don't want --

1 so if the police service and the fire department come  
2 across when I am running surveillance and listening to  
3 what I am going. But under certain circumstances, and  
4 I can list dozens of them going back to 9/11.

5 I just got back from Australia where  
6 on black Saturday there were 200 people died because  
7 people did not get the information they needed when  
8 they needed it.

9 I could go on and on and on.

10 So if someone needs the information,  
11 whether it be a piece of data on a map to say, for  
12 example, the hydro company, not so much that don't turn  
13 this power on because there still could be a fire  
14 fighter in that building when they are about to turn  
15 the power back on.

16 So if someone has a piece of  
17 information, it should be available to them, and they  
18 are planning they can do it.

19 And we promise, CITIG promises and we  
20 have done it across the country, we can go to any  
21 community and improve interoperability in a day for the  
22 cost of a cup of coffee.

23 How?

24 By sitting down, 'what channels do you  
25 have, Chief?

1 I've got the same channel.

2 What do you call your channel?

3 I call mine something different.

4 I'm going to call mine the same as  
5 yours.'

6 We have just improved interoperability  
7 at zero cost.

8 **MR. WALLACE:** I am going to pose this  
9 question to you, Mr. Hefkey.

10 The Province brought into place IMS.

11 The purpose of IMS is to manage  
12 emergency situations.

13 In emergency situations, small to  
14 large, you are going to expect as a matter of routine  
15 that you are going to have responses by police, fire  
16 and EMS.

17 Because of the principle of IMS, the  
18 Incident Management System, it essentially mandates  
19 that not only do they work together, but they must  
20 communicate together if you have one incident  
21 commander. He has got to be able to get his thoughts  
22 across to the other parts of the piece.

23 So I am just listening to Inspector  
24 Valcour here, it almost seems you are working at cross-  
25 purposes.

1                   You have got a provincial system that  
2                   apparently does not allow people to communicate with  
3                   one another on the one hand, and on the other had you  
4                   have in place a system that says you have to work  
5                   together.

6                   So help us here.

7                   How do we get out of this conundrum in  
8                   30 words or less?

9                   **MR. HEFKEY:**     Actually just one point.  
10                  Lance spoke about it.

11                  It is the Province of Ontario's  
12                  Interoperability Task Team, and what we have done is we  
13                  have taken representatives, similar to the approach  
14                  that we had taken with the Incident Management System,  
15                  and brought the stakeholders together and posed the  
16                  same problem statement that you just posed which is,  
17                  okay, we know we have to work together and it does not  
18                  take IMS to know that we have to work together.

19                  But knowing that, what do we need to  
20                  do.

21                  So Lance, in the early days, we talked  
22                  about this.

23                  And really there are five pillars, but  
24                  the biggest one for us is governance.

25                  We have to make sure that we all

1 appreciate where each other is coming, because the  
2 conundrum truly is one of investment.

3 Organizations, be they municipalities  
4 or the Province has spent significant dollars on their  
5 telecommunications equipment.

6 And now to sit and look at each other  
7 and say okay, so whose system are we going with or is  
8 there a way -- as Lance points out -- is there a way to  
9 interface the systems that we have invested in both  
10 financially in time in terms of resources, because each  
11 has its own nuances in its use.

12 **MR. WALLACE:** That was the impression  
13 at least I got from what Inspector Valcour said, it is  
14 almost a painless change in terms of cost.

15 **MR. HEFKEY:** It can be.

16 I am not going to and again, Lance  
17 maybe you want to clarify the statement because that is  
18 one situation.

19 There are others where it is not  
20 without cost.

21 **MR. WALLACE:** Go ahead.

22 **MR. VALCOUR:** If I could, yes, it can  
23 be painless in a community.

24 But I look at the City of Toronto, the  
25 City of Ottawa.

1                   If I go around the room I can probably  
2 pinpoint probably close to 200 million dollars worth of  
3 procurements that is happening right now on land mobile  
4 radio.

5                   So the radio that you see on these  
6 officers belts, that is the land mobile alert which is  
7 for what is called mission critical voice, the ability  
8 to talk.

9                   In addition to that, there is probably  
10 about a 2 billion dollar investment that is about to be  
11 undertaken over the next decade for broadband data.

12                   On top of that, next generation 911 is  
13 coming, and not to bore people with the technical part  
14 of that, but the reality is that is a huge opportunity.

15                   The fire chief in Lac Mégantic just  
16 spoke at our event that we had in Vancouver last week,  
17 which we had 300 of Canada's leading experts there.

18                   Of course, you know, that is a small  
19 community as well.

20                   A massive disaster where 47 people  
21 died.

22                   He talked about how if he had had next  
23 generation 911 what a difference that would have made.

24                   So next generation 911 is text to 911,  
25 photos to 911, videos to 911.

1                   The reality is in Ontario we have  
2 approximately 200 what is called public safety  
3 answering points, or 911 centres.

4                   It has not been coordinated because it  
5 did not need to be for the last 30 years because it  
6 just kind of got built over osmosis.

7                   Now with new technology and these  
8 devices, the officers, the fire fighters, the  
9 paramedics are joining us today, we say take that off  
10 your belt and then we had them a radio that talks.

11                   And they go yes, but where is  
12 everything else that I have when I am not working?

13                   So yes, there are major substantial  
14 investments.

15                   The Province of Ontario has a process  
16 in place to create a next generation radio system for  
17 the Province of Ontario, which is different than Ottawa  
18 or Toronto, but the plan would be for that new system  
19 to be interoperable.

20                   We are talking hundreds of millions of  
21 dollars that would have to be invested over the next  
22 five years or so.

23                   So short-term solutions can be as  
24 simple, if you look at this continuum.

25                   And when you talk about technology, in

1 the bottom left and it says if I need to talk to Mark  
2 and we are from different organizations, 'Mark can I  
3 have one of your radios, here's mine.' Swap radios, it  
4 works. Right?

5 On the longer term the City of Toronto  
6 can't afford to swap radios every day with everybody  
7 they see so no, you need a broader one.

8 So it can be inexpensive in short  
9 term, but the key here is you need a plan. The old  
10 adage of fail to plan, plan to fail.

11 So what is the plan from Ontario?

12 We have one, we are working on it.

13 What is the plan in smaller  
14 communities?

15 Every one of those communities one  
16 thing that potentially the province could do is every  
17 one of those communities has today mandated an  
18 emergency plan.

19 I would challenge anyone to take the  
20 emergency plan in the Province of Ontario, or frankly  
21 any other province in Canada, and show me the word  
22 interoperability or information sharing.

23 So we say we will be -- cities like  
24 Calgary, frankly, I have been there, I have been to  
25 CEMA, they are aces, they do an outstanding job.

1                   But I come from a village of 1,100  
2 people.

3                   So how is that going to work?

4                   But if you have a plan which, frankly,  
5 the fire community figured this out 30 years ago with  
6 mutual aid. They had radio systems to talk to each  
7 other.

8                   **MR. WALLACE:**   Inspector Ford, what is  
9 the situation in the City of Ottawa in terms of police,  
10 fire, EMS and radio interoperability or lack thereof?

11                   **MR. FORD:**    Yes, I think Lance sort of  
12 touched upon that.

13                   Currently in the City of Ottawa the  
14 fire and the police do have the capability of speaking  
15 to each other.

16                   **MR. WALLACE:**    Fire and police?

17                   **MR. FORD:**    Yes.

18                   But because of the situation with the  
19 province controlling the communications system for the  
20 paramedics, because of barriers that Lance spoke to,  
21 that is problematic.

22                   But we have work-around solutions  
23 where the paramedics in the City do carry city radio  
24 and that option is available to them in a crisis type  
25 situation to establish that.

1                   **MR. WALLACE:** Deputy Chief Jenkins,  
2 what about Toronto?

3                   **MR. JENKINS:** In Toronto we have a  
4 joint emergency services channel which is open to all  
5 three agencies.

6                   So we have a joint event, we switch  
7 that channel and all three agencies can talk.

8                   **MR. WALLACE:** Deputy Commissioner  
9 Hawkes, your people of necessity are going to be  
10 responding with groups from other municipalities, more  
11 so than within the city context.

12                   How do you folks get around this  
13 problem?

14                   **MR. HAWKES:** Well, the existing  
15 technology, the existing network that is out there,  
16 that is the Ministry of Health is on the same network  
17 that we are on.

18                   That is a network that Lance spoke  
19 about expanding. I have had some involvement in that  
20 across the province because what we want to do, just  
21 from a law enforcement perspective, is be able to  
22 expand the network so that we can do our business; and  
23 as an add-on to that is how do we connect to all those  
24 different municipalities that would be on different  
25 networks themselves?

1                   So the next generation is much better  
2 than the existing generation in that there is a  
3 capability for us to do that.

4                   For example, we can connect right now  
5 into Ottawa City on a common channel as well, right now  
6 on the existing system.

7                   But to take that technology and expand  
8 it to every community is going to be a lengthy process.

9                   We are in the process of actually  
10 looking at how we can do that better and then take it  
11 even further north where we are going into communities  
12 that there is no communication other than in the  
13 community itself with satellite links up into our  
14 communications centre out of Thunder Bay.

15                   So we are taking that whole concept  
16 and trying to expand it as much as we can in order for  
17 us to have connectivity everywhere that our members are  
18 going to go, and then enhance it so that we can share  
19 that communication piece.

20                   I know when I worked in Ottawa on many  
21 major events, we would have a command centre and then  
22 we would have three different radio systems in that  
23 command centre; one for Ottawa Police, one for the OPP,  
24 one for the RCMP, and you would actually have three  
25 different dispatchers sitting in the same room to

1 ensure that the radio communications from all the three  
2 major agencies was up to speed and the Incident  
3 Commander would have the ability to tap into each one  
4 of those if need be.

5 But we have come a long way from that  
6 where we should be able to flip a switch and then  
7 access instant communication that way.

8 **MR. WALLACE:** I don't think the  
9 question was asked up at Elliot Lake.

10 I know that I asked somebody about the  
11 communications between the OPP and UCRT team and TF3,  
12 but I don't know if anybody asked the question what  
13 about the OPP and City of Elliot Lake?

14 Do you know what the situation would  
15 have been just from your own experience, whether the  
16 local detachment had the ability to communicate with  
17 the Elliot Lake fire, for example?

18 **MR. HAWKES:** They would likely just  
19 have swapped out radios from that perspective, given  
20 them a radio and use that type of thing.

21 We also have a system which is similar  
22 to a box with a bunch of connectors, you could put  
23 multiple radios in to try to make that connection and  
24 there is that capability as well.

25 There are all kinds of different

1 technical solutions, but they are all different  
2 everywhere you go.

3 So the intent is to try to make that  
4 connection.

5 But it all falls back to the common  
6 sense approach that if we can't work through this  
7 technical solution here, then we are just going to  
8 radio back and forth and communicate that way,  
9 especially the further out you get from a major city  
10 that has more infrastructure from that perspective.

11 So in the smaller communities, that  
12 would be the case.

13 **THE COMMISSIONER:** And in fairness,  
14 in Elliot Lake this was not a huge problem.

15 **MR. HAWKES:** No.

16 **THE COMMISSIONER:** Because of the  
17 proximity of everybody to everybody else, it is a small  
18 place.

19 **MR. WALLACE:** I wanted to discuss the  
20 issue of deployment of search and rescue assets.

21 It arose as a result of a couple of  
22 things.

23 On the day of the call out, 23<sup>rd</sup> of  
24 June, the TF3 team were able to muster 37 people and  
25 the UCRT team was able to muster something in the area

1 of about 13 people.

2 Both numbers were below full  
3 compliment, without question.

4 And in the case of TF3, the load  
5 numbers exposed one issue, and that was the fact that  
6 they were not able to fill the planning role at Elliot  
7 Lake with the result that the planning function fell  
8 upon on one version of the evidence on two or three  
9 different people at different times, and it appeared to  
10 be a fairly loose arrangement.

11 In the case of the UCRT numbers, it  
12 created a situation where their staff sergeant was not  
13 available to deploy and it led to some issues as far as  
14 the command arrangement between TF3 and UCRT.

15 So there are really two different  
16 questions here.

17 The first is in terms of what can you  
18 do to ensure a sufficient number of people being  
19 available and answering the call?

20 And second of all, sort of a subset of  
21 that; it is not the answer to the question is not we  
22 need 50 people, if you don't have the right ones.

23 So it is a question of how do we have  
24 the proper number and the right functions filled?

25 So I will ask Deputy Chief Jenkins, as

1 far as the planning situation is concerned, the lack of  
2 an available planner; has that issue been dealt with as  
3 far as TF3 is concerned, or is that outstanding?

4 **MR. JENKINS:** It has been dealt with,  
5 Mr. Wallace, to a certain extent, that is something  
6 that I think we need more depth to.

7 I think from any incident, and my  
8 colleagues I am sure will agree with me, you learn from  
9 every incident that you respond to.

10 If you do not, you are not really  
11 taking a good hard look at the incident.

12 We need depth.

13 We need to have depth in our tactical  
14 response, we need depth on the ground.

15 The task force has that.

16 We need to take that same depth to the  
17 Incident Management Team and Command Team that  
18 responds.

19 So that depth we are currently working  
20 at expanding.

21 I think some of the evidence at the  
22 Inquiry is that we have sent individuals for training  
23 in the planning area, and that will continue.

24 **MR. WALLACE:** It seems to me that a  
25 heavy team who is, by definition is going to be

1 operational for longer than a 24 hour period would need  
2 a minimum of two planners. You just can't sustain it  
3 with one.

4 As we speak, do you have two planners?

5 If the call came in today, would you  
6 be able to feel two people who could be the chief of  
7 the planning section?

8 **MR. JENKINS:** Most definitely.

9 We have sent, I believe it is three,  
10 maybe four individuals to Manitoba or Calgary. They  
11 hosted a course of planning, we sent them to that, and  
12 that will be an ongoing activity to increase those  
13 numbers.

14 **MR. WALLACE:** So if the call came in  
15 today, and assuming that the person was available,  
16 which raises another question.

17 But you would be able to staff it  
18 properly?

19 **MR. JENKINS:** We would, yes.

20 **MR. WALLACE:** Okay.

21 Dealing with the second aspect, that  
22 is ensuring that you have adequate numbers and are able  
23 to answer the call, what is the answer to that?

24 And I am going to get other people's  
25 view here, what they do.

1                   But I realize it is a difficult thing  
2 when you have got schedules and holidays and these  
3 sorts of things, but malls don't choose the day they  
4 collapse either.

5                   **MR. JENKINS:** No. And the makeup of  
6 the team is such that it is a voluntary team to a  
7 certain extent in which you volunteer to be on part of  
8 that team.

9                   So you usually would be responding on  
10 your off time, you would be called back to work.

11                   We would take individuals if required  
12 that are on duty, but we try not to do that because,  
13 again, that would affect the impact on the city.

14                   So there is that component that makes  
15 it difficult to forecast what your turn out may be.

16                   On any given day we will have  
17 individuals who may have left the team, new individuals  
18 coming on.

19                   So there is a training, there is a  
20 balance of people exiting the team, which for us may be  
21 four to five years, not that great, but new talent  
22 coming on to the team which we have to train and bring  
23 up to speed.

24                   So I guess in answer to your question,  
25 we have to come up with some type of system to more

1 accurately forecast what we may have when a deployment  
2 occurs.

3 Right now a number of 37 is not  
4 something we want to see, we would like stronger  
5 numbers than that because we need stronger numbers for  
6 heavy response.

7 **MR. WALLACE:** So just to be clear  
8 though, right now as we speak, if the call came out,  
9 the number could be 37 again today?

10 **MR. JENKINS:** It could be. It could  
11 be 65.

12 I feel very confident saying the  
13 number would be higher, but we have increased our  
14 numbers from the training portion and capabilities  
15 standpoint, so we are a stronger team than we were in  
16 the summer time.

17 I think we may have had some vacancies  
18 at that time.

19 **THE COMMISSIONER:** The fact that it  
20 was high summer ---

21 **MR. JENKINS:** The vacation time of  
22 year does play an impact.

23 For the most part, these people are  
24 dedicated individuals.

25 If they are on vacation, they are

1 notified of the event, they will respond.

2 **MR. WALLACE:** I know from looking at  
3 the materials that the MOU between TF3 and the Province  
4 is going to be part and parcel of this Review process.

5 As far as ensuring key positions being  
6 fielded, at the Inquiry Staff Inspector Needles says  
7 the reason he was there was because he was the Task  
8 Force Commander on call that weekend.

9 Is it a reasonable suggestion that  
10 this becomes part of the MOU, that you expand it to  
11 include not only the Task Force Commander, but your  
12 crucial section heads beyond call as well?

13 **MR. JENKINS:** That would become, Mr.  
14 Wallace, would become problematic and the fact that we  
15 would have collective agreement issues to deal with, I  
16 would like to say yes, but ---

17 **MR. WALLACE:** So it's not simply just  
18 because it is a good idea it is going to work.

19 **MR. JENKINS:** It's not simply a  
20 matter of saying we're going to put you on call this  
21 week.

22 For Mr. Needles and individuals like  
23 myself who are on the management side, that is not an  
24 issue.

25 But when you are dealing with

1 unionized staff, there are collective agreements that  
2 we have to deal with and that would be something -- I  
3 am not saying it is impossible, but again going back to  
4 my other statement about funding, that might come at a  
5 cost.

6 **MR. WALLACE:** I could be wrong, but  
7 it seemed to me from the uniforms that people were  
8 wearing at the Inquiry that all the people that were in  
9 the section head positions were management.

10 Am I wrong about that?

11 **MR. JENKINS:** I believe you would be  
12 correct.

13 **MR. WALLACE:** Okay, so that at least  
14 might not be as big a hurdle as ---

15 **MR. JENKINS:** For the command end of  
16 it, I don't see that being a hurdle, no.

17 **MR. WALLACE:** And the section heads,  
18 because the planning department essentially was non-  
19 existent at Elliot Lake.

20 **MR. JENKINS:** Yes, unfortunately when  
21 that unfortunate incident happened, the Toronto Fire  
22 was going through a change in management, so  
23 individuals were in different roles.

24 Myself, I was in a different role than  
25 what I would normally be, as was our Head Planning

1 Chief.

2 So that was one of the components that  
3 caused us difficulty.

4 **MR. WALLACE:** I will go to Mr. Duerr.

5 How do you ensure that you have a  
6 decent turnout when the call comes?

7 **MR. DUERR:** So, very similar to my  
8 colleague over in Toronto.

9 It is no different from a Calgary  
10 perspective in a sense that our membership puts their  
11 hand up to be part of this team, and the call would go  
12 out.

13 We have a mass notification system  
14 that would go out and allow all the membership to get  
15 that indication of an event happening right away,  
16 instantaneously and it would maybe speed up the process  
17 to some degree.

18 Toronto may have that now as well, I  
19 am not sure.

20 But in all reality it is the same  
21 methodology as Toronto in the sense that it is a "can  
22 you guys come, can you come?"

23 And in saying that, you can have  
24 additional resources where you have not just two plan  
25 section, you have four plan section in the event that

1 there is people off on holidays.

2 But once again, you have to train  
3 those individuals, which takes money, which they have  
4 to have a certain amount of kit to be able to travel  
5 and be safe.

6 That takes money.

7 So especially in this stage that we  
8 have been in for the last two years or two and a half  
9 years of the Federal funding and the JET Program going  
10 away, a lot of the teams have been -- I don't want to  
11 say decreased in capacity, but they have been holding  
12 on for dear life from a heavy standpoint, because when  
13 you think of a 68 member team rolling out the door, you  
14 can't just have 68 members.

15 As we have made it very clear, you  
16 must have two and three deep of that 68 members to be  
17 able to man a full team, and that takes money.

18 **THE COMMISSIONER:** Do you have your  
19 own trucks?

20 **MR. DUERR:** Yes.

21 **MR. WALLACE:** Tractors and trailers?

22 **MR. DUERR:** We have one tractor  
23 trailer and we rent the other two.

24 So we have one to get us going right  
25 away and the other two we will bring in to rent.

1                   **MR. WALLACE:**    Is TF2 comprised  
2 exclusively from Calgary fire, police and EMS, or is it  
3 outside those organizations or in addition to?

4                   **MR. DUERR:**     So the different teams  
5 associated to the heavy program across Canada are all  
6 staffed a little differently, Toronto being solely  
7 staffed by the Toronto Fire Department as well as some  
8 of their partnering agencies, like the EMS and police.

9                                 Calgary went down a different road and  
10 actually expanded beyond that and put the call out to  
11 anybody who lives within a four-hour window of our  
12 Muster Centre.

13                                So we could have people and we do have  
14 people from Edmonton Fire Service, from Strathcona Fire  
15 Service, from Red Deer Fire Service, all part of Canada  
16 Task Force 2.

17                                So if the call were to come out, we  
18 would be sending that blanket notification out to  
19 everybody.

20                   **MR. WALLACE:**    So your requirement is  
21 you have to live within four hours of the Muster point?

22                   **MR. DUERR:**     That's correct.

23                                Because we have to be wheels up within  
24 six.

25                   **MR. WALLACE:**    You meet the six hours

1 even though you have got people that are not showing up  
2 for four hours?

3 **MR. DUERR:** You bet.

4 Because we have a predominant number  
5 of people that reside within our own community or very  
6 close proximity to our community, which will initially  
7 begin the mobilization procedures.

8 But then also in that token, they may  
9 be able to join the group, the incident may be in Red  
10 Deer.

11 And though we would have people on the  
12 ground with training an expertise within the Red Deer  
13 region that could give us intel, they could be our  
14 advanced party.

15 **MR. WALLACE:** Just one more question  
16 then we are going to have a coffee break.

17 Chief Hay, from your days of being  
18 involved in the medium team in Thunder Bay, how did you  
19 cope with this problem?

20 In a similar fashion?

21 Or do you have something new to bring?

22 **MR. HAY:** Our goal was to be able to  
23 work an incident for 24 hours unsupported.

24 To do that we had to train 40 people  
25 to have two 10-person teams to manage those 24 hours.

1                   For the deployment issues, when they  
2 put their hand up to be on this team to take the  
3 training, they recognized that they may get put on a  
4 different platoon so we could balance the amount of  
5 rescue technicians on each platoon to make it easier to  
6 call people in.

7                   If all 40 of my people are in one  
8 platoon and it was golf tournament day, I am going to  
9 have a tough time getting a response.

10                   So similar to our ---

11                   **MR. WALLACE:** Unless it was at the  
12 clubhouse!

13                   **MR. HAY:** Similar to our CBRNE  
14 Agreement that we had with the Province, we have a one  
15 hour on the way commitment.

16                   The only way to do that was to balance  
17 those responders across the whole department as evenly  
18 as possible.

19                   For us, we are 200 some staff on the  
20 floor, it is not too bad a problem.

21                   For other smaller departments or even  
22 larger departments, that may be a challenge, especially  
23 when you are talking about seniority, a lot of these  
24 people are acting officers and a change of shift may  
25 preclude them from getting acting time.

1 All of those things have to be taken  
2 into account when we do this balancing.

3 We have never had a problem getting  
4 people in for either program, the CBRNE or the urban  
5 search and rescue, even when we train.

6 Sometimes we do a cold call for  
7 training and we bring them in and say 'well, we are not  
8 going anywhere, but we are going to do some equipment  
9 training and we will pay you three hours overtime.'

10 That is just to make sure that all the  
11 components of our response program are there.

12 At first people were annoyed because  
13 they got called in on a Saturday afternoon for three  
14 hours, but they recognized that it is something that we  
15 need to do and cold calling is one of the ways we  
16 ensure that we can still meet our commitment to the  
17 CBRNE program as an example.

18 We would probably work, similarly, if  
19 there was a provincial program that we were asked to be  
20 a part of.

21 **MR. WALLACE:** And cold calling is  
22 simply just like a dry run?

23 **MR. HAY:** An unannounced dry run.

24 **MR. WALLACE:** Yes, okay. Good.

25 We will have a coffee break.

1       **--- RECESSED AT 3:30 P.M.**

2       **--- RESUMED AT 3:44 P.M.**

3                   **MR. WALLACE:**    Mr. Gryska, I wanted to  
4       turn to you on this issue about ensuring a full team is  
5       available when the call comes.

6                   What steps do you take, as an  
7       organization, to try and ensure that you know that you  
8       can count on so many bodies?

9                   For example, how big is a team?

10                  **MR. GRYSKA:**    It is a five-man team.

11                  **MR. WALLACE:**    I am sorry?

12                  **MR. GRYSKA:**    A five-person team.

13                  **MR. WALLACE:**    Okay.

14                  **MR. GRYSKA:**    And in order to deploy  
15       to a situation, we require two teams, so basically two  
16       teams have to be available.

17                  Typically what we strive for is 30  
18       minutes response time, so that is when they have to be  
19       available, on-site, in order to be able to respond to  
20       an emergency.

21                  So the way that we ensure that happens  
22       is we have a roster, much the same as you would, and we  
23       go down that list.

24                  We call it a point in time evaluation.

25                  So we start calling out individuals to

1 test the system and see what their response time is to  
2 get to the mustering point.

3 **MR. WALLACE:** That is an actual dry  
4 run, they actually come in?

5 **MR. GRYSKA:** We actually have them  
6 come in, but the other thing that we do do is we will  
7 do the dry run and that is the point in time when we  
8 call them up and we ask them 'how far out are you, can  
9 you make it to the operation?'

10 Again, in some circumstances  
11 strategically you have to select individuals that are  
12 correct for mine rescue.

13 When it comes to scheduling it becomes  
14 very, very difficult because in order for them to be  
15 available, for example, they can't be working  
16 underground.

17 So again, because of the procedures  
18 that we have, if it is a mine fire, they would have to  
19 go to a point of refuge, a refuge station.

20 So theoretically our operators are  
21 very good at making those strategic decisions as to who  
22 is on site at any given time.

23 The other thing is they all are not  
24 always on site, so they could be in the nearby  
25 community.

1                   However, typically that is what we aim  
2 for.

3                   Do we always achieve it?

4                   Not so, but typically it will be  
5 within 45 minutes that we have first team available.

6                   Second team will be there within an  
7 hour, so therefore the first team can then be deployed.

8                   Third team has to be en route and  
9 available within an hour thereafter.

10                  **MR. WALLACE:**   And you need ten  
11 bodies, two teams, two teams of five, typically how  
12 many volunteers do you have to be able to count on two  
13 teams of five?

14                  **MR. GRYSKA:**   It varies.

15                  Because again, as I mentioned, we have  
16 875 volunteers that are scattered across the Province.

17                  However, it is the employers  
18 responsibility to ensure that they have an adequate  
19 pool in order to be able to get those teams to respond.

20                  It will vary.

21                  For example, where you have a higher  
22 concentration of mines, such as in Sudbury, we will  
23 have a pool of say about 200 volunteers, as we would in  
24 the Timmins area.

25                  Other locations you would not have as

1 many.

2 We do service remote sites that are  
3 just fly in operations, for example.

4 And in those circumstances, scheduling  
5 becomes very challenging for the employers.

6 However, they do it because the  
7 systems are tested and evaluated.

8 **MR. WALLACE:** Chief Jenkins, I am  
9 just going to return to you just for a point of  
10 clarification.

11 My recollection of the MOU, it says  
12 the Province is expecting you to field 68.

13 What is the current number of people  
14 that you have on TF3?

15 **MR. JENKINS:** Currently we have  
16 approximately 130.

17 We have increased the numbers for road  
18 response, 65 member team, plus we will add another  
19 eight for drivers.

20 **THE COMMISSIONER:** How does that  
21 compare to TF2?

22 **MR. DUERR:** We currently have  
23 approximately 120 members.

24 **MR. WALLACE:** Commissioner Hawkes,  
25 what is the situation with the OPP and the UCRT team?

1                   Your number now is what?

2                   **MR. HAWKES:**    They are 22 and so the  
3 response of 13 in that Elliot Lake scenario would be  
4 very similar to the response from my fire partner  
5 there, in that in order to get that number of people  
6 there, they would canvass all the team members and from  
7 that there would be those that were on vacation or  
8 performing other functions.

9                   The UCRT function, as I mentioned, is  
10 only one part of that; that they could have had either  
11 individuals performing other functions and not  
12 available right at that time in order to respond.

13                  **MR. WALLACE:**    22 is the number for  
14 urban search and rescue and CBRNE?

15                  **MR. HAWKES:**    Yes, for the whole UCRT  
16 team.

17                  **MR. WALLACE:**    For the whole UCRT  
18 team.

19                  As I understand it, 22 is not the full  
20 compliment.

21                  Am I right about that?

22                  **MR. HAWKES:**    I think they were  
23 initially funded, I think there was 25 initially, but  
24 there was other roles that the funding was used for  
25 from an administrative perspective and so on.

1                   So there is actually, I believe it is  
2 22 members now.

3                   **MR. WALLACE:**    And is 22 the current  
4 maximum compliment?

5                   **MR. HAWKES:**    Yes.

6                   **MR. WALLACE:**    So it is not only how  
7 many bodies you have, it is the most you can have?

8                   **MR. HAWKES:**    That's correct.

9                   **MR. WALLACE:**    There has actually been  
10 a reduction then since the last couple of months, I  
11 gather?

12                   **MR. HAWKES:**    No, the original team I  
13 think, back when it was created, was -- I believe it  
14 was 25.

15                   I would have to check those numbers,  
16 but that is what I think it was.

17                   **MR. WALLACE:**    But it has been scaled  
18 down?

19                   **MR. HAWKES:**    Yes.

20                   **THE COMMISSIONER:**   How about Thunder  
21 Bay?

22                   Chief Hay?

23                   **MR. HAY:**       Thunder Bay trains twice as  
24 many people as we think we would need for any 24 hour  
25 deployment.

1                   Because a lot of it is in our city and  
2 the programming that we would provide may be a little  
3 bit further, but right now it is for the city, that we  
4 would supplement any response with fire fighters who  
5 are also trained to the same awareness or operations  
6 level for urban search and rescue, as opposed to the  
7 technical level that our team would be at.

8                   So we can supplement that with other  
9 staff, because there are a lot of activities on that  
10 emergency scene that does not require the heavy urban  
11 search and rescue training regimen that the task force  
12 teams will, because task force is supposed to be self-  
13 sufficient for a longer period of time, so they do  
14 that.

15                   And we would, as any other team would  
16 do, hopefully the host community would be providing  
17 some support for that venture if we went to a collapse  
18 in Nipigon or another community outside of us, we would  
19 not expect to find nobody there working.

20                   We would hopefully be looking for an  
21 Incident Commander to guide us and give us some  
22 direction on what they wanted done, and to provide some  
23 help, some feet on the ground to help moving equipment  
24 and things like that, safely under the direction of our  
25 urban search and rescue trained staff.

1                   That is how we envision being able to  
2 do it, but typically we train twice as many people as  
3 we would need and eventually they like to have some  
4 urban search and rescue training delivered to all our  
5 staff.

6                   **MR. WALLACE:** I am now going to turn  
7 to a series of smaller, more isolated points that I  
8 have skipped over and I just want to come back on.

9                   The first one is jurisdiction and  
10 command.

11                   The basis for this issue, as the rest,  
12 was based on the evidence.

13                   What happened here, that there is an  
14 issue arose on one view of the evidence between the  
15 UCRT team and TF3 as to what the command structure  
16 essentially of the operations section was going to look  
17 like?

18                   One view was that TF3 would be the  
19 lead.

20                   Their commander would be the head of  
21 the operations section and UCRT would fall under their  
22 commander.

23                   That is in fact what took place in  
24 Elliot Lake.

25                   Another view of what the expectation

1 was, was that it would be more of a cooperative effort  
2 as between the two groups.

3 As it ruled out, the incident  
4 commander, that is the PAUL Officer, was not familiar  
5 with either one of the groups and he essentially left  
6 it to them to work out the command structure.

7 Now, these differing views of what the  
8 command structure was going to look like, was at the  
9 highest level of both organizations.

10 So it is not just sort of a  
11 misunderstanding by the fellows swinging the hammers,  
12 but at the command level.

13 In the course of the evidence someone,  
14 it escapes me who it was right now and it does not  
15 really matter, indicated that in the past there had  
16 been some discussion of an MOU between the two groups  
17 that nailed this down what the command structure would  
18 be when the two groups deployed to the same event.

19 And my question to both yourself,  
20 Deputy Chief Jenkins and Deputy Hawkes, is what would  
21 be your views as to a recommendation from the  
22 Commissioner that there in fact be an MOU that lays out  
23 as between the two of you, the two organizations, the  
24 command structure when jointly deployed, so as to avoid  
25 this type of problem in the future?

1                   **MR. JENKINS:**    I will go ahead and  
2 speak for us, Mr. Wallace, and my counterpart can feel  
3 free to jump in at any time.

4                   I don't recall discussions around MOU.

5                   There was a point in time when I was  
6 not associated with the team for a few years when I was  
7 in the commander's role for fire suppression.

8                   So there may have been talk at that  
9 time.

10                  I am not aware of it.

11                  It would be my personal thought that  
12 when Task Force 3 responds to an incident which UCRT is  
13 at, that we are going in as a heavy team for a longer  
14 duration, higher capacity.

15                  It would be a joint effort.

16                  And now we are coming back in that  
17 unified command type atmosphere.

18                  It would be a joint unified effort,  
19 but Task Force 3 would be the sector commander that --  
20 we want to stay away from the command perspective  
21 because that is one of the problems with the ---

22                  **MR. WALLACE:**    So from your point of  
23 view, TF3 would be the operation section chief?

24                  **MR. JENKINS:**    Yes.

25                  As far as an MOU, departments respond

1 routinely with other agencies and we don't have MOU's.

2 I think again it goes back to the  
3 relationship building, the funding, the training, the  
4 exercise to establish those relationships, those areas  
5 of responsibility and how the teams are going to work  
6 together.

7 An MOU is just a piece of paper; that  
8 is not going to do much for you on the actual incident  
9 ground.

10 It may provide some clarity, but it is  
11 not going to advance your working relationship.

12 So that would be my perspective.

13 My counterpart may have a different  
14 view.

15 **THE COMMISSIONER:** There was a  
16 practical problem in that some members of one team were  
17 saying what business does he have yelling at me, I'm on  
18 the pile, he's -- I can't remember which one was which,  
19 but 'you know, I take orders from my folks.'

20 That actually existed, practically.

21 **MR. JENKINS:** Yes, I understand that.  
22 And that is, again that is that relationship issue.

23 I think we are all there for a common  
24 goal.

25 If that is established early on in the

1 incident it has been my experience, and I have been to  
2 quite a few emergency incidents, never had those  
3 problems with those common goals, how you are going to  
4 work together, how you are going to interact is worked  
5 out at the beginning.

6 **MR. HAWKES:** From the UCRT  
7 perspective in there.

8 I think because the roles are slightly  
9 different when it comes to their capacity, length of  
10 time, et cetera, and even the skill sets that are  
11 involved, I think there is a benefit to at least look  
12 at a type of MOU document that would lay out the roles  
13 and responsibilities of that.

14 I think it is worthwhile looking at  
15 that type of thing and then potentially to prevent that  
16 from happening.

17 But I do agree the best-case scenario  
18 is always to train together, work together as a team  
19 and see the different perspectives of what those roles  
20 are prior to, and build those relationships ahead of  
21 time.

22 I agree 100 percent on that piece.

23 When it comes to the actual incident,  
24 and Mr. Wallace, you asked me a question earlier, I did  
25 not get a chance to answer it, about the supervisor and

1 the fact that we did not have adequate supervision when  
2 the team arrived.

3 I think that could have been part of  
4 the issue there, and that has since been clarified.

5 **MR. WALLACE:** Yes you are right, that  
6 was part, but it did not answer the whole question.

7 **MR. HAWKES:** No, exactly.

8 But by having the appropriate  
9 supervisor there who is more familiar with the process,  
10 the players and so on, and has the ability to control  
11 the existing team, I think that builds on the dynamics  
12 that were there at that time.

13 But for sure, if you have the right  
14 command structure laid out, reporting the operational  
15 commander, I totally agree there has to be one  
16 commander that is going to ultimately have the final  
17 say in the tactics being used, et cetera.

18 And based on the medium versus large,  
19 based on capacity, based on all those factors, it makes  
20 logical sense to me that a HUSAR lead would be the  
21 commander at that point.

22 But I think there is an opportunity as  
23 we spoke to other issues about laying out a matrix on  
24 who is responsible for what based on what, how long a  
25 time from a time perspective, the UCRT team is actually

1 on the ground doing something before HUSAR comes in.

2 You know, there is so many variables  
3 there that potentially cost implications and all those  
4 other things that could be aired out into an MOU and  
5 just made it very, very clear on what the roles and  
6 responsibilities are.

7 **MR. WALLACE:** At least the  
8 superficial attraction for me of an MOU is that once  
9 the document is done, it can be brought home to the  
10 staff that is going to be deployed.

11 Whereas it you rely on training as  
12 your vehicle of education, I would venture to guess  
13 that there has not been joint training between the two  
14 of you since Elliot Lake, and probably none scheduled  
15 for the next whatever.

16 So the opportunities to have this  
17 educational process and get these things worked out are  
18 few and far between and this is probably the next best  
19 thing if there is not going to be joint training.

20 If there is joint training, then you  
21 see it, you train together and you live within that  
22 paradigm.

23 But if you are not, it seems to me  
24 that this is a much more cost-effective way and all it  
25 requires is a briefing with the people once the MOU is

1 signed saying this is what we have agreed to, this is  
2 how it is going to be.

3 And everybody in all organizations is  
4 used to the idea of what a chain of command is and how  
5 to follow instructions/orders.

6 Am I right about the joint training,  
7 that there has not been any since Elliot Lake and there  
8 is none scheduled in the future?

9 **MR. JENKINS:** I have not heard of  
10 any.

11 **MR. WALLACE:** So we had better not  
12 wait for joint training to get this idea across.

13 **MR. JENKINS:** Again, Mr. Wallace, it  
14 comes back to financing. I would just like to elaborate  
15 on the MOU.

16 I don't want to be left with the  
17 opinion that I am against an MOU.

18 For me, foremost is the working  
19 together and the training aspect of getting the teams  
20 together.

21 What the MOU will do is players  
22 change, years from now -- I am not sure how many -- I  
23 may no longer be in this position and my counterpart  
24 may not.

25 So corporate memory quickly fades.

1                   Having an MOU from that aspect, I can  
2 see an advantage to it.

3                   **MR. WALLACE:**     Okay.

4                   This is part of the piece on the IMS.

5                   There is a section in there that  
6 talked about whether certain parts of the IMS system  
7 should be made mandatory.

8                   I am just going to ask your views on  
9 this point.

10                  The Incident Action Plan under the  
11 IMS, there is no requirement that an Incident Action  
12 Plan be one in writing.

13                  However, the IMS says that it strongly  
14 recommends written IAP when an incident is complex, and  
15 complex in the doctrine is defined as having one or  
16 more of about seven different variables starting off  
17 with prolonged duration, large in scale, multiple  
18 jurisdictions and so on.

19                  And I am not sure anybody would  
20 support the idea that an Incident Action Plan should  
21 always be in writing, because there are situations that  
22 are very, very simple, very short duration and it may  
23 not be at all a practical suggestion.

24                  But as incidents get bigger and more  
25 complex it would seem to me, and I am looking for your

1 views on this, that you reach a point where not only is  
2 it recommended, it just makes good sense, good  
3 managerial sense that the IAP is reduced to writing so  
4 there is a clarity of thought that is brought to the  
5 process and that everybody understands what the plan  
6 is.

7 So my question is what would be your  
8 view as to the requirement of an Incident Action Plan  
9 to be in writing once you have crossed some sort of a  
10 workable threshold?

11 And I will just use, for the purposes  
12 of our discussion here, complex incidents.

13 So once you have reached the point  
14 where it is a complex incident, it should be and the  
15 IMS doctrine, which of course is not mandatory, be  
16 required.

17 The background for this is, of course,  
18 there was quite a dearth of absence of documentation  
19 for the deployment as a consequence of the lack of a  
20 planning person.

21 That is the basis for this suggestion,  
22 but looking forward, I am interested in your views as  
23 to whether this is a view that would be supported by  
24 various groups that practice IMS.

25 I will start out with you, Inspector

1 Ford.

2 **MR. FORD:** Yes.

3 It is our position from the OACP at  
4 least the committee that I am speaking for, that this  
5 would be a good practice to be embraced.

6 But generally speaking is that maybe  
7 looking at it from a number of perspectives, actually,  
8 if I may, providing that clarity of direction and  
9 thought to those that are involved in the response to  
10 the incident, it forms a very good means of  
11 communicating that.

12 Secondly is that you know,  
13 unfortunately maybe it is engrained in the police  
14 community is that we are always thinking from the  
15 inquiry whatever judicial process backwards and there a  
16 nice little is saying that 'if it is not in writing it  
17 does not exist.'

18 So that provides us that direction or  
19 that document trail, should it go by way of judicial  
20 process, that we can refer back to.

21 So to sum it up, yes.

22 We would support and I think without  
23 retracing what you just said, you know, I think there  
24 is a number of parameters that have to be hashed out,  
25 is when is it feasible to put it in writing. And no

1 two situations, but there needs to be some direction  
2 around that.

3 **MR. WALLACE:** And just before we  
4 progress, Mr. Gryska, it is my understanding that as a  
5 matter of doctrine within Ontario Mine Rescue, all  
6 Incident Action Plans have to be in writing?

7 **MR. GRYSKA:** Absolutely.

8 I think a lot of it has to do with the  
9 complexity of the emergencies when they unfold in the  
10 mining environment, a lot of times you are dealing with  
11 issues whereby there are countless hazards that teams  
12 are encountering en route to where the situation is.

13 So in order to ensure that the  
14 directions are clearly understood, they are in writing.

15 They are briefly written, but there  
16 are written instructions in all circumstances.

17 **MR. WALLACE:** Thank you.

18 Deputy Chief Jenkins?

19 **MR. JENKINS:** Certainly there is a  
20 huge benefit to an Incident Action Plan being put to  
21 writing.

22 I am somewhat hesitant to use the term  
23 "mandatory" without knowing what the definition of  
24 mandatory and complex incidents ---

25 **MR. WALLACE:** Well, complex for our

1 purposes, I was just going with the definition in the  
2 doctrine.

3 **MR. JENKINS:** Yes, but there is  
4 certainly a huge benefit to having them put to writing.

5 For the fire service, and my  
6 colleagues will speak to it I am sure, are fast moving  
7 incidents.

8 At the very beginning you don't have  
9 time to put your action plan to writing.

10 As the incident prolongs in duration  
11 and time allows, yes, there is a benefit.

12 As has been mentioned, the Incident  
13 Commander changes for relief.

14 The sector officers, what have you,  
15 they can go and see what that current instant action  
16 plan is, put the hazards may be that are out there and  
17 revisit that situation and see if they are on track.

18 Again, as my colleagues spoke, it  
19 gives you something to go back in time for review of  
20 your own actions or if there is an inquiry.

21 It gives you some documentation to the  
22 incident.

23 I am hesitant on the mandatory  
24 terminology.

25 **MR. WALLACE:** What is the downside to

1 doing it in writing?

2 **MR. JENKINS:** I don't think there is  
3 a downside to putting it in writing. I think it  
4 becomes more of the staff available on scene.

5 For the task force for a large  
6 department, finding somebody to put that to writing or  
7 taking the time to get that to writing, if it allows,  
8 you, it may not be a problem.

9 For a smaller community it may be a  
10 problem if you have got only one chief and no deputy, a  
11 fast moving incident, long duration, there may be a  
12 problem getting that action plan to writing.

13 It may be after the fact that you do  
14 it.

15 **MR. WALLACE:** Deputy Commissioner  
16 Hawkes?

17 **MR. HAWKES:** From a policing  
18 perspective, as Inspector Ford mentioned, it is the  
19 norm of the way we think and the way we command a  
20 structure.

21 If there was a critical incident with  
22 an active shooter before the tactical team even got to  
23 the command post, the plan would be written out in  
24 short form, what the mission is, where we need to go.

25 So that whole incident piece would be

1 laid out and ready to go.

2 So from that perspective I see it as  
3 incident dependent.

4 So whatever your definition of how  
5 critical that is, in our case, our terminology when we  
6 talk critical it is life and death, we are bringing in  
7 a tactical team and so on, then that is at the highest  
8 level.

9 So it is done automatically and  
10 mandatory from a policing perspective.

11 But depending on how big the incident  
12 is and where you draw that line, I think that is what  
13 it is going to be dependent upon because we could have  
14 an incident that starts off very, very small and then  
15 grows.

16 As it grows then we would see that the  
17 mission continued to grow depending on the  
18 circumstances and so on.

19 **MR. WALLACE:** Mr. Boyes?

20 **MR. BOYES:** I have similar comments  
21 to what Deputy Jenkins has.

22 It is you have to figure out what the  
23 complex incident is that you are going to define.

24 All over Ontario, that is a different  
25 point, that you have to figure out what it is because

1 in some places a high-rise fire is a normal incident,  
2 in the City of Toronto and other smaller communities,  
3 it is a complex incident.

4 But it comes down to more of the case  
5 rather you want to talk about mandatory or not, but it  
6 is providing the correct training.

7 If you do the correct training, it  
8 becomes second nature; you figure it out.

9 But again, and time is scarce  
10 resources, at the start of the incidents, at least on  
11 the fire ground, there is not the staff there.

12 The small communities do not have the  
13 staff.

14 As in Elliot Lake, the Chief Officer,  
15 clearly overwhelmed.

16 Having been in that position, it is  
17 like standing in front of a freight train coming down  
18 the tracks at you.

19 It is just so overwhelming what you  
20 have to deal with, and you are processing and moving  
21 forward.

22 As it goes, you will have absolutely  
23 enough time to start to get it into writing.

24 But again, to say it is mandatory to  
25 start out, I think you would find a lot of blank pages

1 or things being filled in after the fact.

2 But I would go back to the point that  
3 we are lacking hands-on training in this area.

4 There used to be the Emergency  
5 Preparedness College in Arnprior that did things like  
6 this that ran you through simulations that forced you  
7 into this, because it is training. That is how fire  
8 got good at incident command. It was through training  
9 and actual incidents.

10 So rather than mandatory, we may need  
11 to put resources in to actually provide proper  
12 training.

13 IMS 400 that is just being finished up  
14 right now needs to be a practical component, but I  
15 understand there is a lack of funding to make it a  
16 practical component for the IMS level.

17 **MR. WALLACE:** In fact, I heard about  
18 IMS 400 for the first time today in the sense of it  
19 actually exists.

20 Do you know when it is actually going  
21 to be available?

22 **MR. BOYES:** I would probably defer  
23 you to Mr. Hefkey.

24 **MR. WALLACE:** Yes.

25 **MR. WIECLAWEK:** It was completed

1 several weeks ago, but before we can even begin to  
2 train we have to bring in practitioners, re-evaluate  
3 it, start building a curriculum around it and knowing  
4 what it is, it is for Incident Commanders.

5 But getting the training we have to  
6 develop the training materials and identify the  
7 appropriate platform to do that, meaning who is  
8 actually going to be out there right now that is in a  
9 position to be a competent trainer with respect to that  
10 as an Incident Commander.

11 So we need to find the practitioners  
12 and then those individuals need to become familiar with  
13 the material itself and we have to develop the support,  
14 it would be a combination of theory as well as  
15 exercises, which I am not sure when you say there is no  
16 funds available, I don't think we have actually got to  
17 the point where we are putting a price tag or  
18 allocating funds in terms of until we build or identify  
19 how we are actually going to deliver the training.

20 **THE COMMISSIONER:** Can you, for my  
21 benefit, Mr. Wieclawek, just give me a thumbnail sketch  
22 of IMS 400?

23 **MR. WIECLAWEK:** Pardon me?

24 **THE COMMISSIONER:** Just a thumbnail  
25 sketch of what IMS 400 is? I don't know.

1                   **MR. WIECLAWEK:**     I have not looked at  
2 it myself, it has only been completed a number of weeks  
3 ago.

4                   But essentially if IMS 300 is for the  
5 command staff, including Incident Commander and those  
6 individuals that would be like the Sector Chief of  
7 Operations in conjunction with planning, the IMS 400 is  
8 to weigh out the competencies and the things that an  
9 Incident Commander needs to consider when performing  
10 that particular function.

11                   So it is really through the lens of  
12 the Incident Commander, looking down into the command  
13 structure and being aware of the things, the  
14 competencies and the processes of coordinating and  
15 maintaining those four key functions and how to  
16 allocate resources and how to assign staff, what is the  
17 sufficient command support staff, all the  
18 considerations that go into being able to establish and  
19 maintain the command structure over a period of time,  
20 including the relationship with the emergency control  
21 group.

22                   **THE COMMISSIONER:**   Upper level  
23 incident management.

24                   **MR. WIECLAWEK:**     Yes.

25                   **MR. WALLACE:**     The instructors that

1 you envisage, I assume, would be current Incident  
2 Commanders from various services.

3 You are not going to wait to develop?

4 You will just tap into existing  
5 resources?

6 **MR. WIECLAWEK:** Absolutely.

7 The Office of the Fire Marshal and  
8 Emergency Management have taken a lead role in  
9 developing this IMS series, the 100 to 200, 300, 400.

10 We also acknowledge that we are not  
11 the experts or the current practitioners.

12 So what we have to do is identify  
13 those individuals within the fire service that have the  
14 desire and commitment to provide the training.

15 And our model that we deliver through  
16 the fire college is that we identify what we call  
17 "competent associate instructors."

18 And those are individuals that are the  
19 practitioners who are on duty every day, could be  
20 platoon chiefs, you know, captains, company officers,  
21 that are actually doing the job on a day-to-day basis  
22 in the command function and will identify those  
23 individuals and make sure that they have the  
24 preparation because there is a difference between  
25 having the technical competency as an Incident

1 Commander and then being able to actually teach that to  
2 others.

3 So we have a standardized process  
4 within the office where we identify competent associate  
5 instructors.

6 **MR. WALLACE:** Sir, are you in a  
7 position to provide us with a copy of 400?

8 **MR. WIECLAWEK:** Certainly.

9 **MR. WALLACE:** Not this afternoon, but  
10 ---

11 **MR. WIECLAWEK:** I could get it.

12 **MR. WALLACE:** I am sure you could.  
13 Thank you very much.

14 Getting back to the original question,  
15 Chief Hay, about mandatory Incident Action Plan when  
16 you have reached some sort of a threshold.

17 And I appreciate it is vague, but I  
18 chose complex just simply because it was there and it  
19 seemed to make some sense.

20 **MR. HAY:** Mr. Wallace, I would  
21 suggest that every event has an Incident Action Plan,  
22 and that is usually communicated verbally in my world  
23 for the majority of the work we do.

24 I won't speak for other jurisdictions,  
25 but as a training component when I was a training

1 officer in the City of Thunder Bay, we tried to make it  
2 as simple and as available to everybody to use, and we  
3 use a principle of 3 c's, every activity on the fire  
4 ground is "coordinated, communicated and confirmed."

5 If it is not, then you can't do it.

6 That is an Incident Action Plan, in my  
7 estimation.

8 In writing, you can do the same thing.

9 You coordinate the activity, you  
10 communicate it with everybody either through the  
11 viewing Incident Action Plan or a briefing, or over the  
12 radio, and it is confirmed what everybody else is  
13 doing.

14 A threshold for me would be I have  
15 sector off the event because there is a lot of work  
16 to do and I have spread it out.

17 Each of those sectors would probably  
18 provide me with an Incident Action Plan. I would need  
19 those in writing. I am going to get confused after  
20 one.

21 And truly, that is where my point  
22 would be.

23 If it is going to confuse me or cause  
24 me grief, I am going to request it in writing. Not  
25 demand it.

1 But I would be requesting it to be in  
2 writing.

3 **MR. WALLACE:** Well, you are the  
4 Chief!

5 **MR. HAY:** Well, I can't demand it  
6 from the police, I can request it from the police.

7 **MR. WALLACE:** Okay, go ahead.

8 **MR. HAY:** My view on the Incident  
9 Action Plan is it is absolutely critical to have.

10 We are going to hurt people, we are  
11 going to hurt firefighters, we are going to hurt other  
12 staff that are there, if all the activities on any  
13 incident scene are not coordinated, communicated and  
14 confirmed as to what is happening and where they are  
15 going.

16 It also talks to some of the inter-  
17 operabilities that the inspector brought up. It may  
18 have to be done over the radio, depending on the size  
19 and the complexity of the incident.

20 But they are critical to a safe and  
21 effective operation, and it is the only way to know  
22 whether you have accomplished anything, because those  
23 Incident Action Plans do expect to have a result.

24 We do expect them to end or that task  
25 to be eliminated off our task board and develop another

1 Incident Action Plan for the next step of the  
2 evolution.

3 That is fairly consistent in the fire  
4 service.

5 I am not really familiar with the  
6 police service as to how they identify their work, but  
7 I think that in principle everybody has got to know  
8 what everybody is doing and a written plan at the time  
9 may not be advisable to try and make when you might be  
10 slowing up your progress to try and make a written one  
11 at the time.

12 But you would certainly have to have  
13 all those components done verbally and the Incident  
14 Commander would probably want to be sure that all three  
15 of those things that I asked for in Thunder Bay have  
16 been done before he allows the evolution to begin or  
17 before he sends people into a hazardous area.

18 **MR. WALLACE:** Mr. Hefkey?

19 **MR. HEFKEY:** My bias is that yes, it  
20 should be, given the conditions and I appreciate we  
21 would want to further define, like Deputy Chief  
22 Jenkins, that we would want to further define  
23 "complex".

24 But my bias, and you heard as you were  
25 doing the bios, Mr. Wallace, a number of us on the

1       policing side here were planners of some shape or form.

2                       And doing Incident Action Plans and  
3       the manner in which this one was developed, the one you  
4       saw and you have seen and we have given as evidence,  
5       was the product of a conversation or conversations with  
6       various practitioners from Ontario to figure out okay,  
7       this is what the Incident Management System in the U.S.  
8       has, is there something that we need to add to this to  
9       make it relevant to us in Ontario?

10                      I will be the first to admit that that  
11       particular IAP form can be quite onerous for the very  
12       first time you do it, to make a distinction between a  
13       strategy and a tactic or the mission, things like that.  
14       It can be.

15                      But through its use, its application,  
16       be it through training or exercising, you become much  
17       more familiar.

18                      For me it is absolutely essential, and  
19       John said it, because in complex incidents you don't  
20       want for the Incident Commander to be confused, they  
21       don't want to set out their mission under the power of  
22       confusion.

23                      They want to be very clear and they  
24       want to know when the objectives to that mission are  
25       either fully or partially met.

1                   To that end, I think it should be.  
2                   But that is my bias.

3                   I am happy to have the conversation  
4                   again.

5                   That is where Ted is going to lead the  
6                   group, have the conversation with the practitioners to  
7                   see how best to do that.

8                   Is there a way to kind of ease our way  
9                   into it so that we don't have a five-page document that  
10                  you have to go through?

11                  **MR. WALLACE:**    Ms. Schreuders?

12                  **MS. SCHREUDERS:**    I just wanted to  
13                  mention for the record that the International  
14                  Association of Emergency Managers agrees that we do  
15                  think it is critical.

16                  Obviously there is some definition and  
17                  you need to put the power in the hands of the Incident  
18                  Commander if he does not have enough people on site,  
19                  but people are coming, then yes, we are not going to  
20                  have 50 percent of the people on site working on an  
21                  incident action plan instead of actually dealing with  
22                  the issue.

23                  But yes, it is a critical role.

24                  **MR. WALLACE:**    Inspector?

25                  **MR. VALCOUR:**    Yes, two comments on

1 this.

2 One is, you know, coming from the  
3 police world, it is a different concept of operations.

4 I was a duty inspector for six years,  
5 participated in or managed events from G8, G20, Papal,  
6 presidential.

7 But on a day-to-day basis, if I was at  
8 an incident that was going to last longer than an hour,  
9 I'm on the radio or phone, I want a scribe, I want  
10 this, I want that. And those people are arriving,  
11 again it is a major urban centre -- those people are  
12 arriving and supporting me within minutes, often before  
13 I get there, because it can be a fairly large city.

14 In the fire community, which obviously  
15 I don't know as well, years ago they had drivers and  
16 they would perform some of these duties.

17 Those positions have all long gone.

18 So as technology comes into play and  
19 as we talk about some of these things, those additional  
20 concept of operations, of filling in forms or whatever  
21 they may be, are probably going to require -- because  
22 the Incident Commander, the human brain can only take  
23 so much information. These folks can't be listening to  
24 nine different radio channels. That is not their job.

25 Their job is to make those critical

1 few decisions based on the best information possible.

2 So that ties to the second piece, is I  
3 do think that there is an opportunity potentially for  
4 the Commission to -- a recommendation to recommend the  
5 exploration of technologies and interoperability tools  
6 and capabilities.

7 For example, as a team is driving  
8 however many hours to support that incident, I could  
9 take this iPad right here, as long as I have got some  
10 form of connectivity I could be as a passenger in a  
11 car, because of course we would not want to be doing  
12 this when we are driving, I could be filling in that  
13 form based on information, photos, videos from the  
14 site, filling in a form, sending it, 'how does this  
15 look? Well no, that is not quite right, I think we are  
16 missing something, we have got a little bit of a cycle  
17 here or whatever.'

18 So we don't necessarily have to be on  
19 scene.

20 The incident you are exploring here is  
21 obviously in one town with one building, fairly  
22 confined.

23 But think about the broader emergency  
24 management community.

25 Think about the complexities of what

1 they just went through in Calgary where you have teams  
2 from Edmonton, Canada Task Force 1 from Vancouver  
3 showing up. 'Okay, we need you to take quadrant X,  
4 okay, where is that? Well, it is between this street  
5 and this street. I have no idea where that is.'

6 Well, mapping, putting it on a map,  
7 drawing it out, hitting save. 'Here you go, and it is  
8 now on your PDA. Okay, I can find that.'

9 Technology tools, as long as it is  
10 based on interoperability based on the five lanes, I  
11 think those can be leveraged.

12 But back to the original point, our  
13 training in the policing world is you arrive at the  
14 front door, it is assess, plan, act.

15 It might only be a ten second plan,  
16 but there is a plan.

17 You run through the house, wherever it  
18 may be, we have a plan, and as soon as possible you get  
19 it in writing.

20 **MR. WALLACE:** It is 4:30, we are  
21 going to have to cut it off now and in five minutes we  
22 will have a question coming in from Elliot Lake.

23 --- A SHORT RECESS

24 --- UPON RESUMING

25 **MR. WALLACE:** This is Alexandra

1 Little.

2 She is counsel for the City of Elliot  
3 Lake, and you have a question for?

4 **MS. LITTLE:** Yes. Well, it is for  
5 the participants.

6 It is really picking up on the  
7 discussion of what, you know, resources or support the  
8 Provincial Government can provide municipalities in  
9 managing emergencies.

10 And there was at one point a few years  
11 ago an emergency management training program in Ottawa  
12 that was run, in fact at the time by the Federal  
13 Government, which has now since been cut.

14 The training program provided training  
15 and support to emergency response participants from  
16 municipalities.

17 I think the municipalities paid their  
18 wages, but the rest was covered by the Federal  
19 Government.

20 And my question is to the  
21 participants.

22 Are they familiar with the program,  
23 did they think it was a good training program, and if  
24 the Federal Government is in a position to reinstate  
25 that training program, perhaps that is something that

1 the Provincial Government could provide.

2 **MR. WIECLAWEK:** I will answer that.

3 Yes, that is a very good observation.

4 As part of the reintegration of the  
5 Office of the Fire Marshal and Emergency Management we  
6 are hoping to be able to, through that synergy and the  
7 combining of our collective resources, be able to  
8 revisit that gap that has been identified with respect  
9 to the training of emergency managers across the  
10 Province.

11 And with the integration we have the  
12 benefit of the Ontario Fire College and through the  
13 Public Safety Training Division, the Ontario Police  
14 College, Ontario Fire College and the Ontario  
15 Corrections College, and what we are hoping to do is  
16 leverage the bricks and mortar and the expertise that  
17 we have in developing curriculum and training standards  
18 with respect to fire fighters and police officers to  
19 revisit and perhaps developing a curriculum,  
20 identifying what it means to be an emergency manager,  
21 developing a standard perhaps, developing associated  
22 curriculum and then identifying a formal training  
23 regime so that the emergency managers across the  
24 province, that they can access.

25 So it is one of those opportunities

1 that we will be pursuing to do exactly that, to address  
2 that gap that has been left with the closure of the  
3 Emergency Preparedness College in Arnprior.

4 **THE COMMISSIONER:** It will be our  
5 very first recommendation, Alexandria.

6 **MS. LITTLE:** Thank you for that.

7 **MR. WALLACE:** Anything else?

8 **MS. LITTLE:** No. Thank you very  
9 much.

10 It is very interesting to listen to  
11 all of the comments today, and yes, it is a good  
12 process.

13 **MR. WALLACE:** Thank you, Alexandria.  
14 I think that would be it.

15 **THE COMMISSIONER:** It has been a very  
16 long day, ladies and gentlemen.

17 But I can't tell you how deeply  
18 grateful I am for the advice that you have freely and  
19 very generously given.

20 I am particularly appreciative of  
21 Deputy Chief Duerr and Mr. Morgan who have travelled  
22 from Alberta to give us the benefit of their expertise  
23 and their views from another province.

24 Thank you very much for having come.

25 We build on the shoulders, as I said

1 this morning, of others who have come before us and as  
2 Chief Jenkins said, "you learn from every response."

3 The Commission stands on all of your  
4 shoulders and in a grateful way in attempting to  
5 engineer Submissions and Recommendations to the  
6 Province of Ontario that are practical but that are  
7 meaningful and that hopefully will make the Province  
8 safer.

9 You have all rendered an important  
10 service, not only to the citizens of Ontario, but I say  
11 as well to the citizens of Canada who eventually, I  
12 hope, will benefit from Ontario's experience and from  
13 the Report that we will be producing.

14 So your contributions, each and every  
15 one of you, has been most valuable.

16 Thank you so much.

17 Have a safe trip back home and we will  
18 send you all a copy of the Report.

19 Thank you.

20 ---Whereupon adjourning at 4:38 p.m.

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December 5, 2013

277

Roundtable 4  
Emergency Response

1 Certified Correct:

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4 M. Bolduc, C.C.R.