

# NOVA SCOTIA MASS CASUALTY COMMISSION

## FINAL SUBMISSION – SCOTT MCLEOD

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1. This Submission is submitted on behalf of Scott McLeod.

### **The procedural path to recommendations**

2. The Commission's terms of reference are set out in the two Orders in Council of Canada and Nova Scotia dated October 21, 2020. These Orders are the beginning of the path for the Commission to fulfil its mandate. In addition to many factors enumerated in the Orders in Council four in particular stand out; the cause of the mass casualty, the RCMP response, public communications and family support post-event.

3. The Commission through its establishment of an evidentiary framework both documentary and through witnesses including expert witnesses and hearing from participants has in effect produced an evidentiary "roadmap" to obtain and support its findings and recommendations. In plain language, the Commission need only "follow the evidence" to produce findings and recommendations.

### **Findings of Fact**

4. This submission will focus on five discrete areas/issues. These areas/issues are: 1) confusion in the command structure in the response in the early hours in Portapique, 2) a containment issue in Portapique, 3) the lack of awareness and use of Alert Ready, 4) the delay in sending a Tweet re the marked police car, and 5) political interference.

5. It is submitted that there was confusion in the command structure in the early hours in Portapique. This is clearly evident from the evidence of the RCMP officers who attended that command structure was not clear in terms of who was in charge of the response. There was a

containment issue again based on evidence heard from the officers attending Portapique whereby an active shooter became a mobile active shooter and escaped into a broader area of Nova Scotia. Lack of awareness of the local area by the responding officers contributed to the containment issue. The Commission again heard evidence from not only the RCMP but communications providers that the Alert Ready system was available for use. The lack of awareness and use of the system by the RCMP in the response was unacceptable. Similarly, the delay by the RCMP in sending the tweet re the marked police car was unacceptable and the levels of approval (whether they were necessary or unnecessary) was unacceptable. With respect to political interference this was an issue that arose late in the inquiry. Commissioner Lucki in her evidence clearly indicated that she was the person in the meetings with the political people in Ottawa and she testified there was no political interference. This is uncontradicted evidence and she should be given the benefit of the doubt. However, a lasting perception/impression there was political interference lingers and should be addressed by the Commission.

## **Recommendations**

6. Ten recommendations are proposed. They are:
  1. There should be a clear critical incident command structure especially in an active shooter situation with full awareness and adherence by all responders.
  2. The RCMP should undertake specialized training with respect to local awareness in rural areas which they police.

3. The RCMP must reimagine its rural policing policies. It needs to make a decision whether it will be involved in rural policing in Nova Scotia or not. If the answer is yes, then it must reimagine its role and fulfill the role with the funding allocated.
4. With respect to public communications, the use of Alert Ready and Twitter early in an active shooter critical incident must be mandatory.
5. Dedicated critical incident air support in Nova Scotia with 24/7 availability should be implemented especially with respect to rural policing.
6. There should be a respectful reminder and if necessary, re-education through the senior ranks of the RCMP and Government as to where the line is with respect to political interference.
7. The RCMP should create a specialized family liaison officer unit in Nova Scotia with specific training to assist families as necessary post critical incident occurrences.
8. There should continue to be some form of ongoing assistance for the families involved in this mass casualty.
9. The RCMP and the Nova Scotia Police Chiefs Association must take immediate steps to repair the relationship between these bodies.
10. An Implementation Committee should be created to have implementation and oversight of the Commission's recommendations.

## **Implementation and Oversight**

7. Why is it necessary to have implementation and oversight with respect to the Commission's recommendations? Because things change. The RCMP leadership may change, the Minister of Public Safety may change, the Government may change, Government priorities and funding may change. Transparency and accountability will both be served by implementation and oversight. The Commission's recommendations should be prioritized where possible. That is, those recommendations that are in need of immediate implementation should be set out clearly as well as those recommendations that may be able to be implemented quickly without prohibitive cost. Examples of both of these are: the active shooter critical incident response in rural areas, RCMP public communications in an active shooter critical incident, and the creation of a family liaison specialized unit. It is submitted that it is important for an Implementation Committee to be small in number. Representatives should come from the Government of Canada, the Province of Nova Scotia, the RCMP and a representative on behalf of the families acting as a type of family advocate. A two-tier system of implementation oversight is suggested. The Implementation Committee would report to a "Decider" who is in a position to hold stakeholders to account. It is submitted a sitting or retired Superior Court Judge will be best suited for this task. The main job of the "Decider" will be to oversee accountability from the main stakeholders to ensure that the Commission's recommendations are being implemented and implemented in a timely manner.

8. It is also submitted the Commission's report should be written in plain language so that the Commission's findings and recommendations are easily understood by readers, in particular the people of Nova Scotia.

9. All of which is respectfully submitted October 7, 2022.

  
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