



**PUBLIC ORDER  
EMERGENCY  
COMMISSION**

**COMMISSION  
SUR L'ÉTAT  
D'URGENCE**

**Public Hearing**

**Audience publique**

**Commissioner / Commissaire  
The Honourable / L'honorable  
Paul S. Rouleau**

**VOLUME 6**

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### III

## Appearances / Comparutions

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Mr. Peter Sloly	Mr. Tom Curry Ms. Rebecca Jones Mr. Nikolas De Stefano

## IV

### Appearances / Comparutions

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Windsor Police Service	Mr. Thomas McRae Mr. Bryce Chandler Ms. Heather Paterson
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Canadian Constitution Foundation and Professor Alford	Ms. Sujit Choudhry Ms. Janani Shanmuganathan Prof. Ryan Alford

## V

### Appearances / Comparutions

Ottawa Coalition of Residents and Businesses	Mr. Paul Champ Ms. Emilie Taman Ms. Christine Johnson
The Democracy Fund, Citizens for Freedom, JCCF Coalition	Mr. Rob Kittredge Mr. Antoine D'Ailly Mr. Alan Honner Mr. Dan Santoro Mr. Hatim Kheir Mr. James Manson
Canadian Civil Liberties Association	Ms. Cara Zwibel Ms. Ewa Krajewska
The Convoy Organizers	Mr. Brendan Miller Ms. Bath-Sheba Van den Berg
Insurance Bureau of Canada	Mr. Mario Fiorino

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Ottawa, Ontario

--- Upon commencing on Thursday, October 20, 2022 at 9:34 a.m.

**THE REGISTRAR:** Order. À l'ordre. The Public Order Emergency Commission is now in session. La Commission sur l'état d'urgence est maintenant ouverte.

**COMMISSIONER ROULEAU:** Good morning. Bonjour. Today, we have a new witness?

**MR. FRANK AU:** We do.

**COMMISSIONER ROULEAU:** Okay. Go ahead.

**MR. FRANK AU:** Good morning, Commissioner.

**COMMISSIONER ROULEAU:** Good morning.

**MR. FRANK AU:** It's Frank Au, Senior Counsel for the Commission.

Our next witness is Deputy Chief Ferguson.

**MS. ANNE TARDIF:** Sorry, Commissioner, if I can interject. There's an echo here that's quite distracting. I don't know if there's a difficulty with the sound system.

**COMMISSIONER ROULEAU:** Okay. I'm not sure. There is a bit of an echo.

Okay, is that better? Okay.

**THE REGISTRAR:** Deputy Chief Ferguson, will you swear on a religious document, or do you wish to affirm?

**ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'd like to swear on the Bible, please.

**THE REGISTRAR:** Please take the Bible in your right hand. For the record, please state your full name and spell it out.

**ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Patricia

1 Ferguson, P-A-T-R-I-C-I-A F-E-R-G-U-S-O-N.

2 --- ACTING DEPUTY CHIEF PATRICIA FERGUSON, Sworn:

3 --- EXAMINATION IN-CHIEF BY MR. FRANK AU:

4 MR. FRANK AU: Good morning, Deputy Chief.

5 ACTING DEPUTY CHIEF PATRICIA FERGUSON: Good  
6 morning. It's actually Acting Deputy Chief.

7 MR. FRANK AU: Acting Deputy Chief. We met in  
8 the summer when you attended an interview with the Commission.

9 ACTING DEPUTY CHIEF PATRICIA FERGUSON: Yes, I  
10 recall.

11 MR. FRANK AU: And after that interview, we  
12 prepared a summary for you to review?

13 ACTING DEPUTY CHIEF PATRICIA FERGUSON: Yes.

14 MR. FRANK AU: And I understand that you've  
15 adopted the contents of that summary?

16 ACTING DEPUTY CHIEF PATRICIA FERGUSON: Yes, I  
17 have.

18 MR. FRANK AU: Is there any corrections that  
19 you'd like to make to that summary?

20 ACTING DEPUTY CHIEF PATRICIA FERGUSON: No, none.

21 MR. FRANK AU: Commissioner, will that be the  
22 evidence, then?

23 COMMISSIONER ROULEAU: (Inaudible response)

24 MR. FRANK AU: Now, I'll just call you Deputy  
25 Chief for short.

26 COMMISSIONER ROULEAU: Just for the record, maybe  
27 do the number.

28 MR. FRANK AU: Oh the -- yes. It's WTS00000 --



1 sorry, WTS00000023.

2 Now, Deputy Chief, during the Freedom Convoy  
3 protests back in January and February, you were the executive  
4 responsible for Community Policing.

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
6 correct.

7 **MR. FRANK AU:** And in that role, you supervised  
8 the Specialized Policing Directorate.

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
10 did.

11 **MR. FRANK AU:** And that directorate includes the  
12 Special Events Unit, which was responsible for planning before  
13 the arrival of the convoy.

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
15 correct.

16 **MR. FRANK AU:** And just to get a sense of the top  
17 executive level at the Ottawa Police Service, at the time at the  
18 top there was the former Chief Sloly?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MR. FRANK AU:** And then he was assisted by two  
21 Deputy Chiefs.

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
23 right.

24 **MR. FRANK AU:** And you were one of those?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26 **MR. FRANK AU:** And the other -- who was the other  
27 Deputy Chief?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Deputy

1 Chief Steven Bell.

2 **MR. FRANK AU:** And he's now the Interim Chief of  
3 the Ottawa Police Service.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, he  
5 is.

6 **MR. FRANK AU:** What portfolio was he responsible  
7 for back in January last -- well, last winter?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** We refer  
9 to it as the Three I's, Information, Intelligence, and  
10 Investigations.

11 **MR. FRANK AU:** So whereas you had strategic  
12 oversight over planning as part of the Community Policing,  
13 Deputy Chief had strategic oversight over Intelligence?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
15 right.

16 **MR. FRANK AU:** Now, you've told us during our  
17 interview that you first learned about the Freedom Convoy, the  
18 fact that they were travelling to Ottawa, at -- during the week  
19 of January 17th; is that right?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
21 correct.

22 **MR. FRANK AU:** And yesterday, the Commission  
23 heard evidence that the OPP started sharing Intelligence reports  
24 related to the Freedom Convoy with the OPS as early as  
25 January 13th.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's my  
27 understanding.

28 **MR. FRANK AU:** So I want to explore with you the

1 extent to which that intelligence was shared within the OPS.

2           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So the  
3 initial sharing of that report went to our Intelligence Section,  
4 or our Intelligence Superintendent. And I should lay the  
5 groundwork in that in January of 2022, so January 3rd, a number  
6 of our senior officers changed portfolios. So the person who  
7 received that was Superintendent Rob Drummond; however, he had  
8 moved portfolios at that point in time. I do know it was shared  
9 with him, with our Special Events Section, and with former  
10 Chief Sloly.

11           **MR. FRANK AU:** And when did you first learn about  
12 those Hendon reports?

13           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
14 the first one that I was privy to and actually received was on  
15 the 27th of January ---

16           **MR. FRANK AU:** Okay.

17           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- the  
18 28th of January, in and around then, so after the convoy was  
19 well underway.

20           **MR. FRANK AU:** Can I call up document  
21 Number OPS00014479? If we go to page 26.

22           Now, Deputy Chief, so this is your notes.  
23 There's some reference, I believe, to February the 1st. So  
24 during the interview we had in the summer, I believe you said  
25 that the first time you learned about Project Hendon was after  
26 the arrival of the convoy. Do you recall that?

27           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I  
28 would have received it on the 27th or 28th, but those were

1 hectic times. So I can't say for sure that I actually saw the  
2 report at that point in time, I just know that's when it landed  
3 in my email inbox. So I -- my recollection was, as I mentioned  
4 when I spoke to you in the summertime, I had not been aware that  
5 this project was underway with the OPP.

6 **MR. FRANK AU:** Okay. And if you received the  
7 report as of the 27th, what did you do with it since you first  
8 learned about it?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
10 recall. I expect I probably would've seen it at some point in  
11 time in my inbox, but it was a chaotic time so many things were  
12 going on.

13 **MR. FRANK AU:** Now, you had your team started  
14 planning for Project -- started planning for the arrival of the  
15 convoy sometime before the 27th. Do you know the extent to  
16 which they were privy to those Intelligence information?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** The  
18 Special Events Planning Team, I can't say. I believe that our  
19 Intelligence -- some of our Intelligence officers would have  
20 seen it prior to the convoy arriving, but I don't know the exact  
21 date of that. And my role was really at the strategic level, so  
22 the plans were being developed, and I -- you know, they --  
23 normally they're developed with Intelligence open source  
24 information, Police Liaison Team information.

25 **MR. FRANK AU:** Tell us about the usual process  
26 for the OPS in planning for a major event, like these convoy  
27 protests. What's the expectations in terms of information-  
28 sharing as between the Intelligence Unit and the Planning Unit?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It's  
2 generally fairly smooth. I would say that the bulk of the  
3 information for demonstrations prior to the convoy was not  
4 Intelligence-based, it was information, and so it was, you know,  
5 open source. Whether that is, you know, for an example, if we  
6 have a concert coming into town, the Special Events Unit will  
7 look at what kind of, you know, music it is, what kind of crowd  
8 it draws, they will speak to places where that band has played  
9 before, and they will develop a plan that is, you know,  
10 commensurate with what they've seen in other places.

11                   And so for the convoy, they did their usual where  
12 they looked to, you know determine as much as they could,  
13 reached out to other police services where the convoy was  
14 travelling through, getting information from them, trying to get  
15 an assessment or an idea of numbers that we were looking at and  
16 what kind of behaviour they were engaging in along the way in  
17 their cities. And up until point we were hearing that, you  
18 know, they were cooperative, they were providing lanes of  
19 traffic across the Prairies.

20                   And so our special events team was alive to those  
21 issues and continued to gather that right up until the day they  
22 came into town.

23                   **MR. FRANK AU:** Now, yesterday we heard from  
24 Superintendent Morris that the intelligence that was available  
25 strongly suggested a long-term event, meaning weeks, not days or  
26 a weekend.

27                   Did your planning team take that into account?

28                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe

1 what our planning team did was assessed all of the information  
2 that they had, and perhaps there was some information saying  
3 that some factions of it would be staying for longer. I think  
4 what they did was they developed a plan commensurate to the  
5 experience that we've had for over two and a half decades in  
6 this city, as far as I know, on what demonstrations generally  
7 look like, how long they last, and the type of behaviour we see.

8           And so I believe they planned taking into account  
9 all of that information and developed the plan that we had.

10           **MR. FRANK AU:** Now, were there not signs that  
11 this protest was going to be different in the days or weeks  
12 leading up to the arrival?

13           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
14 what was fluctuating for us was the numbers, the actual volume  
15 of trucks. And as -- and the money that they were collecting.

16           I think towards the last few days, we were seeing  
17 that there was a big spike in the GoFundMe money being raised,  
18 so that was different than most of the demonstrations that we  
19 see. Did that tell us specifically that they were planning on  
20 staying for a long time and that when they got here, they would  
21 engage in the behaviour that they did? It did not.

22           And I think what we've learnt is that there's a  
23 lot of misinformation, disinformation and false information  
24 surrounding this group, and so they were trying to assess as  
25 best they could, but they relied general on the experience that  
26 that seasoned planning team had.

27           **MR. FRANK AU:** Now, let's take a look at some of  
28 the documents that we know were available to your team.

1 First of all, the initial plan that was developed  
2 by the OPS, that was written by Staff Sergeant Kevin Kennedy;  
3 right?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

5 **MR. FRANK AU:** And it was then approved by  
6 Inspector Lucas?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
8 right.

9 **MR. FRANK AU:** And they both reported to you;  
10 right?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** They  
12 reported to Superintendent Rehaume, and then to me, yes.

13 **MR. FRANK AU:** Right. They reported to you  
14 through Superintendent ---

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MR. FRANK AU:** So if we could call up, please,  
17 OPS00002878.

18 So Deputy Chief, I'm showing you an email from  
19 Sergeant Sean Kay to Staff Sergeant Kennedy dated January the  
20 21st. It was forwarded to you at the top, as you can see. We  
21 go down to the -- to the -- to page 4. At the top of page 4.

22 You see that -- it's written there that, "The  
23 goal of the convoy is to remain in Ottawa until the restrictions  
24 are repealed." Right?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26 **MR. FRANK AU:** And there's no expectation at the  
27 time that those restrictions would be repealed any time soon.

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

1                   **MR. FRANK AU:** So didn't that suggest to your  
2 team that it was going to be a long-term event, not a weekend  
3 event?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
5 it suggested there was the potential for that. There were no  
6 guarantees, I don't think, in the information that we had or the  
7 intelligence, even, to say that it was going to be here for the  
8 amount of time it was.

9                   **MR. FRANK AU:** All right. Let's call up another  
10 document, OPS00002932.

11                   I expect this will be an email dated January the  
12 24th from Sergeant Louis Carvalho, and it was forwarded to you.  
13 If we go to page 1 near the bottom.

14                   Sorry. Page 1. Maybe we go up.

15                   I'm looking for the reference where it says  
16 different groups now getting on board.

17                   **(SHORT PAUSE)**

18                   **MR. FRANK AU:** Do you see the cursor here,  
19 "Different groups now getting on board such as the farmers and  
20 right wing extremists calling for major disruptions."

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do see  
22 that.

23                   **MR. FRANK AU:** And what does that suggest to you?

24                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So it  
25 suggests that there's -- there's interest in this. A lot of  
26 times some of the information that we will look at are things  
27 like, you know, if there's a Facebook live group and we'll see  
28 that a whole lot of people "like" an event. And we've used that



1 to sort of assess our level of staffing needed for an event, but  
2 it doesn't always translate to actual numbers.

3 And so when they say "getting on board", that  
4 could be a number of different things. That could be that they  
5 are contributing it, that could be that they are supporting  
6 them. That could be that they're standing on a highway  
7 overpass, you know, honking horns in regard to that.

8 **MR. FRANK AU:** Now, the Commission heard evidence  
9 last Friday from a businesswoman, a Ms. Carrier. She's a  
10 layperson and she said it was clear to her that the trucks  
11 wouldn't be travelling all this way to Ottawa from the west to  
12 stay a day for a short protest. It was obvious to her. She  
13 didn't have access to any police intelligence.

14 Why wouldn't it be obvious to someone who's  
15 trained to analyze this kind of events?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, I  
17 think we're trained to analyze a lot of information, and so that  
18 was part of the information that formed the planning that was  
19 going on. But as I said, with this campaign there was a lot of  
20 information coming at us from different sources.

21 Some sources are more reliable than others, and I  
22 think even the Hendon reports were -- left it quite open that  
23 this could be, you know, a prolonged event but then, in another  
24 sentence, indicated that they were expecting they would be  
25 leaving town by the end of the weekend or by the middle of the  
26 following week.

27 So when we addressed the community preparing them  
28 for this, we said a prolonged event and, for us, the experience

1 in that was over the three days, you know, of the weekend.

2 So did we err in our assessment of this?

3 Clearly, we did.

4 **MR. FRANK AU:** Well, in addition to the Hendon  
5 reports, there were also other sources of information being  
6 provided to the City and to the OPS corroborating those  
7 intelligence reports such as the email from the Hotel  
8 Association suggesting that people were booking somewhere  
9 upwards of 30 days to stay in the hotels, lots of people doing  
10 that.

11 Why wouldn't that strongly suggest an event  
12 beyond the weekend?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, we  
14 did work to track down some of those sources of information, and  
15 we were getting misinformation, I said, and disinformation. And  
16 I think that was one of those things that they weighed in  
17 assessment. We followed up with Steve Ball of the Hotel  
18 Association to determine just how many rooms had been booked,  
19 and over the course of the convoy, that piece of information  
20 came up on a number of occasions.

21 And the reality was that our hotels were not able  
22 to be booked to capacity because they did not have the staff.  
23 We were still in the sixth wave of COVID and they were working  
24 at very limited capacity at that point in time.

25 **MR. FRANK AU:** Now, the trucks started to arrive  
26 on Friday, the 28th; right?

27 And you gave a media briefing on that day at  
28 11:00 a.m., so let's go to OPS00003851.

1                   So you see, Deputy Chief, that these are your  
2 speaking notes.

3                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4                   **MR. FRANK AU:** So if we go down a little bit, you  
5 said:

6                                 "Over the last few days our team has been  
7 finalizing operational plans in  
8 anticipation of the demonstrations.

9                                 Planning has involved coordination with  
10 our policing and intelligence partners at  
11 all levels of government and the Ottawa  
12 Police would like to thank them [and so  
13 on].

14                                Information gathered continues to indicate  
15 this will be a large and significant event  
16 that is expected to last through the  
17 weekend."

18                                There's no mention that there was any expectation  
19 it would go beyond the weekend.

20                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There was  
21 none.

22                   **MR. FRANK AU:** Why was that?

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** As I  
24 said, we weighed the information intelligence we had, and that  
25 was the plan that was developed based on what our best  
26 assessment of that was.

27                   **MR. FRANK AU:** Wouldn't it have been helpful to  
28 notify the public, the business owners and the residents that,

1 at the very least, there was a strong possibility of the event  
2 going beyond the weekend?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
4 may well have been helpful.

5 **MR. FRANK AU:** Now, you agree that the planning  
6 was premised entirely on the assumption that this was going to  
7 be a two-day event; right?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MR. TOM CURRY:** Commissioner, may I just ---

10 **COMMISSIONER ROULEAU:** Yes.

11 **MR. TOM CURRY:** --- raise one issue? I  
12 appreciate that Commission Counsel has control of the  
13 presentation of the evidence of the hearing, and also, that  
14 given the number of parties, each of us has a limited time with  
15 each of the witnesses called. May I ask through you that the  
16 witnesses -- and this is a good example -- be taken to the parts  
17 of the record that might balance the premise of some of the  
18 questions that we have heard so far. And I raise that because  
19 with this witness, we have 25 minutes. I know my friends have -  
20 - some of them have less, maybe some have more. It's not  
21 possible for us in the limited time that we have to put each of  
22 the pieces of information that might, for example, put into  
23 context the questions my friend Mr. Au has raised so far about  
24 the premise of his question, a strong possibility that it was  
25 going to be longer. Well, there's evidence that it was going to  
26 be a weekend, and we can draw it out, but I would be grateful if  
27 I could raise through you that the Commission's time with the  
28 witnesses be perhaps more balanced in presenting the information

1 that in this case Deputy Chief Ferguson had at the time rather  
2 than counting on her to remember all of it. Thank you.

3 **COMMISSIONER ROULEAU:** Okay. Well, I think the -  
4 - certainly you're correct in terms of the Commission is to  
5 bring out the evidence either way and to bring all of the facts  
6 to the public eye. And to the degree there is material that  
7 goes the other way, I'm sure Commission Counsel will refer to  
8 it, and if they don't, I'm sure you will, but I can assure you,  
9 our objective in this hearing is to provide the public with all  
10 of the information, pro and con, of course, as you point out.  
11 And can't guarantee we're always a hundred percent correct in  
12 what we do. We do the best we can. And, of course, you also  
13 know that there is always enough cross-examination time to equal  
14 the amount of time Commission takes. So in total, we hope that  
15 all of the different perspectives are brought out. And  
16 yesterday I think was a good example, where there was some very  
17 useful, I thought, information brought out by the various  
18 parties participating. So I certainly am grateful for the  
19 contribution of all the parties. So your question is noted,  
20 your concern is noted, and I'm sure Counsel will take it into  
21 account.

22 **MR. TOM CURRY:** Thank you, Commissioner.

23 **MR. FRANK AU:** Now when you spoke to us in  
24 August, you mentioned that the OPS had standard plans that it  
25 used for parades and other major events like Canada Day; right?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27 **MR. FRANK AU:** Now the initial plan for the  
28 Freedom Convoy, and by the way, the document number is

1 OPP00004262. We don't need to call it up right now but just for  
2 the record, that's the plan I'm referring to, the January 28<sup>th</sup>,  
3 29<sup>th</sup> plan. Do you agree that that initial plan was largely a  
4 boiler plate plan that followed the standard template?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
6 believe the components of the plan were the standard components  
7 that we employ, so, yes.

8 **MR. FRANK AU:** And according to this initial  
9 plan, the convoy, convoy vehicles would enter downtown Ottawa  
10 and the plan was to stack those vehicles along Wellington  
11 between Kent and Elgin; am I right?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
13 we had four areas where we ---

14 **MR. FRANK AU:** Okay.

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- were  
16 going to be stacking vehicles, but, yes, that was one of them.

17 **MR. FRANK AU:** Now as this plan then, this  
18 graphic component, was it premised on this being a two-day  
19 event?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
21 was.

22 **MR. FRANK AU:** And so here's something perhaps  
23 you can help me understand, because we heard from Councillor  
24 McHale on Friday that even for an event like Canada Day, there  
25 would be road closures in the downtown core and barriers set up  
26 to control the mass of vehicles that might otherwise cause a  
27 problem. So why wasn't this done here?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe

1 we had officers in who were -- our Traffic Unit was leading the  
2 trucks to where they were supposed to be, so I believe that was  
3 -- you know, barriers and road closures impede our ability to  
4 get around, and so I think that was what they were doing, was  
5 that once the vehicles were in place. So we've had a number  
6 where people have stayed for two days on Wellington, and that is  
7 -- you know, it's obviously the place where they want to be.  
8 That's the whole point of their protesting the federal  
9 government. And so that was what happened in this case.

10 And in terms of road closures and barriers, I'm  
11 not sure that that would have been helpful. If people were  
12 wanting to leave, the barriers would have impeded them from  
13 being able to do that.

14 **MR. FRANK AU:** Was any consideration given to,  
15 for example, taking the trucks somewhere beyond downtown and  
16 have transportation arranged so that people could protest  
17 downtown, so the people could be there?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
19 there was, in fact, the area designated, I know it as Coventry  
20 Road. I can't remember the full name of the baseball park, but  
21 that was an area that was designated as somewhere they could go.  
22 And, in fact, some people did carpool from there and come  
23 downtown.

24 **MR. FRANK AU:** But my -- I guess the intent of my  
25 question was to move all of the trucks away from the downtown,  
26 not just some of them.

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
28 realistically, a number of them really wanted to be in front of

1 Parliament Hill. If we could have done that, if we had gotten  
2 cooperation, that certainly would have been our goal, but there  
3 was a -- we didn't know the size of, you know, of the convoy,  
4 how many trucks we were dealing at and how big an area we had to  
5 work with. So we did our best, I think, to keep them out of  
6 residential areas, and that was why, you know, parkways were  
7 chosen, Sir John A MacDonald Parkway, in order to make sure that  
8 -- you know, we could afford losing that road for the weekend  
9 and limit the disruption for Ottawa citizens. That was the  
10 intent.

11 **MR. FRANK AU:** Now in hindsight, what would you  
12 have done differently in this planning phase?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I suppose  
14 we would have given more credibility to the information in  
15 Intelligence telling us that there was a faction that were  
16 planning on staying for a much longer period of time.

17 **MR. FRANK AU:** Okay. All right. Now so far  
18 we've been talking about the OPS planning before the convoy's  
19 arrival and we're going to turn now to the OPS response after  
20 they've arrived.

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

22 **MR. FRANK AU:** But before I do that, I want to  
23 ask you some basic questions about what's known as the Incident  
24 Command System.

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

26 **MR. FRANK AU:** Now I understand that in  
27 responding to incidents including protests and demonstrations  
28 that police sometimes use a model called Incident Command



1 System.

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 correct.

4 **MR. FRANK AU:** And within the system, the role  
5 you played back in January and February was the role of a  
6 strategic commander; correct?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
8 right.

9 **MR. FRANK AU:** Now there are three different  
10 levels to the command.

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MR. FRANK AU:** Strategic, operational and tactic.

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

14 **MR. FRANK AU:** What does the strategic command  
15 do?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So the  
17 strategic really informs the goals of what it is we're trying to  
18 achieve. So in this case, you know, to safely, you know, manage  
19 this event, and ultimately, once they had arrived and, you know,  
20 not left, our goal became to encourage them to leave. And so  
21 that's the strategic level and that really is what -- you know,  
22 where I was sitting at.

23 The event commander, who was Superintendent  
24 Rheaume ---

25 **MR. FRANK AU:** Sorry, before we get to the next  
26 level ---

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sure.

28 **MR. FRANK AU:** --- we're going to talk about the

1 operational; right? So before we leave the strategic, so just  
2 to clarify, you'd be setting the strategic objective, and would  
3 you be also responsible for appointing the operational  
4 commander?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6 **MR. FRANK AU:** So once the objective is set and  
7 you've appointed an operational commander, is there some  
8 expectation that you'll give autonomy to the operational  
9 commander?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

11 Absolutely. That's the only way it works.

12 **MR. FRANK AU:** And why is that important?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well,  
14 because they're the ones who have, you know, much more  
15 connection with what is happening in the different areas. And  
16 so they are much more aware of, you know, from the ground what  
17 is going on and they're able to take in that information,  
18 measure it against what they know that's going on in another  
19 area and be able to make a decision in event. I'm not always  
20 privy to those.

21 **MR. FRANK AU:** And would it also be the role of  
22 the strategic commander to ensure that the operational commander  
23 had the requisite resources to see to the end of the situation?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

25 Absolutely.

26 **MR. FRANK AU:** Okay. Now let's talk about the  
27 operational commander, the next level down. What does that  
28 involve?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay. So  
2 that would be the event commander, and that is somebody who  
3 takes in, as I alluded to a little bit already, the information  
4 that's coming at him. He's got a variety of different people  
5 who were reporting to him, and providing him with updates, and  
6 he is really sort of the quarterback, I guess, if you will,  
7 making sure that resources are being sent to the right places in  
8 order to assist achieving our goals here in this. And then we  
9 would move to the tactical level.

10                   **MR. FRANK AU:** So is it the responsibility of the  
11 operational commander to develop a suitable plan to address the  
12 incident?

13                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
14 he assigns that task to his team to do that, and ultimately he's  
15 the final approver of the plan.

16                   **MR. FRANK AU:** And depending on the severity of  
17 the incident, perhaps the operational commander is sometimes  
18 called an incident commander, sometimes a critical incident  
19 commander, and I guess with the OPS they're also the event  
20 commander; right?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

22                   **MR. FRANK AU:** And your role as the strategic  
23 commander is also known as the major incident commander?

24                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
25 right.

26                   **MR. FRANK AU:** All right. Now, you mentioned  
27 that the operational commander may get other people to help  
28 them?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

2                   **MR. FRANK AU:** Would these be, like, subject  
3 matter experts in specialized policing areas?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, and  
5 he would work at his level. So with other superintendents. So  
6 let's say the intelligence superintendent, or the investigation  
7 superintendent, to make sure that they are feeding into -- that  
8 their people are involved in the plan and the aftermath and  
9 carrying out whatever needs to be done at the time of the tasks.

10                  **MR. FRANK AU:** And some of these specialized  
11 areas that I suspect we'll hear about include the Public Order  
12 Unit?

13                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
14 correct.

15                  **MR. FRANK AU:** And the Police Liaison Team?

16                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17                  **MR. FRANK AU:** Okay. Let's talk about the next -  
18 - actually, before we leave this, we're going to be hearing from  
19 Insp. Lucas and Supt. Bernier next week. Would they be  
20 operational commanders?

21                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So Insp.  
22 Lucas was the incident commander and Supt. Bernier was the event  
23 commander.

24                  **MR. FRANK AU:** And they would both be at the  
25 Operational Command level; right?

26                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, Supt.  
27 Bernier was at the -- yes, sorry, operational. And I believe  
28 that Insp. Lucas was more in the -- you're right, sorry, he

1 would be in that operational phase, and the tactical one is more  
2 the POU, PLT, Traffic.

3 **MR. FRANK AU:** Right.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

5 **MR. FRANK AU:** So they would both be reporting to  
6 you back in January/February?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, they  
8 would.

9 **MR. FRANK AU:** So finally, the tactical level,  
10 what does that involve?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So that  
12 involves specific units and their tasks are very focused on --  
13 as I said, the Traffic Unit, they came up with their plan to --  
14 on how to -- and this one was very much a traffic related  
15 incident or event.

16 But we also had our Public Order teams, our  
17 Police Liaison Teams, we had Intelligence Teams, we had  
18 Investigations, we had our Communications Team, we had  
19 Logistics, Staffing.

20 And as the event grows, you build out the pieces  
21 that you need, Finance for example, HR was involved, we were  
22 swearing in other officers from other jurisdictions. So as that  
23 progressed and grew, so did our table.

24 **MR. FRANK AU:** Would it be fair to say that the  
25 tactical level of command is responsible for executing the plan  
26 that is developed by the Operational Commander?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
28 would.

1                   **MR. FRANK AU:** Let's talk about the two  
2 specialized units that I put to you before. The PLT or Police  
3 Liaison Unit. What are they?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So that's  
5 a group of specially trained officers who, when we have  
6 demonstrations, before, during, and after, they're engaged in  
7 reaching out to organizers to build rapport with them, to find  
8 out what it is that the group is trying to achieve, to work with  
9 them to help facilitate what they are looking to achieve in  
10 town.

11                   And so, you know, part of that is if a group  
12 would like to, you know, have a march down Albert Street at 8:00  
13 o'clock in the morning, we might try and speak with them and  
14 saying, "Maybe, how about we did it at 10:00 o'clock? That  
15 might be --" so those types of conversations happen.

16                   They look to, as I said, build rapport and  
17 relationships with the people who are involved so that when they  
18 get here, that relationship is already established and they can  
19 have conversations with them about what is acceptable behaviour  
20 by the people of their group, where, you know, their Charter of  
21 Rights end, and perhaps criminal charges could be -- or, you  
22 know, disobedience and civil disobedience type of things will  
23 occur.

24                   And in the event that something is going on  
25 during the event, where there might be an agitator or an  
26 antagonizer, then they would speak to that person that they  
27 already had the relationship with and let them know what the  
28 consequences are, or that this behaviour is problematic and we'd

1 like for that cease, insomuch as it really is about negotiating  
2 and trying to change behaviours through conversation.

3 **MR. FRANK AU:** So if disruptive behaviours occur  
4 during an event, would it be the role of the PLT to engage in  
5 order to try to de-escalate the situation?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
7 would.

8 **MR. FRANK AU:** What about the Public Order Unit,  
9 or POU?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So Public  
11 Order Unit, we refer to them, you might see in some of the  
12 documents, as ESU, Emergency Services Unit. They have a two-  
13 fold sort of -- when we have a missing person, they will go out  
14 and search an area. They're trained in those types of things.

15 Again, we have about 100 officers, both sworn and  
16 civilian, mostly sworn, who are trained in being able to --  
17 whether it's crowd control, crowd management, those types of  
18 things. So they are the ones who ultimately we saw take the  
19 streets on that weekend that moved forward with moving people  
20 out of the streets.

21 So if you think of it in the way of a triangle,  
22 the incident commander is at the top of the triangle, and on  
23 both opposite corners, you have the ability to use force should  
24 you -- your PLT and negotiations break down.

25 **MR. FRANK AU:** Right. So in responding to the  
26 freedom convoy after they've arrived, was this the model that  
27 the OPS used to address the incident?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, to a

1 certain extent. I think we failed in certain areas regarding  
2 PLT, and I think they struggled as a result. But that was what  
3 we were hoping. And you saw one of those -- Louis Carvalho was  
4 on our PLT team. He was a sergeant there. And he was working  
5 also with going out to businesses and letting them know, and  
6 doing that engagement piece as well. So not just with the  
7 convoy organizers, but with the areas that they believe are  
8 going to be impacted and affected ahead of time ahead of time.

9 **MR. FRANK AU:** Right. So with that background,  
10 let's start talking about how the OPS responded to the freedom  
11 convoy. And now we know that they arrived the weekend of the  
12 28<sup>th</sup> and they -- and the incident was not resolved until those  
13 three and a half weeks later.

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15 **MR. FRANK AU:** So let's break down the time  
16 period and let's talk first about the first week after they  
17 arrived. So let's say from January 28<sup>th</sup>, to -- which is a  
18 Friday, to February the 4<sup>th</sup>; okay?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

20 **MR. FRANK AU:** Now during that period? Well,  
21 first, tell us what happened on the first weekend?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So as  
23 they arrived into town, you know, we were monitoring numbers  
24 where it was -- you know, safety, obviously, is always our first  
25 priority. And so we were monitoring with that lens for sure.

26 And we were starting to see, you know, they were  
27 pulling into the areas that they were sent to or steered to.  
28 And then we started to see, I would qualify it as a bit of a



1 party atmosphere, sort of festival-like, people were very  
2 excited to be there. Myself and Deputy Bell walked around in  
3 the downtown core and saw some of the, you know, the people that  
4 were there.

5           And it was, in those first few days, not as, I  
6 would say, as disruptive as it got to be.

7           When the weekend came and went and Monday morning  
8 arrived and they were still on our streets, at that point in  
9 time, Ottawa Police was in a situation of, "Okay. We've got to  
10 pivot. We have to reassess what we've got here. We have to  
11 evolve our plan." So began starting to, you know, strategize  
12 and brainstorm as to what actions could be taken, what did we  
13 have available to us.

14           I know that, you know, at the command level, we  
15 had considered an injunction with the City, we had spoken to  
16 other police partners. A lot of those things were going on at  
17 all levels.

18           So at the strategic, the operational, and the  
19 tactical level, I know our members were fully engaged in those  
20 types of behaviours, to try and come up with what our next plan  
21 -- we knew we needed to evolve and move into another stage,  
22 really. So it was reorienting ourselves to the situation that  
23 we had at hand.

24           **MR. FRANK AU:** Now, during that first weekend,  
25 when did you first realize that this may last longer than a  
26 weekend?

27           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
28 really as Sunday progressed. We expected that a number of

1 people would be heading back to, you know, their home cities.  
2 And I knew that there were some people from out west, we were  
3 seeing the Alberta plates, we were seeing, you know,  
4 Saskatchewan, but we expected that, you know, the -- we had an  
5 influx of pedestrians that came over from Quebec side. I think  
6 we had some expectations that those folks who were in the  
7 surrounding areas, would retreat back to their homes. And I  
8 think, you know, really, Sunday -- as Sunday night carried on,  
9 we had been talking about a demobilization plan up until that  
10 point, and clearly that was not the plan that was going to be  
11 required.

12 **MR. FRANK AU:** Let me take you to a document  
13 dated the 31<sup>st</sup>, which would be the Monday; OPS00004976.

14 This will be an email from Robin Millbank. Who's  
15 Robin?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Robin is  
17 my Executive Assistant.

18 **MR. FRANK AU:** Okay. I expect this email will --  
19 is a kind of minutes for an executive briefing at 8:00 a.m.; is  
20 that correct?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
22 correct. We were briefing twice a day, and Robin was taking  
23 notes from those briefings.

24 **MR. FRANK AU:** Right. So if you take a look at  
25 the second bullet, you see a reference to:

26 "Staffing is #1 risk; priority is  
27 working on plan;"

28 Can you explain what that refers to?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well ---

2                   **MR. FRANK AU:** Sorry; why was staffing the number  
3 one risk?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** The state  
5 of the Ottawa Police at this stage was one of very poor  
6 staffing. We had been in that state for, I would say, a number  
7 of years. Prior to becoming the Deputy of Community Policing,  
8 my position was the Superintendent of Frontline, and so it was a  
9 challenge every day to make sure that we had all the shifts  
10 covered.

11                   The pandemic obviously, like any other workforce,  
12 had a large impact on our people; we had some high sick levels.  
13 At this point in time, we were in the sixth wave of COVID and so  
14 what we had done to try and mitigate that was -- and it had been  
15 quite successful in the early days of the pandemic, was to  
16 establish a reserve staffing. So a group of officers who would  
17 be healthy at home, should we have an outbreak where we have an  
18 entire platoon taken out, we are able to upstaff.

19                   Another measure that we took was to limit our --  
20 we have six platoons, generally; we cut it down to four  
21 platoons. So if you think of 30 people per platoon, when we  
22 divided one in half, then we had 45 members on each platoon to  
23 up our numbers a little bit to try and mitigate that. And that  
24 was going into the convoy.

25                   We were already -- I would describe us as being  
26 on our knees and having run a marathon for the last two and a  
27 half years, and it felt like they'd moved the finish line 100  
28 yards, or another mile, and given us 200 pounds to carry to get

1 to the end. So staffing was, I would say, our number one  
2 Achilles heel in all of this.

3                   And so all of these people who had worked for the  
4 week leading up to the convoy, over the weekend -- and long  
5 hours; you know, our frontline members were working 12 hour  
6 shifts. When the convoy came and we were trying to manage  
7 staffing and clear posts, some of them were working up to 15  
8 hours, and it was -- they were -- they were exhausted. So we  
9 needed to make sure that our people had time off. And so that,  
10 I believe, is what we're thinking about, is it's a risk for us  
11 to be able to staff all of this.

12                   **MR. FRANK AU:** Yeah. Did staffing become the  
13 number one risk overnight because there was no contingency plan  
14 within the initial plan?

15                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
16 that's part of it. You know, I think we had some extra  
17 resources for the weekend. We had some additional public order  
18 units from other services that had some into town, but they all  
19 had to get back as well.

20                   So our contingency plan really was for the  
21 weekend into Monday morning, and, you know, staffing -- I  
22 believe that really is what they're referring to there.

23                   **MR. FRANK AU:** So to the extent there was any  
24 contingency planning, it only covered up to, perhaps, Monday at  
25 noon.

26                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
27 think that's fair.

28                   **MR. FRANK AU:** Now, that bullet also talks about,

1 "priority is working on plan," so I assume this refers to some  
2 kind of a new plan?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. Or  
4 evolving the plan that we have, depending on what the planners  
5 determine is the -- they're saying it's an entirely new, we're  
6 starting from scratch with a new position now with the situation  
7 we have on hand.

8 **MR. FRANK AU:** So what's the vision, now, for the  
9 new plan? What was that going to look like?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, I  
11 think ultimately we wanted to move the truckers out of the  
12 downtown core, and to limit the impact on our residents, and  
13 always to keep in mind public safety, and our officer safety as  
14 well.

15 **MR. FRANK AU:** All right. If we go -- scroll  
16 down a little bit. Go down. Okay.

17 Do you see the bullet, the third bullet from the  
18 bottom it says:

19 "No longer a protest but an occupation  
20 now; need to move away from operational  
21 plan and reset - new plan needed to go  
22 forward;..."

23 Now, whose view was it that this is no longer a  
24 protest, but an occupation?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
26 this is Chief Sloly.

27 **MR. FRANK AU:** And what makes it an occupation as  
28 opposed to a protest?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
2 at this point because they weren't leaving. They had, you know,  
3 expressed that they wanted to protest. Protesting, you know,  
4 generally is a limited window, in our experience. And so the  
5 fact that they were now no longer leaving. And the behaviour  
6 that they were engaging in, I think was what really upped that  
7 temperature to making it an occupation; that they were settling  
8 in, that they were starting to put up tents and, you know,  
9 really begin to entrench themselves.

10                   **MR. FRANK AU:** Now, at around this time, Supt.  
11 Abrams of the OPP was also in Ottawa. He'll actually be  
12 testifying this afternoon after you, and we expect that he may  
13 say that the OPS was struggling to develop a new plan; that  
14 Chief Sloly would give inconsistent direction and there was much  
15 confusion. What's your perspective on this?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
17 those are fair statements. We struggled because we didn't have  
18 people who were strictly planners. Our planners were also  
19 people who were site commanders on the ground, who were trying  
20 to manage things at the very tactical level. And so I think to  
21 say we were struggling is fair and accurate.

22                   I think we did on that Monday morning -- you can  
23 see the conversation in this, we're trying to get our heads  
24 wrapped around what we were looking at. And in terms of former  
25 Chief Sloly providing direction, and -- yeah, direction, he  
26 definitely was of what he wanted to see happen.

27                   **MR. FRANK AU:** So who was the Event Commander,  
28 the Operational Level Commander at this time?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So at  
2 this point in time it remained Supt. Rheume, and I was the  
3 Major Event Commander.

4                   **MR. FRANK AU:** And in terms of developing a plan  
5 to resolve the incident, would it be on Supt. Rheume; would  
6 that be his job to develop a plan?

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.  
8 Yeah.

9                   **MR. FRANK AU:** What would have been your role at  
10 that time?

11                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** In making  
12 sure that they were aware of what the strategic goals were,  
13 ultimately, to have, you know, this resolved as safely as  
14 possible, but for these trucks to be removed from our streets.

15                   **MR. FRANK AU:** Why, then, would the former Chief  
16 be giving directions?

17                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
18 you'd have to ask Chief Sloly, but I think, you know, from a  
19 human perspective, I would say that it was a -- this was not  
20 what he was expecting, and his reaction was one out of concern,  
21 out of stress, and out of pressure at this point in time.

22                   **MR. FRANK AU:** All right. So let's take a look  
23 at what happened a few days later, on the 4<sup>th</sup> of February.

24                                 Can we call up OPS00014454, please? And I want  
25 to go to page 52.

26                                 So Deputy Chief, this is -- these are scribed  
27 notes or minutes taken at meetings that involve former Chief  
28 Sloly.

1           So I want to scroll down to the part where it  
2 says, "Last Friday"; it's page 52.

3           So Deputy Chief, you see:

4                     "Last Friday's operational plan is not  
5                     valid. If so, then we need to update  
6                     it."

7           Now, help me understand here because as of the  
8 31<sup>st</sup>, there was a recognition that you needed a new plan, but  
9 here we are on February the 4<sup>th</sup>, three days later, and we're  
10 still talking about last Friday's plan not being valid. Was  
11 there no new plan yet by the 4<sup>th</sup>?

12                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** We did  
13 not have a new plan by the 4<sup>th</sup>. We had -- as I said, our  
14 planners, I think, were working on developing it but they were  
15 also dealing with a number of the live issues, putting out  
16 fires, as it were, within their area; and again, staffing, I  
17 think, for those folks was as limited as it was everywhere else  
18 in the organisation. So I'm not sure whose notes these are.

19                   **MR. FRANK AU:** These are scribe ---

20                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Scribe  
21 notes? Okay.

22                   **MR. FRANK AU:** Yeah.

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, so  
24 I think it's fair to say that we did not have another plan  
25 developed by the 4<sup>th</sup>.

26                   **MR. FRANK AU:** Okay. So if we go back in time to  
27 the day before, February the 3<sup>rd</sup>. And I want to show you the  
28 document, OPS00014484. So this looks like an email that the



1 former Chief sent to himself with respect to a meeting that he  
2 had with you and Deputy Chief Bell.

3 So if we go down to page 3. Go down. Keep  
4 going. Keep going. Okay.

5 Do you see the part where he says:

6 "I advised that I cannot approve a  
7 recommended course of action without  
8 being briefed on all other reasonable  
9 courses of action..."

10 So the context was a discussion of POU plans.

11 What's your recollection as to the Chief, the  
12 former Chief's role in terms of approving actions?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So it was  
14 generally felt, and because of statements like this, that he was  
15 the final approver of plans, and that became the sentiment for  
16 everybody who was producing those plans, that they needed to  
17 have them approved by former Chief Sloly.

18 **MR. FRANK AU:** Now, are these not operational or  
19 tactical decisions involving the POU?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** They are.

21 **MR. FRANK AU:** But at that time, it was -- it's  
22 your understanding that he was directing decisions at this level  
23 of command?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, he  
25 was directing a staff sergeant.

26 **MR. FRANK AU:** And did you feel any need to  
27 intervene and perhaps speak up and say, "Hey, we have the  
28 Incident Command model here to run. Each one has their role

1 within the model." Did you do anything like that?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** We did  
3 speak to him about not directing Operations, and reminded him of  
4 what role he played in it on a number of occasions throughout  
5 this time. Because there were a few incidents where he would  
6 engage with constables or he would, you know, engage with the  
7 Event Commander outside of the chain of command. I think you  
8 see in this email or notes to himself. I was working with Staff  
9 Sergeant Stoll and the group to try and get a plan, and  
10 indicated that we would like to see them, and he -- the former  
11 Chief wanted him to present to him, he wanted to see  
12 specifically a public order plan. And a public order plan, it  
13 just forms part of the larger plan, but he was fixated on this  
14 one.

15 **MR. FRANK AU:** Okay. So as of February the 4th,  
16 there was no plan. Let's move to the next week, roughly from  
17 February the 5th, which was a Friday, to February the 10th,  
18 which was a Thursday.

19 Can we have the document OPS00007355, please?

20 So this is an email from the former Chief to you,  
21 Deputy Chief, and I'll give you a moment to look at it.

22 Can we slowly scroll down?

23 So this seems to be about a meeting that he was  
24 having with the Command Team at 8:00 a.m., and he set out some  
25 priorities. So for example, here, you see three general  
26 priorities listed, "surge, contain and enforce"; the second  
27 being, well, "close everything", in brackets:

28 "... (roads, bridges, highway off

1 ramps...) as early and as long as  
2 possible."

3 The third priority being to shut down -- well,  
4 shut down a number of things: Shut down the funds, the  
5 fundraising; shut down the fuel; shut down the fun, the bouncy  
6 castles and so on.

7 So these are the general priorities, and then  
8 some specific priorities with respect to locations are set out,  
9 and we see four here. There's a Confederation Park being one;  
10 the Rideau, we've heard some evidence about the Rideau/Sussex  
11 intersection, I assume that's what this is referring to.

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

13 **MR. FRANK AU:** Wellington. Is that the  
14 Wellington?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MR. FRANK AU:** Okay. And then SJAM, is Sir John  
17 A. MacDonald ---

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
19 right.

20 **MR. FRANK AU:** --- right?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

22 **MR. FRANK AU:** Do you recall the substance of  
23 this meeting?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
25 do.

26 **MR. FRANK AU:** Now, was this an outline for a new  
27 Operation Plan?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It

1 certainly seemed that way.

2 **MR. FRANK AU:** So who set these priorities?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** This  
4 would be Chief -- former Chief Sloly.

5 **MR. FRANK AU:** So it is not the Operational  
6 Commander setting these priorities or developing a plan?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, it  
8 isn't.

9 **MR. FRANK AU:** And was this outline developed  
10 into a fully operational plan?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** We took  
12 portions of this. The surge, contain and enforce had been  
13 announced the day before, and that was something that he wanted  
14 us to be doing in the neighbourhoods that were most affected.  
15 And he talked about flooding the areas and having a cop on every  
16 corner, which in concept is a good idea to try and address some  
17 of that stuff, but in practical reality we did not have the,  
18 again, the staffing to do that. He had some good ideas, but to  
19 implement them was very difficult, given the numbers that we  
20 had.

21 So some of these things did form what we call the  
22 Concept of Operation Plan, which I believe we had dated on the  
23 9th of February, but ---

24 **MR. FRANK AU:** Oh, we'll get to that.

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

26 **MR. FRANK AU:** Now, sometimes these meetings, we  
27 have multiple accounts. So here, we see the former Chief's  
28 notes to himself, basically ---

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

2                   **MR. FRANK AU:** --- but you also recorded this in  
3 this in your notes; right?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

5 (Inaudible response)

6                   **MR. FRANK AU:** So I want to show you the document  
7 OPS144 ---

8                   **MS. JESSICA BARROW:** If I might interrupt just  
9 for a second. Sorry to my friend, but I just wanted to let you  
10 know that Deputy Chief actually has a hard copy of her notes on  
11 -- in front of her, so I just wanted to let that -- let you know  
12 of that, and also in case there's a specific page you could turn  
13 her to, she could actually turn it up in her notebook.

14                   **MR. FRANK AU:** Very good. I think it would still  
15 be helpful for everyone else so that we can look at the same  
16 document as the same time. I only, unfortunately, recorded the  
17 electronic record page number, but...

18                   So this is your notes, the document number being  
19 OPS14479. And I want to take you to page 43, which is the  
20 electronic record number.

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

22                   **MR. FRANK AU:** Okay. So we see that you recorded  
23 the meeting starting at around 8:00 or 8:06.

24                   If we could scroll down a little bit. I'm  
25 looking for the part where it says "need to turn the corner."  
26 There we have. "Need to turn the corner..." Perhaps you can  
27 read it to us.

28                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sure:

1 "Need to turn the corner...today, not  
2 changing the [operational] plan - need  
3 to implement the hell out of that plan  
4 for the next 72 hours. The plan we  
5 have is excellent. Nothing has changed  
6 with [C]ommander's intent - or  
7 mission."

8 **MR. FRANK AU:** Okay, let's stop there. So this  
9 is the Chief saying that the plan is excellent; right?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

11 **MR. FRANK AU:** Do you agree that it was an  
12 excellent plan?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
14 think we had a plan at that point in time.

15 **MR. FRANK AU:** Now, we expect to hear from  
16 Superintendent Bernier next week. As you've described, he was  
17 the Event Commander later on. I think he was appointed on or  
18 about February the 10th. And I expect that he may tell us that  
19 the OPS lacked an overall plan with all of the supporting  
20 components to end the protest when he took over the Operational  
21 command as of the 10th. Would you agree with that?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
23 would.

24 **MR. FRANK AU:** We saw in the previous document,  
25 the February 5th email from the former Chief, that one of the  
26 priorities was to shut down fuel; right?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

28 **MR. FRANK AU:** So I want to take you to what's

1 been referred to in some of the evidence, the so-called  
2 "Coventry incident". Now, that happened on February the 6th;  
3 right?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

5 **MR. FRANK AU:** So I guess things are happening  
6 according to the outline of the plan on the 5th to shut down  
7 fuel, and then on the 6th, we saw actions shutting down fuel.

8 Tell us what happened on the 6th?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So on the  
10 6th -- I should maybe let you know that the incident commander,  
11 at this point in time, or sorry, the event commander was  
12 Superintendent Patterson.

13 **MR. FRANK AU:** Okay. So there was a switch.

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There was  
15 a switch. He began on the 6<sup>th</sup> of February.

16 **MR. FRANK AU:** Sorry, maybe we should go back,  
17 because you mentioned that the first event commander was  
18 Superintendent Rheaume.

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
20 right.

21 **MR. FRANK AU:** And how long did he serve in that  
22 role?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He served  
24 until the evening of the 4<sup>th</sup>, so the Friday evening.

25 **MR. FRANK AU:** Why so short?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, he  
27 was the de facto event commander because this took place in his  
28 specialized policing event, but he did not necessarily have the

1 -- he had the skills and capacity to manage the initial event,  
2 but then as it got more protracted, first of all, I think he  
3 needed some time, some rest days, but Superintendent Dunlop was  
4 ultimately engaged and working with one of the groups, POU and  
5 PLT. He also had some, you know, I felt reasonable experience  
6 and skills to come in at this stage in our operation, and so I  
7 had approached him to take on that role.

8 **MR. FRANK AU:** So when did Superintendent Dunlop  
9 take over?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So the  
11 overnight from the 4<sup>th</sup> into the 5<sup>th</sup>, so the Friday into the  
12 Saturday morning.

13 **MR. FRANK AU:** And how long did he serve in that  
14 role?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Until the  
16 evening of the 5<sup>th</sup>.

17 **MR. FRANK AU:** Why so short?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Former  
19 Chief Sloly did not believe that he was the right person for the  
20 job. He gave us some -- myself and Deputy Bell, who both were  
21 part of the decision making into who would be the best person at  
22 this stage of the operation, but former Chief Sloly had, I would  
23 say it's fair to say, a past history with Superintendent Dunlop,  
24 and whether it was a trust factor or whether it was because  
25 Superintendent Dunlop had I think challenged him on a few issues  
26 that he didn't feel he was right for the position in that stage,  
27 and he made it very clear to me that he didn't approve of that  
28 decision and he was going to hold me accountable for whatever



1 the results were of that.

2 **MR. FRANK AU:** Now you told us earlier that,  
3 according to the Incident Command model, it was -- it's supposed  
4 to be the strategic commander, who was you at the time, to  
5 appoint the operational commander. How did you feel about the  
6 Chief stepping in and essentially removing the operational  
7 commander that you chose?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I wasn't  
9 happy with it, but I recognized it was an untenable situation  
10 for Superintendent Dunlop to be in. And so with further  
11 conversation with DC Bell, we determined that it would be fair -  
12 - more fair to have another person step in, and so that's when  
13 Superintendent Patterson was selected, and ---

14 **MR. FRANK AU:** And when did he step in?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He  
16 stepped in on the morning of the 6<sup>th</sup>.

17 **MR. FRANK AU:** Who chose him?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It was a  
19 conversation with former Chief Sloly, and I could tell he  
20 approved of him as an incident -- or as an event commander. And  
21 so it was a -- I would say a conciliatory conversation and  
22 that's ultimately it was my decision, that's where we went.

23 **MR. FRANK AU:** Okay. So back to the Coventry  
24 incident.

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26 **MR. FRANK AU:** February 6<sup>th</sup>, this is when Mark  
27 Patterson had assumed the role of the event commander. Tell us  
28 what happened on that day.

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So as the  
2 event commander, he determined he was going to start getting  
3 some wins, I guess would be the -- showing some action and  
4 showing some, you know, movement on the part of the police. And  
5 so he determined with -- former Chief Sloly was very much about  
6 let's interdict fuel, let's do what we can to stop the supply  
7 going to them. And so we knew that Coventry Road was the site  
8 where the -- it was sort of a camp for them. They came back and  
9 they had a tent where they ate. They were pretty well  
10 established there. I believe there were saunas and things set  
11 up. And they had a fuel truck there.

12                   So we were aware and I believe our PLT team had  
13 been working with people on that site to engage, to establish a  
14 rapport and a relationship. And Superintendent Patterson set up  
15 to do what we would call an action, and engage the Public Order  
16 Team, and wanted them to go in and, you know, seize the fuel and  
17 stop the source of fuel. So that's what took place on the  
18 evening of the 6<sup>th</sup>.

19                   **MR. FRANK AU:** Now when you spoke of engagement  
20 by the PLT team earlier, are you referring only to the PLT team  
21 from the OPS?

22                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
23 should have clarified that. The OPP PLT team was assisting our  
24 team throughout, both as being a backup, if you will, or an  
25 increase in numbers, but also as being sort of sounding boards  
26 and guidance. They had a lot of experience in dealing with  
27 longer-term protests.

28                   **MR. FRANK AU:** Specifically with respect to the

1 Coventry location, what was the PLT team's objective at that  
2 time?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
4 they were trying to reason with the organizers, and there's  
5 always a give and take with the PLT approach. So if we, you  
6 know, if we can agree with something that you get something, we  
7 get something, that was what they were trying to establish, I  
8 believe, without being in the leads of that, but that was the  
9 relationship they were working on.

10 **MR. FRANK AU:** They were looking for small wins  
11 for everybody?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

13 **MR. FRANK AU:** And now you spoke earlier about  
14 this command triangle with the operational commander at the top  
15 of the triangle and then the two sides being the PLT or  
16 negotiation and the other one being the kind of enforcement  
17 action on. What is the -- like, how are those two sides in the  
18 bottom supposed to work together?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** In  
20 concert with each other. I mean, I think what has to happen is  
21 that the PLT team needs to be given the time to actually effect  
22 some change and they need to be given the room to do so and the  
23 authority to make decisions. And that, I believe, was not  
24 happening. That's not in concert. That's the incident  
25 commander, the event commander. The Public Order Team  
26 understands that they have a role to play, and so oftentimes,  
27 they will be waiting in the wings until they're given the, you  
28 know, go ahead, we've done everything we can, we have cleared as

1 much as we can, and now these people have been advised that  
2 they're no longer welcome, and if they don't leave that they  
3 will be arrested, that type of thing.

4 **MR. FRANK AU:** Right. So because you -- when you  
5 described the role of the PLT earlier, you talk about how they  
6 were the first point of contact. They were supposed to engage  
7 and deescalate and to show the protesters what the lawful limits  
8 are; right?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
10 right.

11 **MR. FRANK AU:** So is the idea then that they will  
12 make contact and then see if, you know, it can be successfully  
13 deescalated before part actions is enforced?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. I  
15 think in the Coventry example, you know, there were some things  
16 that were concerning in that there was fuel on site. You know,  
17 the fire department had a -- they have a house right across the  
18 street. They were seeing some things that they were worried  
19 about for safety reasons for the people involved there. So I  
20 think that's the approach that they took was that we're -- you  
21 know, we're concerned about some of these things, and we want to  
22 make sure that you're all safe, and it's upsetting the residents  
23 in the area.

24 **MR. FRANK AU:** Right.

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So those  
26 types of conversations, but they take a while to happen, and it  
27 requires patience on the part of the event commander.

28 **MR. FRANK AU:** And how important was it then that

1 the -- these two arms, the PLT and the POU kind of, that  
2 enforcement part, that they coordinate a coherent strategy in  
3 terms of the timing? Because you said you need to time it so  
4 that there's sufficient time for the protesters to cooperate;  
5 right?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah,  
7 it's very important.

8 **MR. FRANK AU:** And what happened in this case?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, I  
10 believe in this case, and I am not 100 percent, I think  
11 Inspector Lucas could probably provide you with more details,  
12 but Superintendent Patterson requested that the Public Order  
13 Team arrive at the location at Coventry, and I believe there was  
14 some back and forth that they did not feel that was -- that that  
15 should have happened when it did. They felt that PLT should  
16 have been given more time. And ultimately, Superintendent  
17 Patterson was very frustrated by that, that they were not  
18 engaging in -- when he wanted them there. I do believe that  
19 they did eventually attend, but the resulting action was that it  
20 really damaged the relationship with our PLT team, with the OPP  
21 PLT team and with the event commander. That was a fractured  
22 situation after that.

23 **MR. FRANK AU:** And just so we understand, when  
24 the enforcement action started, was the PLT team even notified  
25 that this was going to happen?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, they  
27 were not.

28 **MR. FRANK AU:** So were they caught in surprise?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Entirely  
2 off guard.

3                   **MR. FRANK AU:** As much as the protesters?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

5                   **MR. FRANK AU:** And when you spoke of a sense of  
6 betrayal, what do you mean? Is it ---

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
8 they had been experiencing frustration that whole week in terms  
9 of being able to negotiate with the convoy organizers. They had  
10 established fairly reasonable relationships and open lines of  
11 communication. And there was some back and forth leading up to  
12 this event. And they were not empowered to make decisions to be  
13 able to get those quick wins. One example was porta potties.  
14 You know, that the organizers had asked for those to be  
15 delivered into the red zone. And the direction from the event  
16 commander was we're not giving them one inch. So, you know,  
17 they will have to try and come up -- it was basically a win-lose  
18 scenario. If you leave, we'll let you go. That was sort of  
19 where they were given direction that there was nothing beyond  
20 that for a period of time. And I think they were really  
21 frustrated by that, and I think the OPP team were frustrated as  
22 well. And there was some, you know, I received emails saying  
23 that they were going to walk, they'd had enough, that type of  
24 thing.

25                   **MR. FRANK AU:** Now, before this unfortunate  
26 incident happened, the PLT team actually had some success  
27 earlier that week, right, with the Confederation Park?

28                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's

1 right.

2 **MR. FRANK AU:** Tell us about the Confederation  
3 Park?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So  
5 Confederation Park is a location that happens to be right across  
6 the street from City Hall. And we were getting information, I  
7 can't recall the exact date, but that people were setting up in  
8 Confederation Park and they had actually set up a food  
9 preparation area, like a little kitchen and a hut, and they had  
10 propane and they were really, you know, setting up for being  
11 there for a while. And so this caused, obviously, the Mayor and  
12 a number of people concern that this was going on. They were  
13 concerned for the safety of having, you know, fuel and those  
14 types of things.

15 So our PLT team went in to speak to the people  
16 who had set up in there and they engaged them in conversation  
17 and started to try and get some movement there. It took several  
18 days, and much to the frustration, I think, of former Chief  
19 Sloly, as well as a number of city officials, but we were able  
20 to -- we brought in an Algonquin Elder, because they had  
21 indicated that that was -- that they were from the Algonquin  
22 Nation and that they -- you know, this was a means to try and  
23 engage in conversation and get to a middle ground we could.

24 Ultimately, they were able to talk people into  
25 leaving that area on their own and cleared the park and were  
26 able to secure it.

27 **MR. FRANK AU:** So the Confederation Park was one  
28 example where the surge, contain, and enforce proved

1 unnecessary, because the PLT team did its work?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 right.

4 **MR. FRANK AU:** Now, I want to take you to -- back  
5 to your notes, which relates to the Coventry incident. So we're  
6 back to OPS00014479. Page 55.

7 So Deputy Chief, if you want to look at your hard  
8 copy, I'm taking you to the time around 17:18, so 5:18 p.m.

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I  
10 actually don't have my hard copies in front of me. I left them  
11 with ---

12 **MR. FRANK AU:** Oh, okay.

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- a  
14 colleague, but ---

15 **MR. FRANK AU:** Well then we're all on the same  
16 page.

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

18 **MR. FRANK AU:** The same electronic page.

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Very  
20 good.

21 **MR. FRANK AU:** So page 55. Now do you see:

22 "Conversation w DC Bell re[garding] the  
23 operation @ Coventry road."

24 And then if we go down:

25 "weighing all options..."

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27 **MR. FRANK AU:**

28 "...including state of emergency. Advised



1 we may lose OPP PLT if we do actions."

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 right.

4 **MR. FRANK AU:** So that's what you were just  
5 describing to us?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
7 yeah.

8 **MR. FRANK AU:** And if we go further down, page --  
9 the next page, 56, please?

10 I want to take you to the part that says:

11 "PLT is pissed - OPP has left - set [up]  
12 back..."

13 Could you read it to us? Is it "set up --"

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah:

15 "set us back days or a week [on PL -- or a  
16 week] our PLT is demoralized and Marin is  
17 very upset Patterson was not there"

18 **MR. FRANK AU:** Okay. "set us back days or a week  
19 on PLT". What do you mean by that?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Any  
21 ground that they had gained, any relationship that they had made  
22 at that point in time had been damaged significantly and it  
23 would take them days or weeks to re-establish that rapport.

24 **MR. FRANK AU:** The person who was very upset, who  
25 was that?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That was  
27 Insp. Marin, who was working with S/Sgt. Stoll on the Public  
28 Order Team.

1                   **MR. FRANK AU:** And what did you mean when you  
2 said Patterson was not there?

3                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That he  
4 was not at the scene, I don't believe.

5                   **MR. FRANK AU:** At the time when ---

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** At the  
7 time.

8                   **MR. FRANK AU:** --- when the enforcement action  
9 happened?

10                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.  
11 Yes.

12                  **MR. FRANK AU:** I see. Now, we've spoken to Insp.  
13 Lucas back in the summer and he said that the Coventry operation  
14 was an example of the OPS prioritizing a quick win on  
15 enforcement without an overall plan that integrated the role of  
16 the PLT in operational decisions. What's your view on that?

17                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
18 exactly my view on that.

19                  **MR. FRANK AU:** Now, I want to ask you about the  
20 Former Chief Sloly's attitude towards negotiating with  
21 protestors. I want to take you to the document -- I believe  
22 these are minutes of meetings involving him. So OPS00014479.  
23 Oh, it's the same. At page 63.

24                                 I want to take you to the part where he seems to  
25 have asked the question -- so he -- the question:

26   "...why [...] negotiate w unlawful  
27   protestors..."

28                                 Do you see that?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't.

2                   **MR. FRANK AU:** Right. Okay. So sorry:

3                                 "Chief has said he does not know why we  
4                                 would negotiate w unlawful protestors..."

5                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** M'hm.

6                   **MR. FRANK AU:** Do you remember this kind of  
7 sentiment being expressed by the former chief?

8                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do.

9                   **MR. FRANK AU:** What -- can you tell us more?

10                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I  
11 don't think that the chief -- I know he had some former public  
12 order experience, but I don't think he had used PLT as much as  
13 we were, you know, experienced here in Ottawa. We, you know,  
14 have had people trained on this for a number of years and it has  
15 served us incredibly well in a lot of demonstrations and really  
16 taken the temperature down and been able to get us, you know,  
17 longer term wins, but wins where people walk away safely, where  
18 they feel like they were heard, and that their goal was met.  
19 And that is part of it, because we want to make sure that we're,  
20 you know, we're not creating a situation that they will be  
21 coming back again.

22                                 So our PLT, I knew, had that capacity. I was  
23 familiar with the program. I was involved. I was a  
24 superintendent when we had a previous demonstration that shut  
25 down a major intersection not long before this, and we used the  
26 PLT quite successfully in that. but after that event, they came  
27 to me and said, "We need more people. We need a little bit more  
28 importance placed on this, because it really is an amazing

1 tool." And so they convinced me and they said they were, you  
2 know, would like to get more people trained, and I approved  
3 that, and that did happen. And I'm glad we did have a number  
4 for this protracted event so we were able to rely on them.

5 It also creates good will with other police  
6 services. And so in this case, the OPP stepping in to assist us  
7 in this bolstered our numbers that we were definitely needing.  
8 And it means that you have to be able to work in an integrated  
9 manner.

10 I don't believe Chief Sloly was familiar with the  
11 framework. There is a national framework that has been  
12 developed on police response to demonstrations, and this was  
13 borne out of a lot of Indigenous -- protracted Indigenous  
14 demonstrations. And the OPP, obviously, have had a number of  
15 experiences with that. So what they brought to the table was  
16 very valuable to our team.

17 And I believe, as you cited Insp. Lucas'  
18 assessment of Chief Sloly, and I think Supt. Patterson as well  
19 was on that page, was that we were needing to demonstrate to the  
20 community that we were actually -- we were taking actions.

21 And I understand the pressure and stress that  
22 they were -- they both felt. I felt it as well. But I also  
23 felt that we were going to be judged on this, here we are all  
24 these months later, on our coming out of this with as few people  
25 hurt as possible, as, you know, much good will as possible, that  
26 we haven't burnt any bridges with our community, with other  
27 policing agencies, and with anyone, really.

28 So I felt that taking a longer-term approach and

1 potentially getting a, you know, a bigger win at the end was the  
2 way to go. And I, you know, was receiving information that  
3 crowds, generally 80 percent of people are law-abiding and they  
4 want to follow laws, and if you give them an opportunity to have  
5 a win they will often go on their own.

6 And so those were some of the things that I felt  
7 we needed to give that a really good try, and I don't believe  
8 Chief Sloly, at this stage in it, was feeling the same way about  
9 it.

10 **MR. FRANK AU:** But surely we can understand the  
11 pressure that the Chief was under.

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
13 Absolutely.

14 **MR. FRANK AU:** We heard from the residents last  
15 week that they were feeling abandoned, basically, by the police.  
16 They felt helpless and very frustrated.

17 Is it fair to say, then, that within the OPS  
18 there was disagreement as to the most appropriate way to  
19 approach the situation and to resolve it?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
21 think that's fair to say.

22 **MR. BRENDAN van NIEJENHUIS:** (Off mic)

23 **MR. FRANK AU:** Yes, thank you for that  
24 suggestion. I believe this is February 6th.

25 But let's scroll up so we don't have to guess.  
26 Keep going up. Oh, February 8th.

27 Okay. So now, on February 8th, the same day that  
28 -- as this meeting, a new development happened, and that's that

1 arrival of the Integrated Planning Group, led by the OPP Chief  
2 Superintendent Pardy and the RCMP Superintendent Lew (ph);  
3 right?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
5 correct.

6 **MR. FRANK AU:** Tell us what that was all about.

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So at the  
8 time, it was actually only in reviewing and preparing for this  
9 that I realised how they came about at the time. I was not sure  
10 what the genesis of them arriving was, but my understanding is  
11 it was some non-OPS leaders, police leaders, who determined that  
12 Ottawa needed help, and assessed that they could come in and  
13 assist us in providing a plan.

14 We had been asking for resources, Chief Sloly had  
15 been going to a variety of services, mostly with the RCMP and  
16 the OPP, requesting assistance in the way of police resources.  
17 And I think what they were trying to -- this group was trying to  
18 determine how many people we needed and what was, you know, what  
19 was the ultimate goal and what was the plan, and we struggled a  
20 little bit with coming up with a plan per se.

21 So like I mentioned earlier, the concept of  
22 Operations, that was part of what we were working on there to  
23 provide them those services to say, "This is what we are hoping  
24 to do and this is how we would like to do it in broad strokes",  
25 not without, like a full, full plan.

26 And so this team, I was made aware of them. I  
27 was spoken to -- Carson Pardy reached out to me by phone and  
28 said he was coming into town, and that they were here to assist,

1 and in helping us to, you know, work out the details of our  
2 plan.

3 **MR. FRANK AU:** Now, I understand that there was a  
4 meeting, the first meeting between the OPS and the Integrated  
5 Planning Group happened on the 8th ---

6 **MS. DIANE DEANS:** That's right.

7 **MR. FRANK AU:** --- at around 5:35 p.m.; right?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MR. FRANK AU:** You've referred -- you've told us  
10 about this Strategic Concept of Operations. Was that something  
11 that you came up with?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
13 along with some of the points that you saw the Chief ---

14 **MR. FRANK AU:** Right.

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- you  
16 know, suggest on the 5th, and so this was, yeah, a loose, I  
17 would say, framework that we had come up with.

18 **MR. FRANK AU:** Okay. I want to show you a  
19 one-page document and see if that's the document that you were  
20 referring to.

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

22 **MR. FRANK AU:** OPP00000774. Not OPS, OPP. Okay,  
23 can we go down? Oh, I see. Page 77, please. Is there a way  
24 for us to rotate the view? No?

25 All right, then -- now, I wanted -- it may be a  
26 little challenging, but let's see if we can read the Mission  
27 Statement. So it's near the top:

28 "The Ottawa Police Service, in a

1 collaborative approach with other  
2 police agencies, federal, provincial  
3 and city partners..."

4 Sorry, I'm missing the last word on...

5 **UNIDENTIFIED MALE SPEAKER:** So I think help is on  
6 the way, Commissioner.

7 **MR. FRANK AU:** Can we try the rotation button on  
8 the top? I'm not sure it's doing it.

9 Okay. So:

10 "...federal, provincial and city  
11 partners, community organizations..."

12 **MS. JESSICA BARROW:** I'm sorry, I wonder if I  
13 could interrupt for a second. I don't know about the witness,  
14 but I can tell you it's nearly impossible to read from where I'm  
15 sitting. It may be the case that this document exists in some  
16 other format elsewhere in the record. I don't know if we can  
17 take a minute to try to find it. I just don't want to be unfair  
18 to the witness.

19 **MR. FRANK AU:** Of course.

20 **COMMISSIONER ROULEAU:** Okay, so do you want to  
21 take a short break?

22 **MR. FRANK AU:** Why don't we do that.

23 **COMMISSIONER ROULEAU:** Okay. Well, we can take  
24 our morning break, 15 minutes, and we'll come back in  
25 15 minutes.

26 **THE REGISTRAR:** The Commission is in recess for  
27 15 minutes. La Commission est levée pour 15 minutes.

28 --- Upon recessing at 11:00 a.m.



1 --- Upon resuming at 11:14 a.m.

2                   **THE REGISTRAR:** Order. À l'ordre. The  
3 Commission has reconvened. La Commission reprend.

4 **--- ACTING DEPUTY CHIEF PATRICIA FERGUSON, Resumed:**

5                   **COMMISSIONER ROULEAU:** Go ahead.

6                   **MR. FRANK AU:** Thank you, Commissioner. So  
7 during the break, we managed to resolve the technical issue.  
8 The document that I read out the document number of previously  
9 was an OPP document, but there is a duplicate provided by the  
10 OPS, and the document number is OPS00008518. And so we're now  
11 showing the OPS version of the same document, and this one is  
12 easier to read.

13 **--- EXAMINATION IN-CHIEF BY MR. FRANK AU (Cont'd):**

14                   **MR. FRANK AU:** So if I could take you, Deputy  
15 Chief, to the Mission Statement. This is the Strategic Concept  
16 of Operation that you've developed, and the Mission Statement  
17 says:

18                                   "The Ottawa Police Service, in a  
19                                   collaborative approach with other  
20                                   police agencies, federal, provincial  
21                                   and city partners, community  
22                                   organizations and the event organizers  
23                                   will provide a safe and secure  
24                                   environment in the City of Ottawa  
25                                   during the Freedom Convoy 2022 event.  
26                                   The primary goal is to end the protest  
27                                   peacefully. This may be achieved  
28                                   through proactive engagements by all

1 officers including Police Liaison  
2 Teams, facilitating communication,  
3 de-escalation and negotiation as means  
4 to achieve a peaceful resolution."

5 So there was an inclusion of the engagement  
6 process, and specifically, the Police Liaison Team here.

7 With that in mind, I want to take you to... Now  
8 -- so we were -- before the break, we were talking about this  
9 meeting, initial meeting, with the Integrated Planning Group at  
10 5:35 p.m., right, on February 8th.

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MR. FRANK AU:** And was it at that meeting that  
13 you presented this strategic concept of operations?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm not  
15 sure if it was this document per se, but I believe we had the  
16 same points established.

17 **MR. FRANK AU:** Now, about two hours after this  
18 meeting at 7:30 p.m. the same day, there was a command team  
19 meeting. And I want to take you to the minutes of that meeting.

20 This is OPS00014454 at page 124.

21 So you see a reference of something the former  
22 Chief said. He said, "People came to assess my readiness and if  
23 we're ready to receive their resources."

24 We go down further. The Chief said, "Enforcement  
25 is where we need to be. We need to show teeth and that the  
26 officers". It seems to be an incomplete sentence in the notes,  
27 but do you recall this command team briefing?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Can you

1 refresh my memory as the time of this?

2 **MR. FRANK AU:** 7:30 p.m.

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4 Then I do remember that.

5 **MR. FRANK AU:** Can you tell us the nature of what  
6 was discussed at this meeting?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So the  
8 Chief wanted sort of -- it was a meeting after the meeting to  
9 determine what my perception of what was taking place here. And  
10 as I was the only one who actually was physically at the  
11 location with the other partners, everyone else called in on the  
12 phone. I believe I had a scribe with me who took notes for me.

13 So the Chief was -- he was late to join the call  
14 for a very good reason, but was unable to hear the initial part  
15 of it. And I think he was disappointed that we weren't able to  
16 be on Teams. It was an RCMP facility.

17 So there were a few things about it I think he  
18 was frustrated about it, and he wanted to know what my  
19 perception of, you know, their position and more of sort of a  
20 strategic what do you think they're looking for from us in order  
21 to give us resources.

22 **MR. FRANK AU:** What did you tell him?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** My sense  
24 is that they were here to help, and I shared that with him. I  
25 knew some of the -- Carson Pardy, for one, was somebody who I'd  
26 worked on a committee with before. I knew him to be a very  
27 genuine, good man, and I felt that they were here in response to  
28 the fact that we needed some help, and that's what they were

1 doing with -- without reservation.

2 **MR. FRANK AU:** And how would you -- how you  
3 describe the former Chief's perspective on this?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He seemed  
5 to be suspicious of what the -- why they were here, you know,  
6 why couldn't they just give us the resources that we were asking  
7 for. I think he was feeling tested, and we all were being  
8 tested, I think, to a certain degree, where is our plan, what is  
9 -- -- you know, what is our goal, what do we -- what's the  
10 impact we're trying to achieve.

11 So they were asking some pointed questions.

12 **MR. FRANK AU:** Now, if we go to the next day,  
13 February 9th, early that morning at around 7:10 a.m. there was  
14 another briefing involving the Chief, you and, I believe,  
15 perhaps Deputy Chief Bell as well.

16 And I want to show you the document OPS00014479.

17 So this is perhaps your notes.

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

19 **MR. FRANK AU:** I know it's page 66 of the  
20 electronic record.

21 So do you see at around 7:10 a.m. there was a  
22 reference to the Chief briefing the team?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

24 **MR. FRANK AU:** And the top, "Mission Hydra".  
25 Does that ring a bell?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
27 does.

28 **MR. FRANK AU:** Tell us what that means.

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I was  
2 unfamiliar with what Hydra was. I guess it's a mythological  
3 Greek figure. But he spoke about it -- you know, this thing  
4 having many heads and so, you know, we needed to, as I wrote  
5 here, "cut off and cauterize the heads".

6                   So as we were able to take control of a  
7 situation, then we held that position. I think that's what he  
8 was referring to as cauterizing. It was a term that I've not  
9 used in event planning before.

10                  **MR. FRANK AU:** Just to help us understand, what  
11 did you understand the many heads to be an analogy of?

12                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I  
13 think this was his seven points strategy, and I think each of  
14 them was one of the means that we would be able to use to bring  
15 this to an end.

16                  **MR. FRANK AU:** I see. Carry on.

17                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay. So  
18 he had called us all in there, I think, in response to the  
19 meeting of the night before and my assessment of things that I  
20 don't know that he necessary agreed with or I might not have  
21 instilled the confidence that he was hoping to hear, so he set  
22 out to -- all of us to meet and then to actually put this plan  
23 into some form of a visual documentation which you saw. That  
24 was one of our very adept planners who was -- or project manager  
25 who was able to come up with that visual that you saw that we  
26 shared with them with the -- each of the different points and  
27 how we were going to go about affecting those actions.

28                  **MR. FRANK AU:** Now, you made a note about, in the

1 middle of the page, "very aggressive posture, language  
2 throughout the whole briefing and mission statement".

3 What's the next sentence?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** "Asked if  
5 anyone needed clarifications".

6 **MR. FRANK AU:** So what do you mean by "very  
7 aggressive posture"?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So he was  
9 very much at this point in time, I would say, frustrated by  
10 where we were at so many days into it, and I think he was, I  
11 would say, having challenges not allowing that to show.

12 And so he had us all in a room, made sure that  
13 everybody came in at 7 o'clock and that we were all going to be  
14 part of this meeting and all hands on deck. We were going to  
15 get this written up and here's what it's going to look like.

16 **MR. FRANK AU:** Now, the plan that this Mission  
17 Hydra -- the plan that the former Chief wanted to carry out, we  
18 have a document that I believe is the one he referred to, and I  
19 want to show it to you to confirm it.

20 Can we call up OPP0001889, please?

21 It's a plan that's also been referred to by  
22 various witnesses as 3.0. Does that ring a bell?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
24 does.

25 **MR. FRANK AU:** What does that refer to, 3.0?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Generally  
27 what happens is plans develop and you have versions of them and  
28 for everybody's sake these, when you are sending a plan around

1 for people to see, you put the most recent version of it, so I  
2 think that's what the 3.0. And I think we dropped the "Hydra".

3 I don't think that was necessarily a plan name we  
4 wanted to go with, so I think this is what replaced that.

5 **MR. FRANK AU:** Okay. So are you able to confirm,  
6 then, that this is the plan that the former Chief wanted, the  
7 one that he spoke to you about on that morning at 7:10?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
9 so. If we could just scroll up beyond maybe the first page or  
10 two.

11 Yes, that looks to be correct.

12 **MR. FRANK AU:** Okay. Now, if we can go to page  
13 6. I believe that's where the mission statement is.

14 This is a shorter mission statement compared to  
15 the Strategic Concepts of Operations document that you had  
16 provided the day before. And this one simply says, "To end the  
17 unlawful elements of the Ottawa truck demonstration and restore  
18 safe and open neighbourhoods and businesses."

19 There's no reference to the engagement process of  
20 to PLT.

21 Tell us about any discussions you may have had  
22 with the Chief on that point.

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So coming  
24 from the world that I had before my experience as an Incident  
25 Commander, when we are engaging in any event, we will give our  
26 if you say commander's intent or mission of what we are trying  
27 to achieve and it always begins with -- my training has  
28 indicated it always begins with to safely negotiate the unlawful

1 elements of the -- you know, and carry on. And you start with  
2 that really focus on negotiation as a starting point.

3 I think my recollection of that meeting was he  
4 and I had some arguments, I will say -- we had a discussion, we  
5 had a disagreement on that and, ultimately, he said it was  
6 understood that we were going to be negotiating and he did not  
7 want it to be in the mission statement, so this mission  
8 statement is what was put in in the end.

9 **MR. FRANK AU:** Right. So I want to go back now  
10 to the -- to your notes, OPS00014479, at page 66, because  
11 there's some subsequent notes that I want to ask you to clarify.

12 So do you see:

13 "At 7:20, chief said -- chief laid out  
14 his plan, omitted negotiations, and  
15 when I brought it up, he reacted  
16 angrily, saying, 'We're not  
17 negotiating.'"

18 It's better that you read it.

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sure.

20 "Then said it's implicit. I advised  
21 our CIC mission statement always have  
22 explicitly stated in the mission  
23 statement if it doesn't reduce the size  
24 of the footprint, that is not a good  
25 negotiation."

26 **MR. FRANK AU:** So that was the exchange?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28 **MR. FRANK AU:** And that was at 7:10 a.m.



1                   And then later that morning, at 9:15 a.m., there  
2 was another meeting with -- the chief had with you and Deputy  
3 Chief Bell. This is at the next page, page 67.

4                   That's okay. Sorry, go up. Oh, sorry, yeah,  
5 sorry, go down a little bit.

6                   Do you see the part where the chief said -- he  
7 said, "Anyone" -- I'll let you read it.

8                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sure.  
9 Anyone who undermines the operational plan, he will crush them.

10                   And I wrote in my -- in brackets that he said it  
11 twice, and I noticed that his chin was twitching. I was kind of  
12 aghast at the comment, and that anyone who executes the plan  
13 will be supported.

14                   The takeaway was, don't bother arguing with  
15 anything that Patterson offers. Chief and he are in  
16 communication and whoever gets in their way will be crushed.

17                   **MR. FRANK AU:** What did you understand the chief  
18 to convey by those comments?

19                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That this  
20 was the plan we were going ahead with, and that he didn't want  
21 to hear any further dissenting positions on it. This was where  
22 we were going.

23                   **MR. FRANK AU:** Now, if we go down further --  
24 okay. Here, we just talked about the plan.

25                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Talked  
26 about the plan for briefing the embedded cell. I think those  
27 are planners and commanders, and he spoke of a type of  
28 conspiracy that is happening at provincial and federal levels,

1 that this team is being handled by their political masters and  
2 promoted to the idea that they're not really here to help.

3 **MR. FRANK AU:** So before you carry on, the cell  
4 or the team, is that the integrated planning group that just  
5 came to Ottawa?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
7 is.

8 **MR. FRANK AU:** The one that you met with the day  
9 before?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, and  
11 that we were planning to meet with that same day around noon  
12 with this plan.

13 **MR. FRANK AU:** Okay. So do you remember this  
14 conversation?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Very  
16 well.

17 **MR. FRANK AU:** What did you understand him to  
18 mean by political masters and so on?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
20 he thought that was all very politically influenced, and I will,  
21 you know, say at the outset, I was five or six weeks into being  
22 an Acting Deputy Chief at this point in time, and did not have  
23 the same view, but I have not lived the -- you know, the same  
24 number of years that Chief Sloly had in that realm. And so I  
25 felt they were simply cops coming to help cops, and he had a  
26 different view from, I guess, his experience in the  
27 conversations that he was having at that point in time.

28 **MR. FRANK AU:** Right. Now, so these are your

1 notes, right?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

3 **MR. FRANK AU:** But this meeting is also being  
4 recorded as a form of minutes by other people?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6 **MR. FRANK AU:** So I want to take you to another  
7 record. This will be OPS00014454, and I want to take you to  
8 page 113, please. If we go down a bit? Keep going. Okay.

9 So there's a reference at Comm. C, OPP. Is that  
10 Commissioner Carrique of the OPP?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
12 believe that's who he is.

13 **MR. FRANK AU:** Is assessing if we are worthy of  
14 getting the additional ask resources, and there's a note that --  
15 Trish is you, right?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
17 right.

18 **MR. FRANK AU:** That you said, "I want us to limit  
19 politics."

20 And the chief said, "Last week, we didn't have an  
21 incident command. Everyone was running with confusion. Now we  
22 know our roles as of noon."

23 "Does that -- none of us did our jobs last week  
24 in what our teams needed? We need to stay focused and stick to  
25 the plan."

26 And then we have the minutes recording you  
27 saying, "They're here to help. Not sure why we're --- "

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's

1 "forcing them".

2 **MR. FRANK AU:** "--- forcing them to arrive here."

3 And the chief said, "The last night was amateur  
4 hour."

5 Do you recall this?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do.

7 **MR. FRANK AU:** Can you give us the context and  
8 what was -- what you remember was exchanged?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah. So  
10 that morning, the chief had said, you know, when we were sitting  
11 in that briefing room, that they will be coming down to 474  
12 Elgin, and we will be presenting our plan there.

13 There was probably five or six of them, and we  
14 had a full team ourself. And I suggested that perhaps a better  
15 option was to go out to where they were set up. They had come  
16 in from out of town. Some of them didn't know Ottawa, but they  
17 were already out at the -- one of the RCMP stations, and that we  
18 could go out there and present. There was plenty of room. I  
19 had just been there the night before. It was set up.

20 And the chief said something to the effect of,  
21 "This is the strategy. This is a -- you know, I don't expect  
22 you to understand, but this is our house and we're going to do  
23 this in our house."

24 So I felt that was a bit of a power move that I  
25 didn't think was necessarily was necessary in the circumstances,  
26 because I really did feel that they were here to help and why  
27 are we inconveniencing them?

28 The chief referred to it as, you know, having --

1 we shouldn't have to drive out to the boonies to go and -- he  
2 called it "Farrhaven" to go for this meeting.

3 So that was what that conversation was.

4 And then when he talks about last night being  
5 amateur hour, that's what I was alluding to in that we couldn't  
6 get the computer set up, we couldn't get Teams going. It was,  
7 you know, different agencies, different key fobs, and that type  
8 of thing. So that's where his frustration was in that.

9 **MR. FRANK AU:** Right. So you mentioned that you  
10 were going to meet with the group again that day, and I believe  
11 that meeting took place at 12:10 p.m.; am I right?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
13 sounds right.

14 **MR. FRANK AU:** So if I could take you back to  
15 your notes now, OPS00014454 at page 136?

16 Oh, I'm sorry. That's not your notes. It's the  
17 same document. I apologize.

18 So if we just go down a few pages to page 138, if  
19 we go down further. Okay. I want to ask you about this.

20 So we're now at the meeting with the integrated  
21 planning group, and the chief asks this question.

22 "We can add the information that was  
23 provided by the RCMP, but we haven't  
24 agreed not to proceed with our plan for  
25 tonight."

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27 **MR. FRANK AU:** Do you remember this?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

1                   **MR. FRANK AU:** What was that about?

2                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That was  
3 the plan for an actions on -- at Rideau and Sussex that Supt.  
4 Patterson had proposed and was working towards executing.

5                   **MR. FRANK AU:** Okay. Tell us about Rideau  
6 Sussex. The Commission has heard some evidence about why that  
7 intersection might be problematic.

8                   **UNIDENTIFIED SPEAKER:** I'm sorry to interrupt.  
9 Can we just establish the date of this meeting, please?

10                   **MR. FRANK AU:** It is at February the 9<sup>th</sup> at around  
11 12:10 p.m. So ---

12                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So Rideau  
13 and Sussex, from the start of the arrival on the convoy was a  
14 contentious and volatile, I would describe it, intersection.  
15 The people who were there, the protesters or the -- the people  
16 who were there were -- they seemed to be operating on their own.  
17 They were known to us as the Farfadaas. I believe they were a  
18 group that was originally mostly from Quebec, from the Quebec  
19 area -- I'm not sure exactly where -- and they were -- I would  
20 say the ones that were, they were antagonistic. Over the course  
21 of the convoy, you know, when people were trying to leave, they  
22 were the ones, I would say, intimidating people saying, "Hold  
23 the line. You're not going anywhere," those types of things.

24                   And because of the location where they were, that  
25 was a major intersection that we were trying to gain back and  
26 their presence there certainly contributed to the Rideau Centre  
27 being closed, which was obviously one of our major businesses in  
28 the city and was suffering as a result, and we were trying to

1 open that intersection up to be able to get -- you know, there's  
2 obviously access to Quebec that comes with that, and the Byward  
3 Market.

4 **MR. FRANK AU:** And what was the plan that was  
5 discussed at that meeting?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So they  
7 were planning on -- and it wasn't so much -- actually, I think  
8 it was discussed at this meeting. Supt. Patterson presented his  
9 plan after we -- I gave the presentation on our concept of  
10 operations and he described how he planned on taking that  
11 intersection, and it was involving Public Order Units, a number  
12 of troops, or a number of "sections" as they're called, were  
13 going to be employed in taking the areas, making arrests, and  
14 then holding that area, consequently.

15 **MR. FRANK AU:** Now, we're going to hear from  
16 Supt. Abrams later today, as I said, and we expect him to -- he  
17 may say that he was quite critical of this OPS plan; he thought  
18 it unsafe. And he thought, also, in that discussion that Supt.  
19 Patterson might have represented the PLT involvement. What is  
20 your perspective on that?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
22 agree with that. I believe he told the team, or the people at  
23 that meeting, that they were engaged when Supt. Abrams  
24 specifically asked him, "Are they aware? Have they been engaged  
25 to this point? And have they exhausted all other measures?"  
26 And I believe Supt. Patterson's response was yes, they had.

27 **MR. FRANK AU:** Right. So that meeting between  
28 the OPS Command Team and the Integrated Planning Group took

1 place at around noon and then, at 1:40 p.m., the OPS Command  
2 Team had a debriefing; do you remember that?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Vaguely.

4 **MR. FRANK AU:** So if we go down to the next page,  
5 139. So do you see "OPS debrief from meeting with the OPP/RCMP  
6 meeting"? And it recorded the Chief as saying:

7 "As far as I consider, keep going.  
8 Nothing has changed until I hear  
9 something different coming from the  
10 RCMP and OPP."

11 So I just want to be clear here because at that  
12 meeting, right, at the meeting with the Integrated Planning  
13 Group, there were at least two things being discussed, one was  
14 the degree of integration. There was the OPS Plan 3.0 and I  
15 understand that the RCMP and Chief Pardy, they were also  
16 starting to prepare a kind of plan to support what the OPS had?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, they  
18 were.

19 **MR. FRANK AU:** Right, so there were those two  
20 plans and then there was these Rideau/Sussex discussion ---

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

22 **MR. FRANK AU:** --- at the same time. So just to  
23 be clear, when the Chief said here, "As far as I consider, keep  
24 going," do you recall the context? Was he referring to the  
25 integration issue or was he referring to the Rideau/Sussex  
26 issue?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm  
28 actually not sure that I was at this meeting. These are, I



1 believe, our Legal Services notes so I don't know that I was  
2 there and heard that.

3 **MR. FRANK AU:** Okay.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So it may  
5 not be fair for me to comment on what it is that he was saying  
6 if, on the face of it, it looks to me like he's talking that  
7 action that we were planning.

8 **MR. FRANK AU:** Okay. All right. Now, moving on  
9 to the next day, February 10<sup>th</sup>, at 11:00 a.m. -- now, I can take  
10 you back to your notes, and that is OPS00014479. If we could go  
11 to page 75, please. So do you see that first bullet:

12 "Patterson said the OPP want to make  
13 sure this stays in Ottawa and have no  
14 interest in resolving this. They only  
15 want to negotiate and not do any  
16 actions on."

17 And then the next line says:

18 "I disagree."

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MR. FRANK AU:** Tell us about that exchange.

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So this  
22 was in relation to the actions on at Rideau and Sussex and this  
23 was out daily briefing so there was a number of people on that  
24 call and this was -- Supt. Patterson had not got the plan  
25 approved and it had not been carried out in the overnight hours  
26 as they were hoping, and so he was updating the team as to what  
27 happened and his perception of what the OPP's, I guess, ultimate  
28 goals were. And at the same time, there were things happening

1 across the province.

2 **MR. FRANK AU:** Now, when we spoke about this,  
3 about this day, during our interview back in the summer, you  
4 said February 10<sup>th</sup> was probably the worst day in your  
5 professional career.

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
7 correct.

8 **MR. FRANK AU:** Why was that?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So this  
10 meeting -- this was -- you know, as you were showing here, this  
11 is a series of discussions that I'm having with both the Event  
12 Commander who's reporting to me and Former Chief Sloly about the  
13 approach that I felt we needed to be taking. And as the Major  
14 Event Commander, I was trying to drive in that direction and was  
15 continually getting pushback, some of it very public and some of  
16 it, you know, behind closed doors. And this was a meeting, when  
17 we got to this point, Supt. Patterson was also very frustrated  
18 and he was, you know, presenting his point to the group.

19 And so there was a comment made during this  
20 meeting where he, in my estimation, maligned one of our most  
21 seasoned Critical Incident Commanders on a decision that he made  
22 not to approve this plan and he chalked it up to him not being  
23 involved and not knowing enough and that's why he didn't approve  
24 it. And so at the end of the call, once we did all the checks  
25 that we did on these briefings -- go through communications,  
26 through, you know, "What's the update? How many people on the  
27 Hill?" those types of things -- once that was completed, I had  
28 asked for a number of people to stay on the call. So, you know,

1 our corporate communication folks would have dropped off, and  
2 some of the other players, but the Chief was one, Supt.  
3 Patterson was on. I don't know all of the people who remained  
4 on the call but our legal -- Christiane Huneault was on that  
5 call as well and I started by saying, "I want to clarify the  
6 role of the Incident Commander."

7           In this case, it was Supt. Burnett who had not  
8 approved the plan that Patterson put forward for actions on at  
9 Rideau and Sussex, and he had his reasons for it and a lot of  
10 them related to safety of our members and it was involving POU  
11 teams from other police services who had also expressed their  
12 concern about the safety of this action to Supt. Burnett. And  
13 so I wanted to clarify that and to say that I didn't believe  
14 that these types of actions were going to -- that they were a  
15 good move at this point in time.

16           If we had said we were going to negotiate, which  
17 is what we agreed to with the OPP just yesterday when we  
18 presented our -- it was yesterday -- when we presented that  
19 plan, then that's what we had to commit to, and I didn't feel we  
20 were doing that and I felt we were doing a disservice to  
21 everybody involved, and not to mention, you know, putting  
22 pressure on -- and putting our members at risk. They had been  
23 swarmed by protestors at this location before. We knew that  
24 they had that potential and so this of all of them was probably  
25 the most dangerous of all the intersections that we would take  
26 on. So I expressed that, and then you probably see conversation  
27 back and forth between myself and Superintendent Patterson, and  
28 the Chief weighed in. And then at one point in the meeting,

1 Superintendent Patterson asked here, and you see in my notes, if  
2 Christiane Huneault, who was our legal -- our lawyer, was on the  
3 call, and she said, "I'm here." And he said, "I want this for  
4 the notes." And then he made, you know, I would say an attack  
5 on my integrity on behaviour that he felt that I was engaging in  
6 that was unethical.

7                   And at that point in time, I, you know, indicated  
8 that I didn't think -- that no one said anything, so I said, "I  
9 don't -- you know, I think this is going to really be difficult  
10 for me to move forward in this position. I feel like I'm a fly  
11 in the ointment that's going on right now and that I'm fighting  
12 on two fronts, and that I wasn't willing to do that anymore."  
13 So I said to the Chief at that point, "If you need to remove me  
14 in order to be able to go ahead and carry out your plans, you're  
15 going to have to do that, but I cannot -- I fundamentally  
16 disagree with the way we were going, and that I couldn't put our  
17 members at risk in that way." So that was pretty much the end  
18 of the conversation. And the meeting ended at that point.

19                   **MR. FRANK AU:** And what decision did the former  
20 Chief make after that?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He came  
22 to see me, and we discussed the situation. And I -- you know,  
23 in his defence, he didn't know me very well. He didn't know my  
24 history. He's come to the organization as an outsider, but I  
25 assured him that the behaviour I was being accused of was not,  
26 in fact, what was happening, and it involved, you know, myself  
27 and my husband colluding. My husband at the point was working  
28 with the PLT team, and that I was getting, you know, information

1 that I shouldn't have been having at that point was really the  
2 accusation. And so I suggested to the Chief that if he really  
3 believes in the direction that he is suggesting, then I'm not  
4 the person to be the commander of this event. And so he said he  
5 would think about it, and at the end of our conversation, he  
6 ultimately said, "I will keep you as the event commander, but  
7 you must promise me that you are going to take some days off,  
8 that you need a couple of days rest."

9 **MR. FRANK AU:** Not event commander. Strategic  
10 commander.

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sorry,  
12 strategic commander, yes. That -- and at that point in time,  
13 you know, I had been working a number of days in a row. It felt  
14 a little bit like I had gotten emotional, and he walked into my  
15 office right at the tail end of that meeting, and I was  
16 frustrated, and I was angry, so it felt a little bit like he was  
17 saying, you know, you need to go home and get some rest. He was  
18 probably right, but I was a little bit frustrated by that, and  
19 I'm frustrated in hearing that it sounds like I was sent home  
20 because I was on the wrong side of things. As Chair Deans said  
21 yesterday that that was not the case. I think it was out of  
22 concern for, you know, for where I was at. Certainly, I was  
23 angry, frustrated and upset. And he said, "Deputy Bell will  
24 take over for a couple of days. Go home, get some rest because  
25 I need you healthy for the long run."

26 **MR. FRANK AU:** Right. So you did take some rest  
27 ---

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I did.

1           **MR. FRANK AU:** --- on the 11<sup>th</sup> and the 12<sup>th</sup>?

2           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 right.

4           **MR. FRANK AU:** And then you came back on the 13<sup>th</sup>?

5           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6           **MR. FRANK AU:** Now when the Chief made the  
7 decision to remove Superintendent Patterson, who stepped in?

8           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So at  
9 that point in time, it was Superintendent Bernier who was  
10 requested to come in.

11           **MR. FRANK AU:** Were you involved in that  
12 decision?

13           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I was.  
14 The Chief and I discussed it as to what options we had, and  
15 Superintendent Bernier was ultimately the decision at that  
16 stage.

17           **MR. FRANK AU:** Why was he selected?

18           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He has  
19 lots of experience in the Public Order world, but also in  
20 planning and in specialized events, that type of thing. He has  
21 been, you know, incident commander, event commander, and has  
22 worked in that world quite a bit.

23           **MR. FRANK AU:** M'hm. Now before I -- before we  
24 get to your return on the 13<sup>th</sup>, I just want to show you another  
25 document. It is one that I've shown you before during our  
26 interview. If I could call up the document number OPP00004283?

27                   If we can just look at the first page? Can we do  
28 that? So this appears to be a draft document prepared by the

1 Integrated Planning Group. And these are the services involved,  
2 right, the RCMP, OPP, TPS is Toronto Police, YRP ---

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** York  
4 Region.

5 **MR. FRANK AU:** --- York Regional Police, and  
6 what's PRP?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Peel  
8 Regional Police.

9 **MR. FRANK AU:** All right. So this document is a  
10 draft dated February the 10<sup>th</sup>. Can we go back to the title,  
11 please? SMEC proposal, what is that?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** SMEC is a  
13 term that's used in both military and policing and it's  
14 basically Situation, Mission, Execution and the C can stand for  
15 Command or Communication but ---

16 **MR. FRANK AU:** M'hm. Now if we go to section 3.1  
17 of this draft proposal? It appears that the group was trying to  
18 get a sense of where things were at as of that time on February  
19 the 10<sup>th</sup>. It seems to be an assessment of the current situation  
20 that the OPS had to confront with. And these are -- well, we  
21 see the list. Can we go down the list? I don't mean the -- I  
22 don't mean scrolling down, but I mean, Deputy Chief, can you  
23 tell us -- look at each bullet and tell us your perspective on  
24 whether this list accurately reflected the state that the OPS  
25 found itself in as of the 10<sup>th</sup> of February.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So "Not  
27 Intelligence Led." I think that's fairly accurate. We were not  
28 really relying on the intelligence to formulate the actions and

1 the things that we were doing.

2 **MR. FRANK AU:** Does that include the preplanning  
3 phase, or are you referring strictly to the February 10<sup>th</sup> ---

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm  
5 thinking just of the state that we were in the 9<sup>th</sup>, 10<sup>th</sup> when I'm  
6 assuming this was drafted up.

7 **MR. FRANK AU:** Okay. Yeah.

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
9 "Participants have the initiative." This was, in fact,  
10 something that was becoming -- we were becoming aware of this.  
11 There were retired police and military members in the protest,  
12 and they knew a number of our, you know, police tactics, and  
13 they had a chief of security, and they were really, you know,  
14 keeping themselves in those types of, I guess, command. So I  
15 think that is true.

16 "Reactive, tactical, aggressive, [and taking]  
17 risks." I would agree with that. Some of the actions that they  
18 were seeing us doing, whether that was the interdiction of fuel,  
19 those types of things that the Chief was hoping for us to make  
20 some headway there ---

21 **MR. FRANK AU:** Would that include the Rideau  
22 Sussex POU action?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
24 would.

25 "Poor communications, no communication strategy,"  
26 I think that's fair. There was some good communications and I  
27 shouldn't paint everybody with that brush, but certainly at -- I  
28 know that our Intelligence folks who were working with OPP



1 members and that, there was communication going on there, and  
2 some people were more effective at it than others, but I think  
3 it's a fair step.

4 "Unclear and vague Command and control." I think  
5 we had a system in place, but we had players who were, you know,  
6 jumping up or jumping down the -- our Incident Command  
7 structure.

8 "Unqualified trained leadership." We had lost a  
9 lot of our subject matter experts in the four, five years  
10 leading up to this. We used to be really, really strong and,  
11 you know, our response to -- when I think of what happened here  
12 in 2014, the shooting on Parliament Hill, we were subject matter  
13 experts and we had leaders in that area, and a lot of that had  
14 gone with retirement. And because we hadn't had any big events,  
15 you know, with COVID, with a no presidential visits, none of  
16 those things, we hadn't flexed those muscles. And so this was  
17 obviously unprecedented in terms of its size and the type of  
18 thing we were dealing with. So I don't know whether unqualified  
19 is fair. I would think that there's some people in that chain  
20 who would say that they very much are qualified, but I think  
21 from an OPP or somebody looking in maybe would see that.

22 No poor -- "no or poor partner collaboration." I  
23 would agree.

24 **MR. FRANK AU:** What does that refer to?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, I  
26 believe at the strategic level. The relationship was strained.  
27 And whether that was Chief to Chief or Chief with some of the  
28 City partners, some of the, you know, political people who

1 needed to be involved. We did have, I would say, good  
2 collaboration. Kim Ayotte and I spoke fairly regularly in terms  
3 of, you know, "What are your people seeing and what are you  
4 experiencing" How can we support? How can help?" Those types  
5 of conversations were going on fairly regularly, but at certain  
6 levels we were not seeing that same level of collaboration.

7 "Focused on local issues only." I believe that  
8 statement that Supt. Patterson made was right, and I also recall  
9 former Chief Sloly saying, "I'm not -- I don't care about what's  
10 going on elsewhere. Ottawa is where I need to, you know, have  
11 my focus." And, you know, from his perspective I can understand  
12 that. But we did know that when we took actions here it had  
13 ripple effects across the country; these were very connected,  
14 reactive people.

15 "...only maintenance and not resolution." And I  
16 believe that OPS focus -- that was our focus, and a lot of that  
17 had to with simply the realities of our staffing situation.

18 The "Boots on the ground" are officers who were  
19 at posts and who were taking on those roles, and I think fairly  
20 accurate to say low morale. They were frustrated. Some of them  
21 were left out for hours in the cold without the ability for them  
22 to be freed up or provided meals.

23 "Lack of leadership/confidence in  
24 command - no clear direction."

25 I think that's -- we did hear some of that,  
26 especially from the PLT folks.

27 "Physical &" I'm assuming that's mental, mentally  
28 "exhausted. Poor decision making." I'm not sure what the

1 "Longer" is referring to but I think the -- you know, obviously  
2 we were not our best selves at that moment and maybe weren't  
3 making the best decisions, and the, "Information sharing [was] -  
4 incomplete and unknown command structure." And the operational  
5 plan not being signed off. That's fair.

6 **MR. FRANK AU:** Okay. Let's take that a bit  
7 further, "Information sharing - incomplete and unknown command  
8 structure"; do you agree with that?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah,  
10 there's -- we use different command structures than the OPP and  
11 the RCMP, and so I think they were looking to see us following  
12 true models. They vary slightly but I do think at points we  
13 were not following the command structure, and I believe that,  
14 you know, as I alluded to before, we had people who were jumping  
15 -- jumping chains and maybe getting down into areas they didn't  
16 need to be to try and speed things up, I think that was probably  
17 the ---

18 **MR. FRANK AU:** And in terms of information  
19 sharing, did you see that as an issue between OPS and external  
20 agencies, or was that an issue within the OPS itself?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
22 think I experienced that myself, that there was lack of  
23 information sharing internally. But I'm assuming if they are --  
24 no, I can't make that assumption. I don't know what ---

25 **MR. FRANK AU:** Okay.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- they  
27 are referring to, specifically.

28 **MR. FRANK AU:** Do you recall when we interviewed

1 you back in the summer, you described some challenges to us, in  
2 terms of this sharing of intelligence within the OPS?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, yes.

4 **MR. FRANK AU:** Tell us more about that.

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So our  
6 Intelligence unit gets all sorts of information, obviously, and  
7 they go through it and there is an analysis piece that takes  
8 place with the information, the intelligence that they get. And  
9 they will determine, often, who that is -- relates to. And  
10 sometimes it's one of those things that is a "Nice to know" and  
11 we will hang onto that and do up a report, and sometimes it's  
12 something that needs to be actioned by somebody.

13 And I think we were still relying -- at this  
14 point in time, we have since evolved, but we were relying on  
15 them being the keepers of that information and it being shared  
16 on a need-to-know basis. And you know, up until this point the  
17 major things that they were looking into were organized crime  
18 and were, you know, national security threats, not so -- I mean,  
19 that was obviously the purview of the RCMP, but those types of  
20 things. And so they would share information like, you know, the  
21 latest ITAC threat and some of those pieces of information as  
22 needed. But it was really a hierarchy and if you were not in  
23 that level, then you didn't necessarily receive that  
24 information.

25 **MR. FRANK AU:** Do you think those barriers that  
26 existed back in around January, February impeded the degree of  
27 integration of the planning and the intelligence in preparing  
28 OPS for the arrival of the convoy?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
2 it's fair to say it may have had an impact on it. I think what  
3 we were missing was that bridge between Intelligence and Special  
4 Events to operationalize the information that they had, and we  
5 were lacking there.

6                   **MR. FRANK AU:** Now -- and the point about "Lack  
7 of leadership"; looking back, what do you think you could have  
8 done differently to provide more leadership?

9                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's a  
10 good question. I think to convey to the people who reported to  
11 me that we are -- this is -- you know, we are moving forward in  
12 this direction; to express my trust in them maybe a little bit  
13 more vocally; to let them know, you know, they were the subject  
14 matter experts, they had all the -- you know, the information  
15 that they needed, and we needed to come up with a plan.

16                   I think, again, a lot of the issues were  
17 staffing, and so try to rotate people to provide them with a  
18 rest, provide them with the -- you know, the ability to breathe  
19 and focus on what they needed to, and maybe I needed to be more  
20 task-driven in terms of, you know, "We need this plan and I need  
21 it by such-and-such a time." Those types of things. Yeah.

22                   **MR. FRANK AU:** Now, I've asked you about your  
23 leadership but what about when you look around, do you see other  
24 leadership issues around those around you?

25                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah. I  
26 think policing in general attracts a certain type of a person  
27 to it and I think there's a lot of very strong characters, and  
28 one of the things that I felt we maybe could have done better

1 was listening to each other and communicating better and being a  
2 little more cohesive as a command team. And I think in moments  
3 of stress and crisis, people are not their best selves and maybe  
4 rely on behaviours that are not helpful in the moment, and you  
5 know, just show kind of the cracks that are coming through. And  
6 it was an incredibly long, exhausting, period of time for the  
7 Ottawa Police and I think many of our members are bruised as a  
8 result, if I can say that, and are still, you know, in that  
9 state.

10 So it had a big toll, and obviously what took  
11 place, you know, in the top job and with the Council -- City  
12 Council showed just how difficult it was for everyone, not just  
13 OPS but for, you know, the community as well.

14 **MR. FRANK AU:** Right. Now, we spoke a bit about  
15 Superintendent Bernier, who assumed the role of Event Commander  
16 as of the 10<sup>th</sup>, and so he would have been reporting to you when  
17 you returned on the 13<sup>th</sup>, right?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Right,  
19 yes.

20 **MR. FRANK AU:** How did you find him as a leader,  
21 as the Operation Commander?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
23 Superintendent Bernier's very intense, as you will likely get to  
24 know him. And he got right in, dug in and started to work on  
25 developing his plans. One of the parts of the conversation I do  
26 recall was he said, "I will accept this role," because he needed  
27 some time to think about it; I think he understood this was a  
28 very big job. And he said, "With the understanding that I have

1 a liaison between myself and strategic command. And so he  
2 identified somebody who, you know, he trusted who would be able  
3 to feed information to us and the strategic sort of command  
4 level, and he wanted to be unfettered; he wanted to be able to  
5 execute the command as -- or execute the plan as he saw fit, and  
6 that it was in his hands, it was very much a, "I got this."

7 **MR. FRANK AU:** Speaking of unfettered, does that  
8 go back to what you said earlier about the importance of having  
9 autonomy for an Operational Commander:

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

11 Absolutely.

12 **MR. FRANK AU:** And who became that liaison  
13 person?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Supt. Rob  
15 Drummond.

16 **MR. FRANK AU:** Okay. And you said Supt. Bernie  
17 insisted on the autonomy as well as the liaison. Why was the  
18 liaison so important?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
20 you'll have to ask him that but my sense is that he wanted -- he  
21 didn't want to be sucked into lots of meetings; he wanted to be  
22 able to work on the plan, and traditionally, up until this  
23 point, we had had a lot of meetings where the Event Commander is  
24 actually being taken away from the tasks of doing the job to  
25 talking about plans and this type of thing, and I think that he  
26 felt that was not a good use of his time. And I think he just  
27 wanted that flow of information to go through one person.

28 **MR. FRANK AU:** Well, Supt. Bernier will testify

1 next week, and I expect he will tell us that one of the early  
2 decisions he made was to appoint OPP Superintendent Springer as  
3 his deputy.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

5 **MR. FRANK AU:** Did you know about that?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I did.

7 In my first conversation with Superintendent Bernier, I said,  
8 "What do you need? What do you think you need to accomplish  
9 this?".

10 And he said, "I'm going to need sort of a back-  
11 up, I guess, if you will".

12 And I said, "Who do you want? Build your team.  
13 Tell me who you want and I will do what I can to make sure that  
14 those resources are afforded to you".

15 So he identified Dave Springer, who I knew as  
16 well, and said, "Can you see if he will do it?".

17 And in speaking with, at the time, Inspector  
18 Springer, he agreed. I had a phone conversation with him. He  
19 just said, "Can you please, you know, give my boss a call to  
20 make sure that they're okay with it?", which I did. And he  
21 joined the team at that point in time.

22 **MR. FRANK AU:** Right. Tell us about the degree  
23 of integration in the days after your return.

24 So you took two days off and you came back on the  
25 13th. What did you find when you'd come back?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So by  
27 that point in time, people had their sleeves rolled up. They  
28 were all working at one location, all at, you know, sort of that



1 level of the Superintendent Bernier, Chief Superintendent Carson  
2 Pardy. Chief Superintendent Phil Lew was also on the team.

3           There was a room full of planners who they had  
4 brought in. There were experts in our traffic, in public order.  
5 Everybody was working at the same location. And I believe at  
6 that point in time -- I might be wrong on the date exactly --  
7 but Superintendent Bernier was beginning to set up what he  
8 called his integrated table, and so each of the units that  
9 needed to be involved that were in an incident command structure  
10 had a spot at the table and that that could have been an OPP  
11 officer, it could have been an RCMP officer, it could have been  
12 Ottawa Police.

13           **MR. FRANK AU:** Right. So I understand from  
14 interviewing Superintendent Bernier that a plan that he worked  
15 on with the Integrated Planning Group was signed off as between  
16 him and the other members of the group. But it appears there  
17 might be some confusion around that time just as to what extent  
18 additional review or approval may or may not have been required  
19 from strategic level commanders, including yourself or the  
20 former Chief.

21           So I want to take you to an email chain and see  
22 if you can help us clarify some of this confusion.

23           Could we call up document OPP00001547, please?

24           So if we go down to the very bottom to the  
25 beginning of the email chain, so Deputy Chief, you see that this  
26 email began with the former Chief sending you an email as a  
27 request. He said:

28                           "Please send me the latest version of

1 operations plan that I approved on  
2 Wednesday, February the 9th."

3 Now, which operations plan did you understand him  
4 to be referring to?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
6 this was the 3.0.

7 **MR. FRANK AU:** The 3.0.

8 And then he also asked:

9 "Also, please advise if the plan has  
10 received all official approvals,  
11 signatures, etc., as there seems to be  
12 some concerns about this from the RCMP."

13 Tell us about this.

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I'm  
15 not sure if this was at the Chief's level, whether it was  
16 Commissioner Lucki or where that -- the concerns were coming  
17 from within the RCMP, but we did have Chief Superintendent -- or  
18 Superintendent Bill Lew from the RCMP involved in our plan at  
19 that point in time.

20 I do know that in Ottawa there's the national  
21 policing side and then there is the operational policing side  
22 for the RCMP, and so I don't know if there was a disconnect  
23 there in terms of that communication, but Superintendent Lew had  
24 been working on the plan, the plan was moving forward and had  
25 been built out from what we had supplied, the 3.0.

26 That's what they had been working on from that  
27 date forward, from the 9th of February to the 13th, on these  
28 plans. And Superintendent Bernier was receiving these plans,

1 reviewing them and then approving them.

2 **MR. FRANK AU:** So in this one email, he seems to  
3 be referring to two different plans.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

5 **MR. FRANK AU:** Okay. So if we go further up, we  
6 see your reply at 5:58.

7 Now, by the way, in between the request and your  
8 reply, did you speak to anyone that you remember?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
10 recall.

11 **MR. FRANK AU:** Okay. So let's take a look at the  
12 reply:

13 "Good evening, Chief.

14 In checking with Rob Bernier, he finally  
15 had a chance to review the plan from the  
16 Integrated Planning Team and has sent it  
17 back with his comments. He would prefer  
18 that it be completed and signed off and  
19 will then share the plan, as he is the  
20 final approval of it."

21 As for 3.0, Ottawa Truck Demo '22, February 9/22,  
22 it looks like you attached that 3.0 plan.

23 So were you responding to both requests and  
24 trying to -- like I'll let you tell us what you were trying to  
25 do.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It would  
27 appear I'm talking about two different plans, and I don't  
28 believe I had seen these -- the integrated plan. Not before

1 Superintendent Bernier had signed off on that.

2                   So I think what I'm saying is, he's had a chance  
3 to review the plans. It's a large document, lots of pages  
4 involved in details, and Superintendent Bernier wanted to go  
5 over all of them. And he's obviously done a first review and  
6 sent it back with his comments to the people who were developing  
7 the plan and he's saying he would prefer that he's -- he's had a  
8 chance to really make sure that it is tight and he's happy with  
9 it before sharing the plan, and -- as he is the final approver.

10                   And I was making that point to say that it is up  
11 to him to approve the plan.

12                   **MR. FRANK AU:** Up to?

13                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Up to  
14 Superintendent Bernier to approve the plan.

15                   **MR. FRANK AU:** Okay. And in -- you said "in  
16 checking with Rob Bernier". Does that refresh your memory?

17                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah. So  
18 I suspect I had a conversation with him probably over the phone  
19 about where things were at and what was going on.

20                   **MR. FRANK AU:** Okay. So if we go further up,  
21 this is the former Chief replying to your response. He said:

22                                   "Thank you for the clarification. I was  
23                                   not aware of this delay, as I had approved  
24                                   the plan last Wednesday."

25                   Now, this is February 13th. And when he said, "I  
26 had approved the last Wednesday", would that have been the 9th?

27                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28                   **MR. FRANK AU:** I appreciate and support the need

1 -- sorry.

2                   Yeah. "I appreciate and support the need for  
3 A/Supt Bernier to make adjustments to the plan that he  
4 inherited."

5                   What did you understand the Chief to be saying  
6 here, adjustments in the plan "that he inherited"?

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That he  
8 was simply building out the 3.0 plan. I think that's what the  
9 Chief was assuming.

10                   **MR. FRANK AU:** So were you left with the  
11 impression that -- like I -- like what did you understand?  
12 Because we started with you explaining that there were two  
13 plans.

14                   What did you understand the Chief to mean when he  
15 said this?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
17 the Chief was looking for what the plan was and that it was  
18 based on that plan that we had presented to the integrated ---

19                   **MR. FRANK AU:** The 3.0.

20                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

21                   **MR. FRANK AU:** So he appeared to suggest that  
22 there were adjustments made to the 3.0.

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.  
24 When -- what, I think, Superintendent Bernier was doing was  
25 tasking the planners with "Give me a full, robust plan", which  
26 we eventually see as the demobilization plan that we worked off  
27 of.

28                   **MR. FRANK AU:** So while Superintendent Bernier

1 was asking for action on the Integrated Planning Group plan, he  
2 wanted to have it move ahead, the former Chief was asking about  
3 the 3.0.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
5 that's what's going on here, yes.

6 **MR. FRANK AU:** And then he said:

7 "That said, please ensure that the plan is  
8 fully signed off at the earliest possible  
9 opportunity as this is a priority need  
10 expressed by our integrated partners."

11 The plan in this third paragraph or fourth  
12 paragraph, to ensure that it's fully signed off, what did you  
13 understand which plan he was referring to now, the 3.0 or the  
14 Integrated Group Plan?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
16 it was the Integrated Work Plan, the one that Superintendent  
17 Bernier was working on, and that, as I had alluded to,  
18 Superintendent Bernier wanted to -- he'd made some comments,  
19 he'd sent it back and when it came back to him the way he wanted  
20 it, he would sign off on and approve that plan.

21 **MR. FRANK AU:** So help me understand here. Was  
22 there simultaneous work being done on two plans as of the 13th?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
24 believe so. I think the chief was under the impression that 310  
25 was being worked on, but it was not. It was concluded, and I  
26 believe that's what I sent him, was the final document with his  
27 signature on it that was from the Wednesday prior.

28 And what I knew was that Superintendent Bernier

1 was working very hard, tasking his people to come up with plans,  
2 traffic plan, you know, public order plan, PLT plan, all of the  
3 plans that form his ultimate demobilization plan.

4 **MR. FRANK AU:** Now, when you were responding to  
5 the chief's request on this day, have you seen the integrated  
6 group plan yet?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
8 have not.

9 **MR. FRANK AU:** Right. So his last paragraph to  
10 you:

11 "As such, please communicate by email  
12 to the OPP and RCMP the reason for the  
13 delay in the approval ID, the current  
14 plan, along with the timeline that they  
15 will receive the approved plan. Copy  
16 Christiane and I on these emails." (As  
17 read)

18 Christiane is the lawyer, right, the ---

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
20 right, yeah.

21 **MR. FRANK AU:** What did you understand his  
22 request to be? Was he asking that the integrated group plan be  
23 actioned on?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
25 he wanted the final plan to be sent to the RCMP and the OPP, and  
26 to make sure that he and Christiane were copied when that was  
27 done. And I'm not sure if that was because he wanted to, you  
28 know, take a look at it as well and have Christiane over -- look

1 it over, because that had been his practice before. We had --  
2 he had asked for legal services to look over plans to make sure  
3 that they were meeting -- you know, that they were legally  
4 sound, I think was -- would have been his thought process on  
5 that.

6 So I think he wanted me to make sure that our OPP  
7 and RCMP partners were provided the plan as soon as it was  
8 signed off on, and that he also wanted to have a look at it, but  
9 I don't know -- he said once the plan has been approved, so I  
10 think he understood at this point in time he was not the  
11 approver of the plan.

12 **MR. FRANK AU:** Okay. And you speak about the  
13 lawyer reviewing documents as a practice, but we're talking  
14 about an operational plans here.

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

16 **MR. FRANK AU:** So the practice includes having  
17 legal review of operational plans?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It did  
19 for former Chief Sloly. It doesn't in the ICS model. It's not  
20 part of the ---

21 **MR. FRANK AU:** And in your experience, at the  
22 executive level, was that the practice of other chiefs?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

24 **MR. FRANK AU:** What did you understand to be the  
25 significance or the reason that he wanted to have these kind of  
26 legal review?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm not  
28 quite sure. As I said, I think maybe because he wanted to make



1 sure from her perspective it was legally sound, but these were  
2 operations, and so I think she would be the first one to tell  
3 you that she has no place in that.

4 **MR. FRANK AU:** And was it understood that the  
5 action, the plan could not be actioned on before the legal  
6 review was completed?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That, I'm  
8 not sure. I'm not sure.

9 **MR. FRANK AU:** Okay. All right. Can we go  
10 further up? Okay. So this is your -- this belongs --

11 "The plan that was sent to you just now  
12 is one that both party and Lou worked  
13 on to include the additional and  
14 necessary parts to ensure it met  
15 everyone's needs." (As read)

16 So you are now sending the former chief the new  
17 integrated groups plan, right?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MR. FRANK AU:**

20 "Both Carson and Phil were aware of the  
21 reason for the delay, as they have been  
22 in regular contact with Rob yesterday  
23 and into today. The plan now has the  
24 proper signatories on it and will be  
25 the one referenced, moving forward. I  
26 thank everyone for the patience ---"  
27 (As read)

28 And so on. So was that the end of it for that

1 day for you?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
3 so.

4 **MR. FRANK AU:** If we go up to the top, we see  
5 that the former chief forwarded it to the RCMP and OPP  
6 Commissioner.

7 "Please be advised our operational plan  
8 was updated per the integrated model  
9 with the input of your respective  
10 representatives and has now been fully  
11 approved." (As read)

12 And we go further up. We have the Commissioner  
13 Carrique thanking the OPS chief.

14 What was your understanding as to the status of  
15 this plan, the integrated groups plan?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That at  
17 the operational level, it had been signed off and this was  
18 simply a notification to the strategic level, that this was the  
19 plan we were going forward with.

20 **MR. FRANK AU:** All right. Now, were you aware of  
21 any subsequent delay after the -- this is all on the 13th?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
23 there might have been some further conversation about it, but I  
24 don't have any independent recollection or exactly what that was  
25 right now.

26 **MR. FRANK AU:** Okay. How am I doing with the  
27 time?

28 Okay. If I could now take you to the plan that

1 was signed off on the 13th, I believe this is OPP00001851.  
2 Could we go to page 22, please? Oh, maybe further down. I'm  
3 looking for the organization chart.

4 Now, this is a document that you didn't see until  
5 later -- well, I guess on the 13th you had it, and you had an  
6 opportunity to review it.

7 Tell us about this organization. Was this level  
8 integrated -- integration kept ever before, in your experience?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Hard to  
10 say. I have not been part one such as this before, so this was  
11 my first foray into this world, but it -- I think what you see  
12 are the dotted lines are, you know, the sort of even level of  
13 command and control, and then the straight lines are the -- who  
14 is reporting to who in that.

15 So you see the event -- the strategic command  
16 that report to OPS command team, which would have been  
17 Superintendent -- or rather, former Chief Sloly. And then when  
18 we get down to the operational level -- and I think it's making  
19 pains to show the -- where one ends and the other begins, the  
20 clear lines in between strategical operational and tactical.

21 And so then you see, you know, Superintendent  
22 Bernier as the event commander with support from both the OPP  
23 and the RCMP, but ultimately, that the Ottawa Police event  
24 commander is the lead on the command. So you see, he's got a  
25 straight line down to everybody else, and Deputy -- or Inspector  
26 Springer has a dotted line.

27 **MR. FRANK AU:** Right. And we see in one of those  
28 blue boxes an executive liaison, Acting Superintendent Drummond.

1 That's what you talked about, right?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 correct.

4 **MR. FRANK AU:** And comparing -- we haven't seen -  
5 - we're not going to have time to look at the contents of this  
6 plan, but you've had the benefit of understanding this plan --  
7 comparing this to what was the 3.0, can you describe --  
8 summarize for us the main differences between those plans and  
9 which one was superior?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It's the  
11 level of detail that's involved in this plan that makes it  
12 different. This is a true plan, and it encompasses all of the  
13 boxes that you see in there. It's got plans, sub-plans from  
14 each of those categories, and this is the superior plan.

15 **MR. FRANK AU:** I expect that we will hear more  
16 evidence from members of the integrated group who did not  
17 consider the 3.0 an adequate plan, the kind of plan that would  
18 enable the proper allocation and deployment of resources.  
19 What's your perspective on that?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
21 would agree, and I can understand from their perspective. They  
22 were sending resources, they were providing us with bodies, and  
23 they wanted to know what's the impact that we're looking to  
24 achieve? What is our goal? And I don't think 3.0 maybe  
25 necessarily laid out as clearly as they needed to be able to  
26 invest the resources that we were asking for.

27 **MR. FRANK AU:** And what was stopping the OPS from  
28 developing this kind of plan earlier? It's had more than two

1 weeks.

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

3 **MR. FRANK AU:**

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** These  
5 plans take a long time to draft up and what we benefitted from  
6 was an influx of members from -- like, people who are true  
7 planners, that that's their one and only job, to come in and  
8 assist us and do this over a 24/7 basis. Our planners had been  
9 trying to -- you know, they came up with the plan and they had  
10 to go and execute it as well.

11 So staffing, I think a -- some leadership and  
12 some subject-matter experts, Chief Supt. Carson Pardey is a guru  
13 as it pertains to these things and has done numerous protracted  
14 events and plans and demonstrations and so those key players to  
15 be able to have around the table and tap into lessons learned  
16 that they've already had before was key in crucial, and we did  
17 not that have that capacity before this time.

18 **MR. FRANK AU:** So, looking back, having regard to  
19 all that the citizens of Ottawa had to go through during those  
20 three and a half weeks, what could the OPS, in your view, have  
21 done differently or better to have shortened that period to  
22 resolve to incident or protest earlier?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
24 we had period after that first weekend where I say we were  
25 orienting ourselves. I think we were floundering a little bit  
26 in terms of our staffing, in terms of our ability to really take  
27 stock of what was going on and then move forward and come up  
28 with a plan to get out it, and I think we lost some time there.

1 We lost some time with some of the, you know, actions-on that  
2 were being taken that were setting us back. We didn't have a  
3 pathway, a clear pathway that we were working off of and there  
4 was a number of different views, obviously, on what we should be  
5 doing, so I think that set us back.

6 **MR. FRANK AU:** And finally, there may be a debate  
7 as to whether the plan should drive the number or the number  
8 should drive the plan. Do you know what I'm asking?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I do  
10 and I believe it's common that the plan drives the numbers.

11 **MR. FRANK AU:** Why do you say that?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well,  
13 because you are identifying what the outcome's that you want to  
14 achieve and then you work back from that, how do we then build a  
15 team that's going to assist us in achieving that? And I think  
16 when you start with just a number, then there's no strategy  
17 involved in that. And this does really need to be laid out in  
18 saying that we need, you know, 10 Public Order Sections to  
19 achieve this goal, so how many is that? That's 50. But it's  
20 more about, what is the outcome that we're looking -- what are  
21 our goals and objectives and how do we staff to that?

22 **MR. FRANK AU:** Okay. Thank you. Those are my  
23 questions.

24 **COMMISSIONER ROULEAU:** Thank you.

25 The first up in cross-examination is the OPP.

26 **MR. CHRISTOPHER DIANA:** Thank you, Commissioner.  
27 I'll set my clock here and try my best to stay within my  
28 allotted time.

1 --- CROSS-EXAMINATION BY MR. CHRISTOPHER DIANA:

2 **MR. CHRISTOPHER DIANA:** All right, good  
3 afternoon, Superintendent. My name is Christopher Diana. I'm  
4 counsel for the OPP.

5 There's a few areas that I'd want to ask about  
6 just to get some more clarity to you evidence, and I want to  
7 start with kind of what was known before the convoy arrived in  
8 Ottawa. And I want to start by the basic proposition that  
9 Ottawa is very experienced at dealing with protests and large  
10 events. This is something that OPS deals with -- well, we've  
11 heard some evidence about the frequency but this is not an  
12 uncommon event, right?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It's not  
14 uncommon for us to manage protests. This was an uncommon event.

15 **MR. CHRISTOPHER DIANA:** Right, sure, sorry. And  
16 sometimes the events are large, sometimes they're small,  
17 sometimes they're predictable, for example, you know, Canada Day  
18 and other large events often kind of follow a certain pattern  
19 where you kind of know what to expect and you can plan  
20 accordingly; correct?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
22 agree.

23 **MR. CHRISTOPHER DIANA:** But regardless of the  
24 nature of the event, whether it's large or small, the gathering  
25 of intelligence is really important to planning the proper  
26 police response; correct?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28 **MR. CHRISTOPHER DIANA:** And we heard from Supt.

1 Morris yesterday that intelligence has certain limits; would you  
2 agree with that?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would.

4 **MR. CHRISTOPHER DIANA:** I believe he said that  
5 when it comes to numbers, for example, you never know exactly  
6 how many vehicles or how many people are going to show up until  
7 the day of the protest itself; correct?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
9 true.

10 **MR. CHRISTOPHER DIANA:** And that's just something  
11 that's inherent in intelligence; there are no guarantees?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
13 true.

14 **MR. CHRISTOPHER DIANA:** But that, of course,  
15 doesn't mean that you don't plan; you make due with that you  
16 have available to you?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

18 **MR. CHRISTOPHER DIANA:** And in good planning, the  
19 intelligence that you have should drive the way an event is  
20 planned; correct?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
22 would say intelligence and information.

23 **MR. CHRISTOPHER DIANA:** Yes, of course ---

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

25 **MR. CHRISTOPHER DIANA:** --- there's a difference,  
26 and I don't want to get into that ---

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, okay.

28 **MR. CHRISTOPHER DIANA:** --- at this point. I



1 won't enough time. So when the Ottawa Police Service heard  
2 about the convoy leaving Western Canada, I expected the OPS  
3 would have immediately started planning for how to deal with it;  
4 is that fair?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
6 that's fair.

7 **MR. CHRISTOPHER DIANA:** And as a starting point,  
8 that requires collecting and reviewing information and  
9 intelligence to know how to respond?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

11 **MR. CHRISTOPHER DIANA:** At that time, I believe  
12 you said you were not familiar with Project Hendon?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I was no,  
14 no.

15 **MR. CHRISTOPHER DIANA:** Of course, in fairness,  
16 you were not in the Intelligence Bureau at the time, correct?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No. I  
18 believe it was -- was it Chief Bell who was the deputy -- who  
19 was involved in intelligence at the time?

20 **MR. CHRISTOPHER DIANA:** Yes, he was.

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** And he  
22 was head of the Bureau?

23 **MR. CHRISTOPHER DIANA:** So he was the Deputy in  
24 charge of it but there was a superintendent who was in that  
25 position?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Right.

27 **MR. CHRISTOPHER DIANA:** And I don't know if you  
28 heard Supt. Morris' evidence from yesterday but he gave a number

1 of names of various individuals within Ottawa Police Service  
2 would have received copies of the Hendon Reports including, for  
3 example, Supt. Patterson, Chief Sloly, and Insp. Bryden, and  
4 others; correct?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That  
6 sounds right.

7 **MR. CHRISTOPHER DIANA:** And I believe you  
8 indicated that you didn't -- even though you received a copy, I  
9 believe, on the 27<sup>th</sup> or 20<sup>th</sup> of January, you didn't actually  
10 become of the Hendon -- Project Hendon until somewhere February  
11 4<sup>th</sup> to 6<sup>th</sup>; is that correct?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
13 so, yes, to the best of my recollection.

14 **MR. CHRISTOPHER DIANA:** And I take it that when  
15 Hendon crossed your desk in late-January, since intelligence was  
16 not particularly your area, you probably felt that others would  
17 kind of deal with that?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
19 think in my position as a strategic, you know, kind of advisor  
20 in this role, I was not reading those reports, per se.

21 **MR. CHRISTOPHER DIANA:** What I am interested in,  
22 though -- of course, intelligence being as important as it is  
23 for planning, were there any meetings of senior command to  
24 discuss the state of intelligence before the Freedom Convoy hit  
25 Ottawa?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
27 it had been mentioned in some of our meetings in terms of what  
28 Deputy Bell was doing with his team, that he was -- they were

1 chasing down as much of the information and intelligence as they  
2 could. But beyond -- as a senior command, did we sit down and  
3 talk about it? I don't recall that.

4 **MR. CHRISTOPHER DIANA:** Okay. So in those  
5 meetings, then, it would be Deputy Bell that would have been  
6 responsible at the time for kind of bringing forward that  
7 information?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MR. CHRISTOPHER DIANA:** And no one at the time  
10 said anything about the Hendon Reports during those pre-arrival  
11 meetings?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
13 remember.

14 **MR. CHRISTOPHER DIANA:** Were aware during this  
15 period of time that as early as January 20<sup>th</sup> that OPP  
16 Intelligence had indicated that there was exit strategy for many  
17 of the protesters?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I am now.  
19 I was not then.

20 **MR. CHRISTOPHER DIANA:** And would you consider  
21 that -- as the strategic commander, would you have considered  
22 that important to know?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
24 it would have formed part of how we evaluated our plan, for  
25 sure.

26 **MR. CHRISTOPHER DIANA:** And did you know about  
27 the OPP's intelligence on fundraising that was brought forward  
28 in the Hendon Reports?

1           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I knew  
2 about some fundraising and I don't know where that was sourced  
3 from but I do recall Insp. Lucas keeping me up to date saying,  
4 "This money has grown exponentially," in the day or two before  
5 they arrived.

6           **MR. CHRISTOPHER DIANA:** Right. And, of course,  
7 that's important to know because it speaks to the potential  
8 support of the convoy; correct?

9           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
10 don't know that you can necessarily the conclusion that it means  
11 they're going to stay longer. I don't know what that money was  
12 laid out to do. It might have been to be funding initiatives.  
13 So one could, you know, make an assumption out of that but it  
14 may not be accurate.

15           **MR. CHRISTOPHER DIANA:** Right. Did you know that  
16 the OPP intelligence was reporting that many of the protestors  
17 will not leave until their demands were met?

18           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I know  
19 that now but I don't believe I knew that then.

20           **MR. CHRISTOPHER DIANA:** And again, that would  
21 have been important for you to know as a strategic commander  
22 because it speaks to their intent?

23           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

24           **MR. CHRISTOPHER DIANA:** Did anyone at these  
25 meetings speak about heavy equipment being brought in?

26           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** This is  
27 difficult. I'm not sure when I was aware of that information.  
28 I do know at some point in time, you know, there were reports on

1 the convoys, and whether that was shared to us through PLT Team  
2 or through reports, I don't know how I came to know that or when  
3 I came to know that.

4 **MR. CHRISTOPHER DIANA:** And, of course, that  
5 obviously would be important to know?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
7 would that you've ---

8 **MR. CHRISTOPHER DIANA:** Now, since then, have you  
9 had a chance to go back and look at any of the Hendon Reports?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

11 **MR. CHRISTOPHER DIANA:** And would agree that  
12 those reports provided important intelligence?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** They  
14 provided a lot of information, some was consistent with what we  
15 saw, some was not consistent with what we saw. There were some  
16 statements that, you know, said they would do this and they  
17 absolutely didn't.

18 So -- yeah, to answer your question, I -- we have  
19 had a number of events here since, and I have since moved over  
20 from Community Policing to what former Deputy Bell was working  
21 on. So I'm very much alive to Hendon reports, and anytime they  
22 show up in my inbox I read them right away now.

23 **MR. CHRISTOPHER DEANS:** And of course no  
24 intelligence was generally 100 percent, but ---

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

26 **MR. CHRISTOPHER DEANS:** --- for -- as a planning  
27 tool, would you agree that those reports would've been useful to  
28 have been known, at least the basics of those reports as part of

1 your planning process?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. I  
3 think there was also, though, a lot -- what we found is a lot of  
4 misinformation/disinformation, huge volumes of information, and  
5 I think Hendon has done a great job of sifting through that as  
6 much as possible, but there's still a variety of information  
7 that is presented on those, and some has come to fruition in  
8 past events, and some has not.

9 **MR. CHRISTOPHER DEANS:** Right. And that's kind  
10 of a challenge, right, of ---

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

12 **MR. CHRISTOPHER DEANS:** --- intelligence  
13 gathering is to take the information, put it through the lens,  
14 and then come out with a product to assist in the planning  
15 process?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17 **MR. CHRISTOPHER DEANS:** And that was the very  
18 purpose of Hendon; correct?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MR. CHRISTOPHER DEANS:** Okay. Now, I want to ask  
21 about the plan. There was a plan in place to deal with this  
22 event before the convoy arrived; correct?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
24 there was.

25 **MR. CHRISTOPHER DEANS:** And it was a plan that  
26 was predicated on a weekend-long event?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28 **MR. CHRISTOPHER DEANS:** And is it fair to say

1 that was based more on previous experience than it was on actual  
2 intelligence?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
4 know if that's fair to say because I don't know what our  
5 Intelligence folks had in the way of information and how of that  
6 fed into the plan. I think, you know, traditionally, 25 years  
7 of planning here, with fairly similar types of protests,  
8 experience was definitely something that our team was likely  
9 relying on.

10 **MR. CHRISTOPHER DEANS:** But do you think that  
11 might have been part of the challenge here, is that Ottawa --  
12 still Ottawa Police Service was so used to dealing with certain  
13 kinds of protests that perhaps, you know, the template plan was  
14 dusted off, a few revisions were made and presented as being  
15 something that would be appropriate for this event?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
17 know that any services across the country would have anticipated  
18 what we saw arriving at our doorstep. So I -- you know, do we  
19 have plans and do we use, you know, some of the same ones and  
20 change dates and names and, you know, build upon them? Yes, we  
21 do. And the case, I don't know that that's exactly what  
22 happened.

23 **MR. CHRISTOPHER DEANS:** No, but I guess the  
24 reason I'm asking is just because, you know, asking whether  
25 there may have been complacency, and we're trying to understand  
26 what happened here and how to prevent these things. Are you  
27 concerned that maybe there was a failure to appreciate what may  
28 actually happen here, and there was just too much reliance on

1 what was done in the past?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
3 there was definitely a failure to appreciate.

4 **MR. CHRISTOPHER DEANS:** If we can bring up  
5 OPP3531, please. Actually, sorry, I think OPS3531. I got one  
6 of the letters wrong.

7 All right, so this is the Operational Plan, I  
8 believe, that you're aware of, this document; correct?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

10 **MR. CHRISTOPHER DEANS:** And would you have  
11 approved this document as a Strategic Commander?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
13 would have seen it but not approved it.

14 **MR. CHRISTOPHER DEANS:** Okay.

15 Can we turn to page 6, please. And scroll down  
16 where it says Threat Assessment.

17 Do you see that where it says Threat Assessment?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MR. CHRISTOPHER DEANS:** I take it that's an area  
20 that would typically provide relevant intelligence to help guide  
21 the response?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23 **MR. CHRISTOPHER DEANS:** And would you agree that  
24 there is no -- I'll put to you that there is no reference,  
25 obviously, to the Hendon reports in that assessment. Would you  
26 agree with that?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Not from  
28 the portion you're showing me. I don't know if it goes on.



1                   **MR. CHRISTOPHER DEANS:** Okay, we can scroll down  
2 to the end of that section, please.

3                   And I guess the point I'm trying to make through  
4 this is that that section on threat assessment does not  
5 reference concepts that were in the Hendon report, such as the  
6 fact that there was no exit plan, there was nothing about  
7 fundraising, nothing about the intentions of the protesters to  
8 stay until their goals had been met, nothing about heavy  
9 machinery. All that was in the Hendon report.

10                   And I guess the point that I would put to you is  
11 that was all important information that should have been in the  
12 Threat Assessment. Would you agree?

13                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would.  
14 I do note here that they say that they, you know:

15                                   "...investigate existing intelligence  
16                                   pieces and to liaise with its federal  
17                                   and provincial partners for any  
18                                   indicators of possible disruptions to  
19                                   the Convoy."

20                   And:

21                                   "Should this...change...[with] new  
22                                   information...[it] will be updated  
23                                   accordingly and disseminated."

24                   So I gather they didn't have any additional  
25 information.

26                   **MR. CHRISTOPHER DEANS:** Would you agree, then,  
27 with the proposition that this plan was not an Intelligence-led  
28 plan, it was more of a traffic plan based on experience than one

1 that's truly led by Intelligence?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
3 would agree with that.

4 **MR. CHRISTOPHER DEANS:** I'd like to ask about the  
5 Integrated Planning Team that came to Ottawa. You've said some  
6 positive things, obviously, about Chief Pardy and others  
7 involved in the plan. My take, I believe they arrived on or  
8 about February 8th; is that about your recollection?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sound  
10 right, yeah.

11 **MR. CHRISTOPHER DEANS:** And I believe your  
12 evidence was that you fully supported the concept of an  
13 Integrated Planning Team?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15 **MR. CHRISTOPHER DEANS:** You were aware, of  
16 course, that Toronto Police was involved, York, Peel, you had  
17 subject matter experts from a number of police services?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MR. CHRISTOPHER DEANS:** And would you agree that  
20 this was not the B Team; right?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

22 **MR. CHRISTOPHER DEANS:** I mean, these were highly  
23 regarded incident commanders, excellent planners, POU experts,  
24 and people that were top in their field; correct?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

26 **MR. CHRISTOPHER DEANS:** And they were all coming  
27 to Ottawa to help the OPS kind of resolve the situation;  
28 correct?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** And I was  
2 very grateful for them; yes.

3                   **MR. CHRISTOPHER DEANS:** But is it fair to say  
4 that your enthusiasm or your support wasn't shared entirely by  
5 all members of OPS Senior Command?

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
7 fair.

8                   **MR. CHRISTOPHER DEANS:** And is it also fair to  
9 say that that lack of initial buy-in caused some delay in the  
10 ultimate agreement on the plan and the execution?

11                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
12 think that's fair to say.

13                   **MR. CHRISTOPHER DEANS:** And one of the -- it's  
14 problematic in a sense that the planning team can -- was brought  
15 there to assist OPS; correct?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17                   **MR. CHRISTOPHER DEANS:** The Ottawa Police Service  
18 was a police service of jurisdiction, so unless and until OPS  
19 agreed with it, there was really nothing that the team could do;  
20 correct?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
22 right.

23                   **MR. CHRISTOPHER DEANS:** A few questions about  
24 PLT. Again, you said some very favourable things about the  
25 Provincial Liaison Team. The -- in Ottawa works differently, I  
26 believe, than the Ottawa Police Service than it does in the OPS.  
27 Obviously, the OPP is a much larger police service. My  
28 understanding is that in the Ottawa Police Service, PLT members

1 are all part time; is that correct?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
3 right. They were until this point.

4 **MR. CHRISTOPHER DEANS:** So in other words, I  
5 guess so others can understand, like being a PLT member is not  
6 their full time job. That as the need may arise then they can  
7 go and they can do PLT duties ---

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MR. CHRISTOPHER DEANS:** --- if asked?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** They  
11 would be freed up for that, yeah.

12 **MR. CHRISTOPHER DEANS:** And so that -- the  
13 implication of that is that PLT is only engaged if commanders  
14 feel that their involvement would be helpful or necessary?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
16 say that depends on the Incident Commander. I think the current  
17 cadre we have and had at that time were very aware of what PLT  
18 was capable of, and engaged with using them.

19 **MR. CHRISTOPHER DEANS:** Yeah, now is actually --  
20 I mean, you were able to know what my next question was, but in  
21 that, it very much depends on the Incident Commander as to their  
22 own personal view of the effectiveness of that style of  
23 policing, or their own knowledge about how PLT works; correct?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Indeed,  
25 yes.

26 **MR. CHRISTOPHER DEANS:** And would you consider  
27 that a bit of a, you know, a problem in terms of lack of  
28 consistency and approach?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would.

2                   **MR. CHRISTOPHER DEANS:** And is it fair to say  
3 that in January 2022, there were very few in OPS Senior Command  
4 or at higher command levels that really understood the potential  
5 value of PLT?

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
7 would agree.

8                   **MR. CHRISTOPHER DEANS:** Or that understood the  
9 national framework put out by the Canadian Association of Chiefs  
10 of Police?

11                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
12 Definitely.

13                   **MR. CHRISTOPHER DEANS:** And I believe in your  
14 evidence in-chief you said PLT is an amazing tool. And I expect  
15 that that's kind of the attitude towards the use of PLT?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
17 is.

18                   **MR. CHRISTOPHER DEANS:** But would you agree that  
19 in reflecting upon lessons learned here, that PLT was misused by  
20 OPS in this dispute?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
22 agree.

23                   **MR. CHRISTOPHER DEANS:** And finally, on the point  
24 of jurisdiction. Once the convoy arrived in Ottawa, you would  
25 agree to the obvious proposition, but it's worth repeating, that  
26 Ottawa Police Service was the police service of jurisdiction;  
27 correct?

28                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, we

1 were.

2 **MR. CHRISTOPHER DEANS:** Which meant that at that  
3 point it was no longer the OPP's responsibility,  
4 jurisdictionally?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, it  
6 was ours.

7 **MR. CHRISTOPHER DIANA:** And, in fact, it would  
8 have been improper for the OPP to try to step in and kind of  
9 take over policing; correct?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Agreed.

11 **MR. CHRISTOPHER DIANA:** That there's no legal  
12 mechanism for the OPP to take over unless certain scenarios are  
13 met; correct?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
15 right.

16 **MR. CHRISTOPHER DIANA:** That the *Police Services*  
17 *Act* sets out very specific circumstances where the OPP may take  
18 over command of a certain incident or area?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MR. CHRISTOPHER DIANA:** And one of those would be  
21 if a formal request would be made from the OPS Chief to the OPP  
22 Commissioner; correct?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
24 that's how it works, yes.

25 **MR. CHRISTOPHER DIANA:** Although no such request  
26 was made in this case; correct?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
28 have been surprised if it was. I don't know though for sure.

1                   **MR. CHRISTOPHER DIANA:** Sorry, I didn't hear you.

2                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
3 know if it was made or not.

4                   **MR. CHRISTOPHER DIANA:** No, but did you say it  
5 would -- you'd be surprised?

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
7 have been surprised if the request was made.

8                   **MR. CHRISTOPHER DIANA:** Why would you have been  
9 surprised?

10                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Because I  
11 don't think that that's what former Chief Sloly was -- wanted.

12                   **MR. CHRISTOPHER DIANA:** Why?

13                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
14 you'd have to ask him. It was clear to me that he was pushing  
15 back on that.

16                   **MR. CHRISTOPHER DIANA:** No, I'm asking you though  
17 because you have a -- you've had a lot of dealings with Chief  
18 Sloly. So why, in your opinion and in your experience, do you  
19 believe Chief Sloly would have refused to consider or would not  
20 have entertained the possibility of asking for formal assistance  
21 in that way?

22                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
23 believe he wanted to give up control. I think he felt that this  
24 -- he was the Chief in the police of jurisdiction, and he wanted  
25 that to be maintained.

26                   **MR. CHRISTOPHER DIANA:** When it came to providing  
27 assistance, would you agree that the OPP did everything it was  
28 asked to do by the Ottawa Police Service?

1           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, they  
2 did.

3           **MR. CHRISTOPHER DIANA:** Thank you very much. I  
4 appreciate your evidence.

5           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Thank  
6 you.

7           **COMMISSIONER ROULEAU:** Okay. Thank you.

8           Next is former Chief Sloly's Counsel, and it  
9 looks like it'll be like yesterday, you'll be split in two, if  
10 that's agreeable. You'll do 10 minutes before lunch and then --  
11 and finish after lunch.

12 **--- CROSS-EXAMINATION BY MS. REBECCA JONES:**

13           **MS. REBECCA JONES:** Good afternoon.

14           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Good  
15 afternoon.

16           **MS. REBECCA JONES:** Acting Deputy Chief Ferguson,  
17 you were ---

18           **COMMISSIONER ROULEAU:** Could you just introduce  
19 yourself, please ---

20           **MS. REBECCA JONES:** I apologize.

21           **COMMISSIONER ROULEAU:** --- for the record.

22           **MS. REBECCA JONES:** Yes, Rebecca Jones for former  
23 Chief Sloly.

24           Acting Deputy Chief Ferguson, you were the MIC  
25 for the Freedom Convoy; right?

26           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
27 right.

28           **MS. REBECCA JONES:** And as MIC, you had overall



1 responsibility for the OPS's planning and response to the  
2 protests?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4 **MS. REBECCA JONES:** And your testimony is that  
5 you weren't reading the Hendon reports, though you knew that  
6 they existed; right?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** As of the  
8 28<sup>th</sup> of January when I think I was forwarded one.

9 **MS. REBECCA JONES:** Right. Okay. And your role,  
10 though you were the MIC with the overall responsibility, you  
11 were working with Deputy Chief Bell, who had overall  
12 responsibility for intelligence; right?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
14 yeah.

15 **MS. REBECCA JONES:** And I take it you were  
16 relying on the Intelligence team to provide you with the  
17 information you needed from the Intelligence report to input  
18 into your plans?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
20 my team was, yes. I wasn't writing the plans, but, yes.

21 **MS. REBECCA JONES:** You, yourself, weren't  
22 writing the plans?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

24 **MS. REBECCA JONES:** Okay. And you weren't  
25 writing the plans directly and you weren't reading the  
26 intelligence reports directly. You were at a higher strategic  
27 level?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's

1 right.

2 **MS. REBECCA JONES:** Okay. And similarly, there  
3 would be no expectation that the Chief of Police would be  
4 pouring through the Hendon reports and trying to reconcile the  
5 different pieces of intelligence; right?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
7 don't think that would be realistic.

8 **MS. REBECCA JONES:** Okay. And the Chief of  
9 Police would be at an even higher level, relying on his team for  
10 operations and intelligence?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MS. REBECCA JONES:** Okay. And one of the things  
13 that you noted was that you did not believe that the initial  
14 plan, the January 29<sup>th</sup> plan was Intelligence led. And I just  
15 want to suggest to you that Chief Sloly's expectation for his  
16 command had been from when he entered as Chief, that all  
17 operational plans were to be Intelligence led?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MS. REBECCA JONES:** Okay. Now for this initial  
20 January 29<sup>th</sup> plan, I take it that Chief Sloly's involvement in  
21 the process is as you would have expected?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23 **MS. REBECCA JONES:** Okay.

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

25 **MS. REBECCA JONES:** So he did not direct the  
26 planning unduly?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Not at  
28 this point, no.

1                   **MS. REBECCA JONES:** Didn't interfere?

2                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

3                   **MS. REBECCA JONES:** And, in fact, Chief Sloly did  
4 not even see the plan or a draft of the plan until the morning  
5 of January 28<sup>th</sup> when it was provided to him for the first time;  
6 right?

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
8 possible, yeah.

9                   **MS. REBECCA JONES:** Okay. And he said looks fine  
10 to him and the team proceeded with that plan.

11                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
12 right.

13                   **MS. REBECCA JONES:** And he would have been  
14 looking in -- when looking at that plan, he would have been  
15 considering the intelligence and operational details that had  
16 been provided to him by his senior command team?

17                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
18 fair, yes.

19                   **MS. REBECCA JONES:** Now if we pivot forward a few  
20 days to Sunday night, January 30<sup>th</sup>, at that point, your evidence  
21 is that it became clear to the OPS that the people were not  
22 going to leave.

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

24                   **MS. REBECCA JONES:** And that there needed to be a  
25 pivot in the plan.

26                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. A  
27 pivot in our response anyway, but, yes.

28                   **MS. REBECCA JONES:** Pivot in your response.

1 Okay. Fair enough. And you as the MIC were responsible in that  
2 pivot; right?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4 **MS. REBECCA JONES:** And that required evolution,  
5 significant evolution of the January 29<sup>th</sup> plan?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

7 **MS. REBECCA JONES:** Because the January 29<sup>th</sup> plan  
8 had been based on, you know, a big, boisterous, traffic impeding  
9 protest, but not an occupation.

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
11 right.

12 **MS. REBECCA JONES:** And as of January 30<sup>th</sup>, I take  
13 it that you agreed with the assessment that the OPS was now  
14 facing an occupation?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MS. REBECCA JONES:** Now you were taken to notes  
17 from February 3<sup>rd</sup> and we can perhaps put them up. OPS14484, page  
18 3, please. And for everyone's benefit, these are February 3<sup>rd</sup>  
19 notes of Chief Sloly. And he's referring to a meeting with you  
20 and Deputy Chief Bell; correct?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

22 **MS. REBECCA JONES:** And he refers in the first  
23 line to,

24 "I [have] advised that [we've] had 2  
25 days since the POU meeting on  
26 Tuesday..."

27 So that was a meeting that took place on February  
28 1<sup>st</sup>; right?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
2 that's right.

3                   **MS. REBECCA JONES:** And Chief Sloly had made very  
4 clear in that meeting exactly what you said. There needed to be  
5 a pivot and the plan had to be significantly evolved to deal  
6 with the situation.

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

8                   **MS. REBECCA JONES:** Okay. And at the point of  
9 this meeting now, two days later and four days after the  
10 determination that this was, in fact, an occupation that  
11 required a new plan, he had not seen a new -- and I shouldn't  
12 say a new plan. I'll go back to what we have spoken about, an  
13 evolution of the plan. He had not seen an evolved version of  
14 this plan; right?

15                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

16                   **MS. REBECCA JONES:** Okay. And ---

17                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** What he  
18 was looking for here was specifically a Public Order Unit plan,  
19 not the wider plan.

20                   **MS. REBECCA JONES:** Okay. And that would be part  
21 of the evolved plan; right? There would be ---

22                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23                   **MS. REBECCA JONES:** --- a Public Order component  
24 of the plan, to try to figure out how we're going to resolve the  
25 situation with the people that were occupying the city.

26                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There  
27 would be Public Order plan. There would be a PLT plan. There  
28 would be a Traffic plan. There would be Investigations plan.

1 All of those things form the plan, but he was fixated solely on  
2 this one.

3 **MS. REBECCA JONES:** Well, the word "fixated" is -  
4 --

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sorry.

6 **MS. REBECCA JONES:** --- a bit loaded. So he was  
7 interested in a Public Order Unit plan?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MS. REBECCA JONES:** And ---

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** In fact,  
11 he met with them in person.

12 **MS. REBECCA JONES:** And met with them in person.  
13 But to be fair to your former Chief, he also expected that there  
14 would be a Traffic plan, and a PLT plan, and all of those other  
15 plans were evolving at the same time.

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, he  
17 just didn't meet with any of those other groups. I think he  
18 might have met with the PLT when there was some discord that  
19 he'd heard about, that they were unhappy, but this was the only  
20 group that he met with.

21 **MS. REBECCA JONES:** I take it you're not being  
22 critical of him for not meeting with the other groups?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, not  
24 at all.

25 **MS. REBECCA JONES:** Okay, because it's a bit hard  
26 to be Chief Sloly sometimes, I think, in terms of criticized for  
27 being too involved versus criticized for not being involved  
28 enough, right?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** For sure,  
2 yes.

3                   **MS. REBECCA JONES:** Okay.

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I can  
5 understand that.

6                   **MS. REBECCA JONES:** So here on this day, this --  
7 you were taken to this document but you weren't taken to the  
8 very end of the document, if you can scroll down a little bit  
9 more -- keep going. Sorry, go up a little bit, end of this  
10 paragraph. The paragraph at the top of the page:

11                                   "I directed once again Acting Deputy  
12                                   Chief Ferguson to ensure that Sgt.  
13                                   Stoll..."

14                                   And he was -- S/Sgt. Stoll, I apologize -- and he  
15 was involved in the POU component of the plan; correct?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, he  
17 was, yeah.

18                   **MS. REBECCA JONES:** Okay, that he:

19                                   "...got the resources he needed to make  
20                                   the assessments/final recommendation."

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

22                   **MS. REBECCA JONES:** Right? Okay. So S/Sgt.  
23 Stoll, the Chief wanted to make sure he had the resources he  
24 needed to put the -- make the inputs into this plan?

25                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26                   **MS. REBECCA JONES:** Okay. And now if we can go,  
27 please, to document OPS7355. And we looked at these notes  
28 earlier today -- February 5<sup>th</sup>, these are notes of Chief Sloly

1 about -- well, actually, if you scroll up a little bit -- okay,  
2 so it's actually an email from Former Chief Sloly to you, copied  
3 to many people on the team and this is the document, if you  
4 scroll down, where Chief Sloly sets out some general priorities  
5 for planning purposes; correct?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** He's  
7 directing the plan but yes, that's what he set out here are his  
8 priorities for that.

9 **MS. REBECCA JONES:** Okay. And you felt that this  
10 was directing the plan?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MS. REBECCA JONES:** Okay. And your suggestion is  
13 that that was somehow too directive?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15 **MS. REBECCA JONES:** Okay. So I'm going to return  
16 to that but when we look at these priorities, I'm going to  
17 suggest to you they're pretty high level -- surge, contain, and  
18 enforce; demonstration, fully implement plan; shut down, secure  
19 enablers for unlawful and unsafe protests.

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** "Fuel,  
21 fun," those are much more in the weeds.

22 **MS. REBECCA JONES:** Okay, but this isn't --  
23 you're not suggesting this is some sort of tactical-level plan?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There are  
25 portions of it that certainly look tactical to me ---

26 **MS. REBECCA JONES:** So, you've seen ---

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- that  
28 he's wanting us to interdict in the fuel, specifically, and that



1 was one of his things that he returned to on a number of  
2 occasions.

3 **MS. REBECCA JONES:** Sorry, I didn't mean to  
4 interrupt. The fuel, in particular, was an issue of a lot of  
5 public attention in Ottawa, right?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
7 was. Yes.

8 **MS. REBECCA JONES:** Okay. So -- and I'm almost  
9 out of time for lunch so I'll just ask you to agree with me  
10 about this. If you step back and try to put yourself in Chief  
11 Sloly's shoes, we are now on February 5<sup>th</sup>; we are now seven days  
12 after a determination had been made that the city was facing an  
13 occupation and that the plan needed to be evolved and he hadn't  
14 seen an evolved plan; correct?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

16 **MS. REBECCA JONES:** Okay. So when we talk about  
17 how involved you would expect a chief to be or how involved  
18 you're -- how much autonomy you're supposed to be giving your  
19 team, this was an exception circumstance; right?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
21 was.

22 **MS. REBECCA JONES:** It was an exceptional  
23 circumstance and he was trying to get his team to move forward  
24 with the evolved plan; right?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** But  
26 without the resources to do so. That was the impediment to us  
27 at that point in time. For those seven days, that's exactly  
28 what we were struggling with.

1           **MS. REBECCA JONES:** I could not agree with you  
2 more and we can return to that after the lunch break.

3           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

4           **COMMISSIONER ROULEAU:** Okay, so we'll take an  
5 hour for lunch and come back and continue this. Thank you.

6           **MS. REBECCA JONES:** Thank you.

7           **THE REGISTRAR:** The Commission is in recess for  
8 one hour. La Commission est levée pour une heure.

9 --- Upon recessing at 1:01 p.m.

10 --- Upon resuming at 2:00 p.m.

11           **THE REGISTRAR:** The Commission is reconvened. La  
12 Commission as reprend.

13 --- ACTING DEPUTY CHIEF PATRICIA FERGUSON, Resumed

14 --- CROSS-EXAMINATION BY REBECCA JONES, (cont'd):

15           **MS. REBECCA JONES:** I want to turn now -- we will  
16 get to resources by the end of my cross-examination but I'm  
17 going to turn first to the PLT, which is something we've heard a  
18 lot about this morning. The PLT is one of many important groups  
19 that -- within the law enforcement efforts that was working to  
20 resolve the issue of the convoy; right? And there were very  
21 important groups, such as Intelligence, people that were doing  
22 enforcement at POU, all also had a role, correct?

23           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Agreed.

24           **MS. REBECCA JONES:** And some people may favour a  
25 bigger role for the PLT and some people may favour a bigger role  
26 for enforcement, right?

27           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Depending  
28 on the circumstance.

1                   **MS. REBECCA JONES:** Right. And reasonable people  
2 could disagree about how much emphasis to put which law  
3 enforcement tool you have?

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it's  
5 always a balance.

6                   **MS. REBECCA JONES:** And is it fair to say that  
7 you and your partners with the OPP favoured the PLT-type  
8 approach here.

9                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
10 that's fair.

11                   **MS. REBECCA JONES:** Okay. And others, you felt,  
12 such as Chief Sloly and Supt. Patterson, you felt they favoured  
13 a more enforcement based approach?

14                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That was  
15 the impression I had, yes.

16                   **MS. REBECCA JONES:** Okay. But I just want to  
17 return to one thing, which is that February 1<sup>st</sup> POU meeting. At  
18 that meeting, were you aware that Chief Sloly ensured that the  
19 PLT was there?

20                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

21                   **MS. REBECCA JONES:** Okay. So making sure that  
22 the PLT was integrated with the POU when talking about planning,  
23 right?

24                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

25                   **MS. REBECCA JONES:** And that's a good idea.

26                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It is,  
27 oh, yeah.

28                   **MS. REBECCA JONES:** But this sort of tension

1 existed between how much enforcement to do versus how much  
2 negotiation through the PLT to do?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

4 **MS. REBECCA JONES:** And just as a slight aside to  
5 that, is it fair to say that the public frustration was focused,  
6 in large part, what the public perceived to be a lack of  
7 enforcement?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
9 think that's fair.

10 **MS. REBECCA JONES:** Okay. And I'm not asking you  
11 to weigh in on whether or not you agree.

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** M'hm.

13 **MS. REBECCA JONES:** There was a lot of complex  
14 considerations that were going into all police action at the  
15 time, right, but you'll agree with me that public confidence in  
16 police is itself a crucial public safety issue?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
18 think that's fair.

19 **MS. REBECCA JONES:** Okay. This tension between  
20 the more PLT-type approach or an approach that also incorporated  
21 enforcement really came to a head on February 10<sup>th</sup>, right, and  
22 you've talked about that?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

24 **MS. REBECCA JONES:** And that is the meeting where  
25 you and Supt. Patterson had a dispute?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

27 **MS. REBECCA JONES:** And in that dispute, Supt.  
28 Patterson suggested that you favoured -- and I'm not using the

1 right words but the overall gist of it was that you were  
2 favouring a PLT-driven strategy, in part, because your husband  
3 was leading the PLT, right?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
5 think that's what his -- and maybe I'll ask you to rephrase --  
6 or to repeat it ---

7 **MS. REBECCA JONES:** Sure.

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- if  
9 that's what I felt or if that's what he was thinking.

10 **MS. REBECCA JONES:** And if I'm characterizing it  
11 incorrectly, please feel free to clarify. My understanding was  
12 that Supt. Patterson made a suggestion that you were somehow  
13 favouring a more PLT-driven approach in some way related to the  
14 fact that your husband was a team lead for the PLT.

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
16 know that that's what he was insinuating but I can tell you that  
17 that was not the -- that was not why I was favouring PLT. I  
18 favoured PLT because I had seen it in action before, and my  
19 husband was actually not normally with PLT, but was a crisis  
20 negotiator, so was placed in the position.

21 **MS. REBECCA JONES:** And I'm not -- I just want to  
22 be very fair, I'm in no way suggesting that that's what was  
23 happening.

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

25 **MS. REBECCA JONES:** Okay?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27 **MS. REBECCA JONES:** But just at that, there was a  
28 dispute about your husband's role in PLT and whether that had

1 any influence on your favouring of a PLT strategy.

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
3 am -- I don't know that that's what he was trying to say,  
4 Superintendent Patterson. I don't want to put words into his  
5 mouth. I didn't take it to be that angle that you're  
6 suggesting, so I don't want to agree to that, because I don't  
7 know that that's what he was ---

8 **MS. REBECCA JONES:** Okay. So please feel free to  
9 clarify what you think he was suggesting about your favouring of  
10 a PLT strategy and its relationship to your spouse.

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
12 he was insinuating that I had communicated with my spouse about  
13 this particular operation and that that had undermined his  
14 ability to proceed with the operation.

15 **MS. REBECCA JONES:** Ah, I got it. Okay. Fair  
16 enough.

17 And you felt that this was an inappropriate  
18 suggestion?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MS. REBECCA JONES:** Okay.

21 And it was very upsetting to you, I imagine?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, it  
23 was.

24 **MS. REBECCA JONES:** Okay. And you spoke to Chief  
25 Sloly, who supported you, right?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27 **MS. REBECCA JONES:** Chief Sloly understood why  
28 you were upset?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

2                   **MS. REBECCA JONES:** And Chief Sloly removed  
3 Superintendent Patterson from his position within the incident  
4 command?

5                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** After  
6 some discussion and my request, yes.

7                   **MS. REBECCA JONES:** Yes. And that's appropriate,  
8 right, to ask you what you want to do, right, and then he  
9 supported you?

10                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, he  
11 did.

12                   **MS. REBECCA JONES:** Okay. And this is just a  
13 very small point, but my friend spent some time looking at the  
14 mission statement of the February 9th plan. Do you remember  
15 that?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.  
17 Yeah.

18                   **MS. REBECCA JONES:** And I just want to be clear  
19 for everyone. The upshot of that was that you wanted the role  
20 of the PLT or negotiation to be stated explicitly in the mission  
21 statement, and Chief Sloly said it's implicit in the mission  
22 statement?

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
24 wanted the word "negotiation", not necessarily mentioned in the  
25 PLT, but that we were doing this through negotiated methods.

26                   **MS. REBECCA JONES:** Right. And Chief Sloly said,  
27 "Yeah, I think that's implicit. I don't think it needs to go in  
28 the mission statement"?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
2 right.

3                   **MS. REBECCA JONES:** Okay.

4                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** But he  
5 said no first, sorry. Sorry for my interruption. He said no  
6 first, and then he said it's implied.

7                   **MS. REBECCA JONES:** And then he said it's  
8 implied?

9                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

10                  **MS. REBECCA JONES:** Okay. One other point before  
11 we turn away from the PLT, which is, you referred to the fact  
12 that you did not feel that senior command necessarily had great  
13 facility with the National Framework for Police Preparedness,  
14 right?

15                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16                  **MS. REBECCA JONES:** And it's fair to say that you  
17 as well became familiar with that National Framework during the  
18 Freedom Convoy?

19                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I had  
20 seen it before when I spoke with the group that asked to have  
21 more members trained post-the recent demonstration at Nicholas  
22 and Laurier, and they came back and provided me feedback, and  
23 they shared the framework with me at that point in time. I  
24 looked at it, you know, supported what they were trying to do,  
25 and then put it on the corner of my desk so I was refreshed of  
26 its existence, certainly, during the convoy.

27                  **MS. REBECCA JONES:** Okay. And I'm going to  
28 suggest that the language that you've used is, you became



1 familiar with the National Framework during the convoy?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

3 **MS. REBECCA JONES:** Okay. I'm going to turn now  
4 to the integrated planning group. You gave evidence that the  
5 integrated planning group support arrived on February 8th?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

7 **MS. REBECCA JONES:** And your evidence was that  
8 Chief Sloly was -- I think you used the word "suspicious" of the  
9 group and he was worried about politics, right? That's your  
10 evidence?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MS. REBECCA JONES:** Okay. And were you aware on  
13 February 8th of the motion that had been passed by City council  
14 the day before on February 7th? Were you following the motions  
15 at City council at this time?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
17 know which motion you're referring to, specifically, so ---

18 **MS. REBECCA JONES:** Fair enough. On February  
19 7th, a motion was brought and passed by City council to have the  
20 City ask the federal government to assume responsibility for  
21 public safety in the Parliamentary precinct.

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I'm  
23 aware of that one.

24 **MS. REBECCA JONES:** Okay. So you were aware at  
25 that point that something quite political was happening, right?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Oh, there  
27 was lots of politics.

28 **MS. REBECCA JONES:** Right. Okay. And of course,

1 that never happened because the motion was entirely without  
2 jurisdiction, right?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4 **MS. REBECCA JONES:** But when, again, to be fair  
5 to Chief Sloly, when this integrated planning group arrives and  
6 you perceive him to be somehow resistant or suspicious or  
7 whatever words you're using, this is within 24 hours of a motion  
8 to have the RCMP take over policing in the Parliamentary  
9 precinct, right?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

11 **MS. REBECCA JONES:** And so it's fair to say that  
12 Chief Sloly was dealing with a lot, including at the political  
13 level at this time?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No doubt.

15 **MS. REBECCA JONES:** I'm going to ask you now  
16 about this issue between the February 9th and the February 13th  
17 versions of the plan. And I'm going to ask if we could put up  
18 email at OPP1547, please, which is an email we looked at this  
19 morning.

20 If we scroll down to the bottom, please, okay.

21 So you were asked about this email and this is an  
22 email where Chief Sloly asks you to send him the latest version  
23 of the operations plan that I approved on February 9th, right?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

25 **MS. REBECCA JONES:** And when you were giving your  
26 evidence this morning, when first asked about this email and  
27 this operations plan, you explained that this operations plan  
28 that had been signed off on on the 9th had then been taken by

1 the integrated planning team and they were refining it and  
2 adding to it and making changes to it, right?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
4 think they were building it out.

5 **MS. REBECCA JONES:** They were building it out,  
6 okay. And I think your evidence just got a bit confused about  
7 the suggestion that there was confusion that there were two  
8 different plans, right? There weren't two different plans.  
9 There was the February 9th plan and it evolved into the February  
10 13th plan; is that fair?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** They're  
12 two very different plans in their final states, to say what was  
13 happening at this stage in the game would be unfair. I think  
14 Superintendent Bernier could probably tell you that piece in  
15 greater detail.

16 **MS. REBECCA JONES:** Fair. But the Commissioner  
17 shouldn't be left with the impression that there were two  
18 independent plans floating around and no one knew how to  
19 reconcile them, right? That would be fair?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, I  
21 think, further up, we sent him the plan that he's talking about,  
22 and then the conversation carries on about this integrated plan  
23 that is being developed waiting for signatories in that piece.  
24 So it would appear to me that there are two plans at this stage,  
25 but one may be the predecessor of the second.

26 **MS. REBECCA JONES:** Right. And the difficulty in  
27 this email that I'm going to put to you is that you had not been  
28 following the -- I shouldn't say you weren't following -- I'm

1 sure you were following -- but you had not seen the February  
2 13th version, or at this point, yes, the February 13th version  
3 yet, right?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I had  
5 not.

6 **MS. REBECCA JONES:** So what you sent Chief Sloly  
7 back was the one that you had?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It was  
9 the one that he'd signed off on on the 9th.

10 **MS. REBECCA JONES:** And that you had?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12 **MS. REBECCA JONES:** Right, because you didn't  
13 have the February 13th?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I did  
15 not.

16 **MS. REBECCA JONES:** So -- and I'm going to just  
17 take you now if I could to OPS10470, and if you scroll down,  
18 please, and this is -- sorry, if you go up just a little bit,  
19 this is an email from Superintendent Leu, I believe it is, at  
20 the RCMP?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
22 correct.

23 **MS. REBECCA JONES:** And Superintendent Leu refers  
24 to the fact that he is working on the plan, and in the second  
25 sentence:

26 "Obviously, this plan originated with  
27 your plan, which we examined,  
28 bolstered, and strengthened."

1 Right?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

3 **MS. REBECCA JONES:** And that was consistent with  
4 your understanding of what was happening?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6 **MS. REBECCA JONES:** I'm going to turn now to the  
7 relationship between the Police Service and the Board and  
8 Council

9 You attended several Board and Council meetings  
10 with Chief Sloly, both before and during the convoy, right?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I did.

12 **MS. REBECCA JONES:** And when questions came up  
13 about operations, often Chief Sloly would defer to you, and you  
14 would provide an operational update?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MS. REBECCA JONES:** And is it fair to say that  
17 you and Chief Sloly did that work, you updated the Board  
18 together, right?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

20 **MS. REBECCA JONES:** And you were on the same page  
21 about what sort of information the Board should have as to the  
22 status of operations.

23 I only have another minute, so I'm going to be  
24 fast. I'm going to ask you now about resources.

25 Ultimately, it took the additional 1,800 officers  
26 that the OPS determined it needed to clear out the occupation;  
27 right?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think

1 it actually took more than that, but yes.

2 **MS. REBECCA JONES:** Okay. It took more than  
3 that.

4 And this was done without any serious injury or  
5 loss of life?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
7 right.

8 **MS. REBECCA JONES:** And in -- partly in doing  
9 this, the police used the powers given to the police by the  
10 *Emergencies Act*?

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
12 think it assisted. I would say greased the wheels of the plan  
13 that we had in place.

14 **MS. REBECCA JONES:** Yes, okay. Fair.  
15 So it assisted you in executing the plan.

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17 **MS. REBECCA JONES:** Because you used powers such  
18 as threats of seizure of vehicles, right, threats of seizures of  
19 bank accounts?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

21 **MS. REBECCA JONES:** It helped you get tow trucks.

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23 **MS. REBECCA JONES:** It prevented -- allowed you  
24 to prevent assembly in the red zone?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26 **MS. REBECCA JONES:** So that things, I think we  
27 can say fairly, resolved more quickly and more safely because of  
28 those additional powers.

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.  
2 And Superintendent Bernier may have more details on this. I  
3 understand that we did -- we had secured some tow trucks, but I  
4 would say, you know, in terms of the plan that we had in place,  
5 it allowed us to move with further confidence than we would have  
6 had, say, without it.

7                   We may have seen more challenges later on in  
8 court, but we were going ahead with that plan anyway.

9                   **MS. REBECCA JONES:** Perfect.

10                  And before the over 1,800 additional resources  
11 arrived, you'll agree with me that the OPS did not have  
12 sufficient resources to end the occupation.

13                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I  
14 absolutely agree with you.

15                  **MS. REBECCA JONES:** Okay. Thank you. I have no  
16 further questions.

17                  **COMMISSIONER ROULEAU:** Thank you.

18                  Next up are the convoy organizers.

19 **--- CROSS-EXAMINATION BY MR. BRENDAN MILLER**

20                  **MR. BRENDAN MILLER:** Good afternoon, Acting  
21 Deputy Chief. And as I was saying, first thank you for your  
22 service and thank you for your forthright testimony already here  
23 that you've given today.

24                  I just need to pull one very small strand before  
25 I begin. I'm scrolling to it in my own disclosure.

26                  **COMMISSIONER ROULEAU:** If you could first  
27 introduce yourself and speak up a bit, please.

28                  **MR. BRENDAN MILLER:** Yes. Sorry, sir.

1           Brendan Miller. I am counsel to Freedom Corps,  
2 which is the incorporated entity that represents the protectors  
3 that were in your city in January and February of 2022.

4           So beginning first with the area that I want to  
5 chat with you about is the Hendon reports.

6           You said in your evidence in-chief that Acting  
7 Chief Bell's unit at the time, which I believe was Intelligence  
8 ---

9           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
10 right.

11          **MR. BRENDAN MILLER:** --- they were the ones that  
12 would receive the Hendon reports; correct?

13          Okay. And it's fair to say that it would have  
14 been now Acting Chief Bell's responsibility to pass those  
15 reports on to the Office of the Chief and Chief Sloly. That's  
16 who would pass them on to him.

17          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
18 what he would be passing on is the products of what that unit  
19 worked on to share up. I don't think it was his job to pass it  
20 up to the Chief, but the information would be assessed, analyzed  
21 and then passed up the chain.

22          **MR. BRENDAN MILLER:** Now, we heard yesterday that  
23 Chief Sloly had to get the Hendon reports from the OPP directly  
24 in January of 2022 and Superintendent Morris found that odd  
25 because the OPP had been providing those reports to OPS since  
26 Project Hendon started in early 2021.

27          To your knowledge, were the Hendon reports not  
28 provided by now Acting Chief Bell or his department to Chief



1 Sloly?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
3 know.

4 **MR. BRENDAN MILLER:** You don't know.

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I  
6 couldn't comment on that. My understanding is that the Chief  
7 was receiving them as part of an All Chiefs. Sometimes that's  
8 how the initial -- there's two separate levels, so he might have  
9 been receiving it in that. That's generally one of the ways  
10 that the -- that information is disseminated across the  
11 province, but whether Chief Bell was getting them and when he  
12 got them, I don't know. I couldn't speak to that.

13 **MR. BRENDAN MILLER:** Okay. And so it's fair to  
14 say that -- we'll have to just ask Chief Bell or Acting Chief  
15 Bell that.

16 It's fair to say, then, that these Hendon  
17 reports, they went to someone likely in Chief Bell's unit but  
18 not necessarily Chief Bell?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah,  
20 that's fair.

21 **MR. BRENDAN MILLER:** And then that individual,  
22 whomever received them, or group would then put together their  
23 own product and then provide it to either Chief Bell and then  
24 Chief Bell may or may not provide it to Chief Sloly; fair?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Fair.

26 **MR. BRENDAN MILLER:** Okay. Thank you.

27 I just wanted to get that clarified because it's  
28 an important point.

1 I want to talk to you a little bit about the  
2 media reports and some of the misinformation that was spoken  
3 about yesterday by Superintendent Morris.

4 The media, through reporting at times and  
5 statements of elected officials reported that the residents of  
6 Ottawa were experiencing unprecedented violence. Do you  
7 remember reading that?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
9 remember reading that, no.

10 **MR. BRENDAN MILLER:** All right.

11 Can you agree with me that there was not an  
12 increase in violent crime or events of violent crime in the City  
13 of Ottawa during the protests before the invocation of the  
14 *Emergencies Act*?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
16 think I can agree with you on that. I do believe we saw an  
17 increase in violence.

18 I don't have the exact measures or the stats, but  
19 I do know that we did see some increase in violence and acts of  
20 violence as a result of the protests in town.

21 **MR. BRENDAN MILLER:** Right. And so I understand  
22 that prior to the invocation of the *Emergencies Act*, between  
23 January 27th and February 14th, there was a total of only 13  
24 charges laid as against the protestors. Can you agree with me  
25 on that?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Can you  
27 repeat the dates please? Sorry.

28 **MR. BRENDAN MILLER:** Between January 27th and

1 February 14th, the invocation.

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So that  
3 charges were laid during that time? Charges may have been  
4 latent in terms of once the information was all gathered, then  
5 charges were laid after, and my understanding is there were  
6 upwards of 400 charges that were laid in relation to the convoy.

7 **MR. BRENDAN MILLER:** Right. And those charges, I  
8 understand, the great majority of them arose after February 14th  
9 with respect to the enforcement. It wasn't for things that  
10 happened during the time period prior to the invocation. Is  
11 that fair?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
13 think they were acts that took place during that time period  
14 when the convoy was in town but that the information was only  
15 able to be solidified into a state where we were able to lay  
16 charges.

17 **MR. BRENDAN MILLER:** Right. So would Acting  
18 Chief Bell be able to provide us an accurate number for this  
19 Commission with respect to that question?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm sure  
21 he could if he knows the question now.

22 **MR. BRENDAN MILLER:** Okay. Well, hopefully he's  
23 able to do that because I believe that's an important point.

24 Now, I take it that during the protests, of  
25 course, that the Ottawa Police Service, though they weren't, at  
26 times, enforcing by-laws or weren't enforcing provincial  
27 infractions, they were enforcing the *Criminal Code* in full force  
28 and effect; right?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
2 wouldn't say that. I think we were struggling to be able to do  
3 that.

4                   **MR. BRENDAN MILLER:** You're struggling, but if a  
5 police officer saw an individual assaulting another or there was  
6 a report of an individual to a police officer that they had been  
7 assaulted, that was investigated?

8                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9                   **MR. BRENDAN MILLER:** Those individuals after that  
10 investigation, if it was appropriate, charges were laid against  
11 them.

12                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, in  
13 many cases.

14                   **MR. BRENDAN MILLER:** Now, did Chief Sloly at any  
15 time advise you that he had been advised by RCMP Commissioner  
16 Brenda Lucki on January 31st, 2022 to not have the City of  
17 Ottawa get an injunction because it's an official movement to  
18 another stage, this will involve the whole country and anything  
19 official will spark a national response?

20                   Did he tell you about that?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I was  
22 part of the conversation with Commissioner Lucki and  
23 Commissioner Carrique, I believe, at the time. I don't remember  
24 those facts specifically, but I do remember Commissioner Lucki  
25 saying that it was -- it was a bit of a double-edged sword,  
26 getting an injunction, because, you know, then you would need to  
27 be enforcing and if you don't have the resources right now to  
28 enforce all the *Criminal Codes* and other offences that were

1 being broken here, then to get an injunction sort of sets the  
2 expectation for the community that we were then going to be able  
3 to actually come down and enforce it, and we didn't have the  
4 resources there.

5 So there was conversation for sure about it, but  
6 I don't know what her specifics -- what you're saying, whether  
7 that was attributed to her or not.

8 **MR. BRENDAN MILLER:** Right. So I just want to go  
9 through again. You had mentioned in your evidence the Chief  
10 under examination from my friends, counsel for Mr. Sloly, that  
11 there were certain provisions with the *Emergencies Act Order*,  
12 the Order in Council that assisted removing the protestors. I  
13 want to deal with each.

14 So first is the threat or the freezing of bank  
15 accounts, all right. So I'd like you to turn your mind to that.  
16 How many individuals whose bank accounts were frozen, to your  
17 knowledge, immediately exited the downtown of Ottawa?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
19 know.

20 **MR. BRENDAN MILLER:** All right. Do you have any  
21 information that these individuals who had their bank accounts  
22 frozen couldn't leave because they couldn't pay to get out of  
23 Ottawa?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I had  
25 heard anecdotally through the media some of those stories, but I  
26 am not aware of any specifics.

27 **MR. BRENDAN MILLER:** Okay. So with respect to  
28 that, can you agree with me that it was only about 58 or 59

1 individuals who had their bank accounts frozen?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I can't  
3 actually agree because I don't know those figures. I'm sorry.

4 **MR. BRENDAN MILLER:** Okay. And dealing with some  
5 of the other enforcement provisions, of course you can agree  
6 that the *Emergencies Act Order* did not order an increase in  
7 officers for you to remove the protesters?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, what  
9 it did do was, there was some legislative things that it was  
10 able to -- we were able to get RCMP members here without  
11 swearing them all in, which was a bit of an administrative  
12 hurdle for us. We were, you know, struggling with that  
13 throughout the convoy. With the *Emergencies Act*, they were able  
14 to come and just be police officers here without that step.

15 **MR. BRENDAN MILLER:** Okay. And so that is one of  
16 the things that sped it up, but can you agree with me that if  
17 there was an order, once you got resources in place, if there  
18 was an injunction in place that had the terms of removal inside  
19 of it, that these police officers could have done the same  
20 thing; couldn't they?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, they  
22 could have. I think I said that of most officers across Canada  
23 here.

24 **MR. BRENDAN MILLER:** Right. So I just want to  
25 touch on, and we've talked a little bit about misinformation,  
26 and, you know, the evidence from Superintendent Morris yesterday  
27 was very interesting. He talked about misinformation in detail  
28 and misinformation in the media and it was very enlightening.

1 And, of course, there's still some misinformation going around  
2 and, you know, even we have misinformation. We don't know  
3 what's true and what's not. So I'm going to ask you some  
4 questions here. I don't know what the answer to this is going  
5 to be, but it may or not be misinformation. Did you tell any of  
6 your friends and colleagues within OPS that at some time prior  
7 to you giving testimony here today that you were approached by  
8 someone who wanted you to give certain evidence that was not  
9 true?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

11 **MR. BRENDAN MILLER:** Thank you.

12 Now I take it that you prepared in advance for  
13 giving your evidence in this proceeding in the sense as a police  
14 officer would before they testify in a trial or any proceeding?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MR. BRENDAN MILLER:** And unlike regular court  
17 proceedings, this proceeding is unique, and there's no exclusion  
18 of witnesses' orders and, in fact, the proceeding plays out  
19 online and live on TV. I take it you're aware of that?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
21 am.

22 **MR. BRENDAN MILLER:** Did you have the opportunity  
23 and privilege to listen to the evidence of Superintendent Morris  
24 before testifying today?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** His was  
26 the one I missed because I was intensely prepping for today so.

27 **MR. BRENDAN MILLER:** All right. Well, I'm not  
28 going to ask you about his evidence then and ask you to confirm

1 it if you haven't heard it. But can you agree with me that  
2 Superintendent Morris is the most senior Intelligence officer  
3 within the provincial government in the entire province of  
4 Ontario?

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
6 actually know that. I believe that, but I don't know that  
7 that's a hundred percent.

8 **MR. BRENDAN MILLER:** And you know he works hand  
9 in hand with the Canadian Security Intelligence Service, the  
10 Communications Security Establishment and the Royal Canadian  
11 Mounted Police. You're aware of that?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

13 **MR. BRENDAN MILLER:** And if anyone in the  
14 province within the provincial and, you know, even municipal  
15 apparatus knows anything about threats to the security of  
16 Canada, it would be him; wouldn't it?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
18 know how to answer that. I mean, I think that's speculative,  
19 but he's a very learned colleague in this regard for sure.

20 **MR. BRENDAN MILLER:** Yes. Those are my  
21 questions. Thank you very much.

22 **COMMISSIONER ROULEAU:** Thank you.

23 I'd like to now call on the City of Ottawa.

24 **--- CROSS-EXAMINATION BY MS. ANNE TARDIF:**

25 **MS. ANNE TARDIF:** Good afternoon.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Good  
27 afternoon.

28 **MS. ANNE TARDIF:** My name's Anne Tardif. I'm one



1 of the lawyers for the City of Ottawa.

2                   You were asked this morning, Acting Deputy Chief,  
3 why the Ottawa Police Service did not proactively lock down  
4 Wellington and the downtown core before the first trucks  
5 arrived. You recall being asked that question?

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

7                   **MS. ANNE TARDIF:** In fact, I think you were asked  
8 it several times in fairness to you. Are you familiar with the  
9 farmer's protest that I believe occurred in or around 2006?

10                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** For  
11 referral, yes.

12                   **MS. ANNE TARDIF:** Okay. And you're aware that  
13 certain large farm vehicles like tractors came up and protested  
14 on Wellington in front of Parliament Hill?

15                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I am  
16 aware of that, yeah.

17                   **MS. ANNE TARDIF:** And my understanding is they  
18 came, and they left without incident; is that in accordance with  
19 your understanding as well?

20                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
21 is.

22                   **MS. ANNE TARDIF:** And I expect that we will hear  
23 evidence that Chief Ramer -- and I -- am I pronouncing that  
24 right? I am? Chief Ramer of the Toronto Police Service, that  
25 he's indicated that using Ottawa, they locked down the City of  
26 Toronto, and that had Ottawa not happened, Toronto Police  
27 Service tactics would not have been accepted. And this was in  
28 relation to TPS's decision to lock down the area around Queen's

1 Park after the convo had arrived in Ottawa. Are you aware that  
2 Chief Ramer has said that?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I am,  
4 yes.

5 **MS. ANNE TARDIF:** And in fairness to you, since -  
6 - fairness to you and the Service I should say, since the events  
7 of the Freedom Convoy, my understanding is that the police  
8 working collaboratively with the City of Ottawa have, in fact,  
9 locked down the area of Wellington, exercise their authorities  
10 to close streets to prevent the event from recurring; is that  
11 correct?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That is  
13 correct, yes.

14 **MS. ANNE TARDIF:** And I'm thinking, for example,  
15 of Rolling Thunder.

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17 **MS. ANNE TARDIF:** Okay.

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

19 **MS. ANNE TARDIF:** And I think there was also a  
20 veteran's event around Canada Day. You're familiar with those?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I am,  
22 yes.

23 **MS. ANNE TARDIF:** Thank you. Now I take it  
24 you're also aware that during the Freedom Convoy community  
25 members in Ottawa were being harassed by protesters in areas  
26 such as Kent Street, for example?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
28 those were reports we received.

1                   **MS. ANNE TARDIF:** Okay. And for those who aren't  
2 quite familiar with the geography of Ottawa, fair to say that  
3 Kent Street is on the periphery of what later became known as  
4 the red zone?

5                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6                   **MS. ANNE TARDIF:** And I also understand that  
7 while the City and OPS were generally successful in maintaining  
8 emergency lanes open and clear, there were some issues in that  
9 respect; is that fair?

10                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There  
11 were. I think probably after the first weekend we struggled  
12 with that, keeping them open.

13                  **MS. ANNE TARDIF:** My understanding is that Kent  
14 Street never had an emergency lane open?

15                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, it  
16 didn't.

17                  **MS. ANNE TARDIF:** And that Wellington Street, the  
18 intended emergency lane was in fact lost during that first  
19 weekend?

20                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
21 was.

22                  **MS. ANNE TARDIF:** Now obviously, that represents  
23 a public safety concern. You'd agree with that, Acting Deputy  
24 Chief?

25                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
26 Absolutely, yes.

27                  **MS. ANNE TARDIF:** So I just want to get the  
28 overall timeline. Perhaps you can help me here. I think I've

1 got it now. The -- let's start with the first weekend. So the  
2 first truck rolled in on January 28, which was a Friday.

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

4 **MS. ANNE TARDIF:** And that first weekend, January  
5 28<sup>th</sup> to Sunday, January 30<sup>th</sup>, OPS's plan, the Police Service's  
6 plan focussed primarily on traffic management; is that fair?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
8 that is fair, yeah.

9 **MS. ANNE TARDIF:** And you've described how on  
10 Monday, January 31<sup>st</sup>, when a number of the trucks did not in fact  
11 leave, the Service pivoted and considered it now, the event that  
12 is, to be a critical incident?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, and  
14 an occupation.

15 **MS. ANNE TARDIF:** An occupation. In other words,  
16 not merely a traffic event.

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Right.

18 **MS. ANNE TARDIF:** And you described this morning  
19 how by February 4<sup>th</sup>, that's the Friday of that first week, OPS  
20 still did not have a new or evolved plan; is that correct?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That is  
22 correct.

23 **MS. ANNE TARDIF:** And I think I heard you say  
24 this morning that during that first week, there were times, in  
25 fact, when the Service was floundering. That's the word you  
26 use. Is that fair?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
28 is.

1           **MS. ANNE TARDIF:** And by February 6<sup>th</sup>, that's the  
2 date that Chief Sloly, former Chief Sloly, pardon me, asked for  
3 1800 additional resources or officers; is that correct?

4           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I know he  
5 made the ask. I'm not sure of the date, so if you're saying the  
6 6<sup>th</sup> ---

7           **MS. ANNE TARDIF:** Does that sound about right?

8           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It does,  
9 yes.

10          **MS. ANNE TARDIF:** I think that's the evidence the  
11 Commission has heard today.

12          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

13          **MS. ANNE TARDIF:** And I think I heard you say  
14 earlier that, in fact, you believe more resources than that were  
15 effectively needed to end this convoy occupation; is that  
16 correct?

17          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
18 in the end it was somewhere near 2200.

19          **MS. ANNE TARDIF:** That same day, February 6<sup>th</sup>, the  
20 events that you described at Coventry took place?

21          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

22          **MS. ANNE TARDIF:** POU, that's the Public Order  
23 Unit, they conducted some enforcement there ---

24          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

25          **MS. ANNE TARDIF:** --- that resulted in arrests?

26          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

27          **MS. ANNE TARDIF:** And they did so without, as I  
28 understand it, advising the Police Liaison Team?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
2 right.

3                   **MS. ANNE TARDIF:** Came as a surprise to Police  
4 Liaison Team members?

5                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6                   **MS. ANNE TARDIF:** And that team I think you said  
7 felt betrayed?

8                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9                   **MS. ANNE TARDIF:** And the result, of course, was  
10 a breakdown in the trust between the Police Liaison Team and the  
11 protesters, to a certain extent at least?

12                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes ---

13                   **MS. ANNE TARDIF:** Yeah.

14                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- I  
15 think there was that impact.

16                   **MS. ANNE TARDIF:** You said you do think there was  
17 there an impact.

18                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do  
19 think that was -- yeah.

20                   **MS. ANNE TARDIF:** And again, for those of who are  
21 still learning about police Operations and don't have the  
22 experience you do, as I understand it, the Police Liaison Team  
23 is the group that is primarily responsible for communicating and  
24 negotiating with protesters.

25                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, they  
26 are.

27                   **MS. ANNE TARDIF:** So the breakdown in trust would  
28 be a significant event?

1           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
2 categorise it as that, yes.

3           **MS. ANNE TARDIF:** Moving ahead to February 8th,  
4 we're now 11 days into the convoy?

5           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6           **MS. ANNE TARDIF:** We still don't have the almost  
7 1,800 resources that former Chief Sloly has requested?

8           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

9           **MS. ANNE TARDIF:** And that turned out to be  
10 necessary; you'll with that?

11           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

12           **MS. ANNE TARDIF:** We still don't have, if I've  
13 understood you correctly, a final operational plan?

14           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

15           **MS. ANNE TARDIF:** At least not one that's been  
16 approved?

17           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Were  
18 working on it.

19           **MS. ANNE TARDIF:** Or, sorry, or which?

20           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Were  
21 working on it.

22           **MS. ANNE TARDIF:** You were working on it. Fair  
23 enough. And I think you'd agree with me that by this time the  
24 force is probably exhausted.

25           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

26           **MS. ANNE TARDIF:** Mentally and physically.

27           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28           **MS. ANNE TARDIF:** And you'll agree with me that

1 Ottawa residents, particularly those living on the periphery of  
2 the red zone, those facing harassment, noise, pollution, so on,  
3 so forth, they're also frustrated.

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

5 **MS. ANNE TARDIF:** And they're also exhausted.

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

7 **MS. ANNE TARDIF:** And it's not an understatement  
8 in the least to say that things were dire by that point.

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
10 think that's an understatement.

11 **MS. ANNE TARDIF:** You're aware that on  
12 February 8th that the Ottawa Police Service reached out to the  
13 City Manager, whom everyone in this town calls Steve K?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15 **MS. ANNE TARDIF:** To ask him to meet with  
16 protesters?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

18 **MS. ANNE TARDIF:** And they felt, your Service  
19 felt, it would be a win for PLT to gain trust with the truckers.

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
21 we were looking for a win in terms of movement of the trucks. I  
22 don't know if we were positioning it as a win for PLT per se.

23 **MS. ANNE TARDIF:** Oh, sorry. I guess what I  
24 meant was it's a win in terms of re-establishing trust with the  
25 truckers, between authorities and the truckers, so that you can  
26 get to a negotiated solution.

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
28 fair.



1           **MS. ANNE TARDIF:** Right. I think you said  
2 earlier that, you know, that was the goal. You in fact had  
3 wanted to see that in the Mission Statement, that a peaceful  
4 negotiation was the best outcome overall.

5           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6           **MS. ANNE TARDIF:** Steve K agreed to work with  
7 police and PLT and to meet with the protest leaders?

8           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**

9 (Inaudible response)

10          **MS. ANNE TARDIF:** And then I understood that you  
11 were off on February 11th and 12th; did I get that?

12          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
13 right.

14          **MS. ANNE TARDIF:** So I won't ask you about the  
15 events of those days, and we'll jump ahead to February 13th. I  
16 understand that Steve K briefed police about the negotiations on  
17 February 13; is that right?

18          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, he  
19 did.

20          **MS. ANNE TARDIF:** And he told you that we needed  
21 the police at the table to confirm where the protesters should  
22 park, what locations.

23          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, for  
24 logistics.

25          **MS. ANNE TARDIF:** Sorry, which?

26          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** For the -

27 --

28          **MS. ANNE TARDIF:** For logistics, yeah. That's

1 probably a better word. And so he wanted the police because you  
2 were -- the police is going to need to execute this on the  
3 ground; fair?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
5 fair.

6 **MS. ANNE TARDIF:** And he wanted a senior OPS  
7 member involved at that stage?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

9 **MS. ANNE TARDIF:** And as I understand it, former  
10 Chief Sloly assigned Superintendent Drummond to that task.

11 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
12 correct.

13 **MS. ANNE TARDIF:** And that meeting occurred on  
14 the evening of February 13th.

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I believe  
16 so.

17 **MS. ANNE TARDIF:** With Superintendent Drummond at  
18 the table.

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **MS. ANNE TARDIF:** And I know we'll be hearing  
21 from him next week, so I'll pick it up with him there.

22 Thank you very much, Acting Deputy Chief.

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Thank  
24 you.

25 **COMMISSIONER ROULEAU:** Thank you. If I could now  
26 call on the Ottawa Coalition.

27 **MR. PAUL CHAMP:** Thank you, Commissioner.

28 **--- CROSS-EXAMINATION BY MR. PAUL CHAMP:**

1                   **MR. PAUL CHAMP:** Good afternoon, Deputy  
2 Chief Ferguson.

3                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Good  
4 afternoon.

5                   **MR. PAUL CHAMP:** My name's Paul Champ. I'm the  
6 lawyer for the Ottawa Coalition for Residents and Businesses,  
7 and want to thank you very much for coming today to answer some  
8 of our questions.

9                   I want to start, Deputy Chief Ferguson, asking  
10 you about the decision to allow the heavy trucks to come  
11 downtown right at the outset. Now, we've heard previous  
12 evidence from the City Manager, Mr. Kanellakos and the Mayor and  
13 Chair Deans that the police were telling them that it was the  
14 opinion of the Ottawa Police Service that you could not prevent  
15 the heavy trucks from going downtown because of the *Charter*  
16 rights of those truckers. Was that your understanding of what  
17 the Ottawa Police were telling the City of Ottawa officials?

18                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19                   **MR. PAUL CHAMP:** And was that a legal opinion  
20 that the Ottawa Police obtained?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
22 remember if we obtained a legal opinion on that. I believe this  
23 was based on decades of past, you know, experience in managing  
24 events, and that we have allowed it in the past, and that we  
25 were going to again in this case.

26                   **MR. PAUL CHAMP:** Notwithstanding the dramatically  
27 larger scale and the larger number of like heavy trucks?

28                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I

1 think we have had trucks, and as previously alluded to, tractors  
2 in that area of the downtown. It's obviously the sought after  
3 spot when people come to protest.

4 **MR. PAUL CHAMP:** And this idea of vehicle  
5 protests or vehicle associated protests, you've told us the  
6 Ottawa Police Service had some experience with that before. Has  
7 the Ottawa Police sought input or guidance or expertise from  
8 other police services about how they manage large vehicle  
9 protests?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Not to my  
11 knowledge. I know that it's possible. I know there is a whole  
12 network of officers who, you know, go to conferences on public  
13 order things, and I have been to one of those. So there may be  
14 a network and that might have happened already.

15 **MR. PAUL CHAMP:** There might be police services  
16 reaching out to OPS now after this incident ---

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

18 **MR. PAUL CHAMP:** --- I'm sure. Yeah. Deputy  
19 Chief, on January 26th, we know that you gave an interview to  
20 Global News; is that right? Do you recall that?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
22 possible, yes.

23 **MR. PAUL CHAMP:** And you made a comment to the  
24 media at that time, or Global News, that you expected the convoy  
25 protests could go on for a prolonged period. Do you recall  
26 making a comment like that?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do.

28 **MR. PAUL CHAMP:** And by that, you -- I understand

1 you are later suggesting that by prolonged period you just meant  
2 like a long weekend.

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4 **MR. PAUL CHAMP:** But isn't it true, Deputy Chief,  
5 that by that time there were in fact all kinds of, I would  
6 suggest, of glaring indicators that these protesters were coming  
7 here for a very prolonged period. Isn't that fair?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So there  
9 were indicators. Was I aware of them at that time on the 26th  
10 when I made that statement? I don't believe I was, but  
11 prolonged in my experience, being, you know, a police officer in  
12 the Capital for 27 years, prolonged was a weekend for a protest.

13 **MR. PAUL CHAMP:** But this one was different,  
14 Deputy Chief. You had a very, very large number of trucks that  
15 were coming from a long distance, right, from Western Canada;  
16 correct?

17 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, and  
18 we'd had a similar one I believe in 2019.

19 **MR. PAUL CHAMP:** Yeah, some of the same folks  
20 involved.

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.  
22 Yes.

23 **MR. PAUL CHAMP:** I think we might hear about that  
24 later in these hearings. But nowhere near the numbers; correct?

25 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Well, the  
26 numbers were something that was fluctuating as they travelled  
27 across the country. And even right up until the, you know, the  
28 three days prior to them arriving in Ottawa, my understanding is

1 the Hendon reports had three different numbers, somewhere in the  
2 high four hundreds, then five-and-a-half, and then ultimately  
3 1,300 I think was the last number that we had prior to them  
4 arriving here.

5 **MR. PAUL CHAMP:** This one was also different, I  
6 would suggest, Deputy Chief, because it was known and very  
7 publicly known that they had in fact raised an enormous amount  
8 of money to support this journey, and perhaps more, given the  
9 amount of money raised. That made it different, did it not?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It did.  
11 Without knowing what that money was going to be used for,  
12 whether it was going to support truckers who could no longer  
13 work because they couldn't cross the border or whether -- you  
14 know, we could speculate as to what that was for, we didn't  
15 automatically attribute it to being to support the people who  
16 arrived in Ottawa.

17 **MR. PAUL CHAMP:** Well, you knew from the GoFundMe  
18 page it said for raising money for fuel and lodging and food for  
19 the protesters in Ottawa. You were aware of that.,

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Sorry, I  
21 didn't know that.

22 **MR. PAUL CHAMP:** Okay. That might have been the  
23 Intelligence folks might not have shared that. And also that  
24 the protesters had no exit strategy. You weren't -- but you  
25 weren't aware of that in the beginning.

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, not  
27 at the beginning and, you know, to be fair, I think there were  
28 comments saying that they were planning leaving after the

1 weekend and then other ones had said the fourth I think was  
2 given as a date, and then there was also information that there  
3 was no exit strategy for some of them who were planning to stay.

4 **MR. PAUL CHAMP:** But you would agree with me,  
5 Deputy Chief, there were some indicators that they were prepared  
6 to come here for a number of weeks perhaps?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would  
8 agree, yes.

9 **MR. PAUL CHAMP:** And at the time of the first  
10 weekend, at least at that time, unfortunately the Ottawa Police  
11 Service did not have a contingency plan about how to manage that  
12 for several weeks if we had a few hundred trucks parked in  
13 Downtown Ottawa.

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, we  
15 did not.

16 **MR. PAUL CHAMP:** We were crossing our fingers and  
17 hoping for the best at that point. And I don't mean -- I know  
18 there's a lot of armchair quarterbacks at this stage, Deputy  
19 Chief, but it was a bit of a traumatic event for a lot of folks  
20 downtown.

21 Now, at one point the deputy, or pardon me,  
22 Chief Sloly said this is no longer a protest, it's an  
23 occupation, and you've told us today that the protesters had  
24 begun to entrench themselves, and you'd mentioned they had set  
25 up tents. But did they also were starting creating wooden  
26 structures; correct?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28 **MR. PAUL CHAMP:** A number of them at different

1 locations?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

3 **MR. PAUL CHAMP:** There were kitchens that were  
4 set up ---

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6 **MR. PAUL CHAMP:** --- outdoor kitchens? We know  
7 they had different fires at different locations to keep them  
8 warm in multiple locations.

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I heard  
10 that, yes.

11 **MR. PAUL CHAMP:** They had supply chains of fuel  
12 and food from the staging area, Coventry, to bring food and fuel  
13 regularly downtown; correct?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's my  
15 understanding.

16 **MR. PAUL CHAMP:** Well, the Ottawa Police was  
17 monitoring, I gather, those supply chains?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MR. PAUL CHAMP:** And you're also aware that the  
20 convoy protestors had very strong logistics and experienced  
21 people managing those logistics? You're aware that they had  
22 retired military and police managing those logistics?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

24 **MR. PAUL CHAMP:** So, over time, it became quite  
25 clear to Ottawa Police Service there was a serious problem, that  
26 they could well be here for a very long time?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

28 **MR. PAUL CHAMP:** And on the impact downtown,



1 there was, is it fair to say, Deputy Chief, a fair amount of  
2 lawlessness in Downtown Ottawa at that time, aside from just the  
3 bylaws, the parking, the idling, open fires everywhere, at  
4 almost every intersection, and so forth; correct.

5 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

6 **MR. PAUL CHAMP:** Fireworks were shooting off,  
7 binging off buildings, and so forth?

8 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I've  
9 heard that, yes.

10 **MR. PAUL CHAMP:** Large numbers of propane tanks  
11 and jerrycans were around downtown?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

13 **MR. PAUL CHAMP:** People were ignoring public  
14 health regulations on masks?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MR. PAUL CHAMP:** And we heard some questions  
17 around other more serious crimes, about assaults. There were  
18 reports of assaults during the course of the protest?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There  
20 were.

21 **MR. PAUL CHAMP:** Now, those would have been, I  
22 gather, Deputy Chief, difficult crimes to investigate because  
23 they weren't in situations where the victim and the perpetrator  
24 don't know each other and it's at a random place in a street; I  
25 gather that's very challenging for police to investigate?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah,  
27 sometimes to identify the subject or the accused and the subject  
28 and the event, yeah.

1           **MR. PAUL CHAMP:** Right. And in many cases isn't  
2 it fair to say, Deputy Chief, that for Ottawa citizens or  
3 residents calling saying they were assaulted and making those  
4 reports, the police, unfortunately, couldn't do much more than  
5 just take down the information; correct?

6           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
7 fair.

8           **MR. PAUL CHAMP:** And that's really what happened  
9 with the vast majority of those cases?

10          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
11 if it's the vast majority but I would suspect there's a large  
12 number, that that is in fact the case.

13          **MR. PAUL CHAMP:** And there was also a large  
14 number of people reporting threats, being threatened by the  
15 protestors; correct?

16          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

17          **MR. PAUL CHAMP:** And in many cases when there  
18 wasn't actually an assault, the police weren't even necessarily  
19 taking police reports on those because there were so many; is  
20 that right?

21          **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
22 know that we weren't taking them -- not everybody was calling  
23 was and we were -- by the second weekend, we were imploring  
24 people in the press conference that was done to please call us,  
25 "We would like to know about this." I know we had an influx of  
26 calls around the protest time but not all of them were  
27 reporting. Some of them were threatening our staff. Some of  
28 them were, you know, espousing their views on the convoy in the

1 positive or negative. So our lines were pretty jammed and it  
2 might have been difficult for some people to actually makes  
3 those reports.

4 **MR. PAUL CHAMP:** Right. Yeah, this protest was  
5 kind of affecting Ottawa on many levels. We were -- our public  
6 officials were receiving serious threats as well, correct?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Correct.

8 **MR. PAUL CHAMP:** And that's -- those are things  
9 that Ottawa Police resources had to deal with?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, as  
11 much as we could.

12 **MR. PAUL CHAMP:** As much as we could. We also --  
13 obviously, we had the deluge of fake 911 calls and bomb threats  
14 to our hospitals; those things happened?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MR. PAUL CHAMP:** Making it difficult on Ottawa's  
17 Police Resources?

18 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

19 **MR. PAUL CHAMP:** And Deputy Chief, as well, the  
20 police officers, you've already told us how exhausted they were  
21 working around the clock. Some of them were also reporting they  
22 having concerns with the sound and the diesel fumes; correct?

23 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, we  
24 actually engaged our police association and got some tools that  
25 were measuring the noise that our officers were being exposed to  
26 along with air-quality things. Some of the officers were  
27 wearing them on their uniforms so that we could assess just what  
28 sort of impact it was having on their health.

1           **MR. PAUL CHAMP:** Because many of them were  
2 complaining as it went along about how loud it was?

3           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

4           **MR. PAUL CHAMP:** Now, just the final area, Deputy  
5 Chief, about the Ottawa Police and what was happening with the  
6 Ottawa Police at that time. Now, this significant event, it  
7 occurred a very difficult for the Ottawa Police Service as an  
8 organization; is that fair to say?

9           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Very  
10 fair.

11           **MR. PAUL CHAMP:** And you've indicated that there  
12 was a lot of retirements and resignations at the senior levels  
13 at that time?

14           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15           **MR. PAUL CHAMP:** We had a Deputy Chief who had  
16 been suspended for a prolonged period of time?

17           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

18           **MR. PAUL CHAMP:** The Deputy Chief position that  
19 you were occupying, that was Deputy Chief Jaswal spot?

20           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
21 was.

22           **MR. PAUL CHAMP:** And for the previous two and  
23 half years, they were rotating people through that spot, a  
24 number of different officers, Inspectors McKenna, Ford,  
25 Burnett, I think Rheaume, Dunlop, Drummond, all of you occupied  
26 that position for some period of time?

27           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** McKenna  
28 and Ford rotated back and forth over several months a time for a

1 period of, I think, probably about 18 months, and then, yes,  
2 Supt. Dunlop was there. I think he was the only -- those were  
3 the only three.

4 **MR. PAUL CHAMP:** And other senior officers had  
5 resigned or retired at that time so you'd some of -- some of the  
6 normal robustness of the Ottawa Police Service?

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Corporate  
8 knowledge and subject-matter experts, yes.

9 **MR. PAUL CHAMP:** And there was also the issue,  
10 was it not, Deputy Chief, that there were some -- there was a  
11 lot of people within in the Ottawa Police Service who disliked  
12 the Chief and were not very happy with the Chief's leadership;  
13 is that fair to say?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** There was  
15 definitely some dissention and I don't know what all the reasons  
16 for leaving were but it was a time where I would say we were  
17 pretty divided, exhausted, and -- I don't know. There was, as I  
18 said, a number of people who left but they were able to because  
19 they had their years in and it was a good time. With the  
20 pandemic restrictions lifting, I think a lot of them went on to  
21 do -- whether it was travel or do other things, so.

22 **MR. PAUL CHAMP:** Right. Well, we know in the in  
23 the midst of this, Deputy Chief, of this convoy, not only did  
24 Chief Sloly end up resigning but, prior to that, there was a CBC  
25 story that was coming out critical of his leadership that  
26 apparently came from those within the Ottawa Police Service; do  
27 you recall that?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do. I

1 think it was convoy-related, though. Like, it was from  
2 incidents that occurred during the convoy and prior.

3 **MR. PAUL CHAMP:** But do you think that those who  
4 leaked that information, they were trying to undermine Chief  
5 Sloly or wanted to see him fail?

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
7 know what their motives were but I think it had that impact.

8 **MR. PAUL CHAMP:** Okay. And just the last -- the  
9 last thing here, Deputy Chief, now, you've testified -- you've  
10 given us evidence that you yourself had some concerns with the  
11 decision-making and actions of Chief Sloly at times?

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
13 did.

14 **MR. PAUL CHAMP:** And your concerns about that  
15 grew over time as the convoy progressed?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
17 think that's fair.

18 **MR. PAUL CHAMP:** And you were aware that -- and  
19 we're going to hear evidence of this -- that the OPP and others  
20 from the other police services also had some concerns in that  
21 regard?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23 **MR. PAUL CHAMP:** And now, did you discuss these  
24 concerns with Deputy Chief Bell at any time? Like, as the two,  
25 you know, executive command under the Chief, did the two of you  
26 discuss these concerns that were being raised and your  
27 observations about Chief Sloly?

28 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I

1 remember Deputy Chief Bell saying, "Make sure that you keep the  
2 Chief informed. That's going to be the best way to make sure  
3 that he is satisfied with what is going on so make sure that  
4 that communication goes to him as often as possible," and that  
5 was more a sort of, "You've stepped into the Deputy role; here's  
6 what's expected." I don't know that we had much conversation  
7 about the Chief, per se. I mean we were both up to our necks in  
8 operations and things so ---

9 **MR. PAUL CHAMP:** So it never got to the level of  
10 concern that the two of you were expressing concerns to each  
11 other about your confidence in the Chief's decision-making  
12 abilities at that time?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
14 don't think so.

15 **MR. PAUL CHAMP:** And if you had, would that have  
16 -- what would you have done? Was that something that you and  
17 Deputy Chief Bell could have perhaps raised with the Police  
18 Services Board, perhaps?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah, I  
20 guess if that's where we were -- if we'd had that conversation,  
21 them or OCPC, I think, would be ---

22 **MR. PAUL CHAMP:** The Ontario Civilian Police  
23 Commission?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes,  
25 yeah.

26 **MR. PAUL CHAMP:** And just finally, on the  
27 integrated command, once the integrated command occurred, that's  
28 when the resources really began to flow; correct?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

2                   **MR. PAUL CHAMP:** So it seemed that there was some  
3 concerns by other police services that they didn't want to  
4 provide significant resources when it was under exclusive leader  
5 command of the Ottawa Police Service?

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I'm not  
7 sure what their reluctance was but when we did start to work,  
8 you know, collaboratively with the other services, the flow of  
9 information and the requests were much quicker.

10                  **MR. PAUL CHAMP:** And so, Deputy Chief, is it fair  
11 to say that had there been a shift to the integrated command  
12 much sooner in this event, perhaps the actions that were finally  
13 taken to clear out the protest could have occurred sooner; is  
14 that fair?

15                  **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
16 fair.

17                  **MR. PAUL CHAMP:** Thank you very much, Deputy  
18 Chief.

19                  **COMMISSIONER ROULEAU:** Thank you.

20                               Next is the Government of Canada.

21 **--- CROSS-EXAMINATION BY MS. CAROLINE LAVERDIÈRE:**

22                  **MS. CAROLINE LAVERDIÈRE:** Hi, my name is Caroline  
23 Laverdière. I'm one of the Counsel for the Government of  
24 Canada.

25                               You mentioned in your witness summary that OPS  
26 would not have been able to manage the -- or resolve effectively  
27 the convoy occupation in Ottawa without the invocation of the  
28 *Emergencies Act*; correct?



1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I  
2 think my -- at the time of my statement, I was under the  
3 impression that things like tow trucks, that was the only way we  
4 were going to be able to get them. I may be corrected by  
5 Superintendent Bernier, I think they did have some lined up and  
6 they were on their way just prior to us beginning our actions.  
7 But I think, as I stated before, that I think the *Emergencies*  
8 *Act* made us more confident in the approach we were taking and  
9 enabled us to, you know, get past the issues of -- it was the  
10 seizing of assets I think that was helpful in terms of setting a  
11 tone for some of the people who may be deterred by that, and the  
12 tow trucks specifically was the piece that I remember being very  
13 helpful, and, you know, the red zone. We were moving in there  
14 regardless, but the *Emergencies Act* was helpful.

15                   **MS. CAROLINE LAVERDIÈRE:** Excellent. One aspect  
16 of that I want to further develop with you, and it builds on  
17 what you previously said about PLT and its role in managing  
18 protests, and in this case, an occupation, there was a lot of  
19 talk, or actually, things written in the final plan that was  
20 approved on February 13<sup>th</sup> about PLT negotiation, but also, there  
21 was a focus on the objective of shrinking the footprint of the  
22 protest and occupation. That assessment is correct?

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That is,  
24 yes.

25                   **MS. CAROLINE LAVERDIÈRE:** And my understanding is  
26 that shrinking the footprint would -- it involves having people  
27 leave on a voluntary basis before, for example, POUs are brought  
28 at the forefront to remove -- forcibly remove people; right?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
2 correct. We were -- our PLT team was engaged in a notification,  
3 I guess, campaign you would say, where they were advising people  
4 that you are now breaking the law. You will be arrested if you  
5 stay. You are being, you know, provided the opportunity to  
6 leave. And I think we did that over a series of, you know, 12-  
7 hour periods.

8                   **MS. CAROLINE LAVERDIÈRE:** Increments?

9                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
10 Increments, and then eventually moved in. And it did -- it was  
11 somewhat successful in shrinking the footprint.

12                   **MS. CAROLINE LAVERDIÈRE:** Okay. And so just --  
13 let's stay on that notice to protesters for a little bit there.  
14 In that notice, OPS did provide information about if you are  
15 staying, your vehicles and property may be seized or towed;  
16 correct?

17                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
18 quite possible.

19                   **MS. CAROLINE LAVERDIÈRE:** And building on what  
20 you just said but also referring to your written summary, it  
21 seems like you were convinced at the time that communicating  
22 that information to protesters would be -- would have the effect  
23 of deterrence or convincing them to leave voluntarily because  
24 you thought that people would not want to have their vehicles or  
25 property seized. And if I -- I don't think I have the quote and  
26 I won't take the time to do it, but it's -- you said it was  
27 their lifeline or very important in their life, and so it would  
28 move them if they knew that there was a very real prospect of

1 actually being able to tow the vehicles and seize the property;  
2 right?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. For  
4 many of them it was their livelihood, their truck.

5 **MS. CAROLINE LAVERDIÈRE:** Yeah. And also for  
6 deterrent purposes, these notices contained information about  
7 the prohibition to travel to or within the restricted zones,  
8 which was designated as unlawful demonstrations; right?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
10 right, yeah.

11 **MS. CAROLINE LAVERDIÈRE:** There was also  
12 something about anyone travelling to Ottawa for the purposes of  
13 taking part in the Ottawa convoy occupation would actually be  
14 breaking the law; right?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

16 **MS. CAROLINE LAVERDIÈRE:** The notices to  
17 protesters also included language clearly telling protesters  
18 that if they stayed, their personal or business accounts may  
19 also be subject to restrictions; right?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
21 right.

22 **MS. CAROLINE LAVERDIÈRE:** Yeah, and the question  
23 about bringing a minor to protests was also included. And some  
24 of these notice to protesters actually stated that if you  
25 brought a minor to this unlawful protest, you could be fined up  
26 to \$5,000 and potentially spend 5 years in prison; right?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That  
28 might be true. I don't remember the exact details ---

1                   **MS. CAROLINE LAVERDIÈRE:** In that one ---

2                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- but,  
3 yeah.

4                   **MS. CAROLINE LAVERDIÈRE:** And just circling back  
5 to what you've said in the very beginning of my examination, but  
6 you agree with that -- with the -- you would agree that as of  
7 February 17<sup>th</sup>, the size or the footprint of the protest in Ottawa  
8 had significantly been reduced?

9                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
10 would.

11                   **MS. CAROLINE LAVERDIÈRE:** Thank you. No further  
12 questions.

13                   **COMMISSIONER ROULEAU:** Thank you.

14                   Next the JCCF and Democracy Fund.

15                   **MR. ROB KITTREDGE:** At the outset here, I'd like  
16 to ask for leave to read a sentence from the witness' interview  
17 summary. I won't do that right away, but I figured I'd ask now  
18 so as not to disrupt whatever flow I can muster.

19                   **COMMISSIONER ROULEAU:** I think that would be  
20 fine. It's been entered in evidence, so ---

21                   **MR. ROB KITTREDGE:** All right.

22                   **COMMISSIONER ROULEAU:** --- if she needs it, it  
23 can be brought up.

24                   **MR. ROB KITTREDGE:** Sure.

25 --- CROSS-EXAMINATION BY MR. ROB KITTREDGE:

26                   **MR. ROB KITTREDGE:** Good afternoon, Acting Deputy  
27 Chief. I am Rob Kittredge, Counsel for the Justice Centre for  
28 Constitutional Freedom.

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Good  
2 afternoon.

3                   **MR. ROB KITTREDGE:** As I understand your  
4 testimony earlier, there were only two ways in which the  
5 invocation of the *Emergencies Act* was of use to police in ending  
6 the freedom movement protest. One, it bypassed the requirement  
7 to swear in officers from other jurisdiction, which saved a bit  
8 of time, and two, it helped to procure the services of heavy rig  
9 tow truck operators. Is that a fair characterization of your  
10 testimony?

11                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Of my  
12 testimony, yes. I do believe though the seizing of assets was  
13 also helpful.

14                   **MR. ROB KITTREDGE:** The -- can you expand on  
15 that?

16                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So the  
17 threat of seizing assets of ---

18                   **MR. ROB KITTREDGE:** Oh, right.

19                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- bank  
20 accounts and rigs and things like that.

21                   **MR. ROB KITTREDGE:** Okay. Useful but not  
22 necessary?

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah,  
24 useful but not necessary.

25                   **MR. ROB KITTREDGE:** How much time did not having  
26 to swear in officers from other jurisdictions actually save?

27                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
28 know.

1                   **MR. ROB KITTREDGE:** Could you give -- would it be  
2 on the order of hours or days or ---

3                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Probably  
4 hours. And I don't know how many of them we had already done at  
5 that point in time, but ---

6                   **MR. ROB KITTREDGE:** So ---

7                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- a  
8 number of hours, administrative probably, you know, people being  
9 involved in that and filing paperwork.

10                   **MR. ROB KITTREDGE:** Right. So it sidesteps in  
11 paperwork and headaches and a few hours.

12                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yeah.

13                   **MR. ROB KITTREDGE:** All right. I'm interested in  
14 what steps were taken by police to obtain towing services prior  
15 to the invocation of the *Emergencies Act*. Can you describe the  
16 efforts made by the City and police to procure towing services  
17 before that date?

18                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
19 have all the details of that. I think probably Inspector Lucas  
20 would be able to assist in that, potentially Superintendent  
21 Bernier. The information that I had at the early stages, we  
22 didn't think the tow trucks were going to be an issue until we  
23 looked to try and procure some. And we have contracts obviously  
24 with some companies in town, and when push came to shove, they  
25 refused to engage. And so, at that point in time, I don't know  
26 at what stage we were in the convoy, if this was after the  
27 weekend or leading up to the weekend. And so when we looked at  
28 what our options were for heavy tow, I do recall a number of

1 conversations about that, and that we believed OC Transpo might  
2 have had a couple of heavy tow trucks that we could potentially  
3 use, but I think that was it.

4 **MR. ROB KITTREDGE:** Right. Despite the fact that  
5 your answers may be that you weren't aware of the details, I'm  
6 going to walk you through a series of carefully crafted  
7 questions here that I don't want to throw away.

8 How many towing service providers did the police  
9 contact?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
11 know.

12 **MR. ROB KITTREDGE:** We've heard that some towing  
13 services were concerned about driver safety. Did you offer to  
14 ensure that police would accompany towing operators to ensure  
15 their safety?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
17 know what offers were made.

18 **MR. ROB KITTREDGE:** All right. We've heard that  
19 some towing services were concerned about damage to their  
20 vehicles. Did you offer to compensate them for damage to their  
21 vehicles?

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I don't  
23 know what offers were made.

24 **MR. ROB KITTREDGE:** All right. Isn't it true  
25 that pursuant to - and it occurs to me that I'm probably  
26 torturing the sign language interpreters, so I'll slow down.

27 So isn't it true that pursuant to the *Highway*  
28 *Traffic Act*, police officers do not require a licence to operate

1 any motor vehicle in the performance of their duties?

2 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Oh, I  
3 don't know about that. I'm not sure.

4 **MR. ROB KITTREDGE:** I'll put it to you that it is  
5 true.

6 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Okay.

7 **MR. ROB KITTREDGE:** If -- so in other words, if -  
8 - you're not going to be able to answer this -- but I'll put it  
9 to you that if police officers were ---

10 **COMMISSIONER ROULEAU:** If you could try and focus  
11 on questions she can answer? I mean, I appreciate you've  
12 prepared them, but you know ---

13 **MR. ROB KITTREDGE:** Sure. All right.

14 **COMMISSIONER ROULEAU:** --- I'm not sure it's  
15 helpful to the Commission.

16 **MR. ROB KITTREDGE:** All right.

17 So I guess I'll skip right to the end here and  
18 say, you stated earlier that you did have tow trucks lined up  
19 and that they were on their way to Ottawa prior to the  
20 invocation of the *Emergencies Act*; isn't that true?

21 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

22 **MR. ROB KITTREDGE:** And your interview summary  
23 says that OPS knew that if it arrived with tow trucks, many  
24 protestors would leave because the trucks were their home and  
25 livelihood. Do you stand by that statement?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I do.

27 **MR. ROB KITTREDGE:** All right. Those are my  
28 questions. Thank you.



1                   **COMMISSIONER ROULEAU:** Thank you.

2                   Next is the Ottawa Police Service.

3                   **--- CROSS-EXAMINATION BY MS. JESSICA BARROW:**

4                   **MS. JESSICA BARROW:** Good afternoon, Deputy Chief  
5 Ferguson.

6                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Good  
7 afternoon.

8                   **MS. JESSICA BARROW:** You obviously are familiar  
9 with me, but for the record, my name is Jessica Barrow, and I  
10 represent the Ottawa Police Service.

11                   I only have a few things that I would like to  
12 cover with you this afternoon.

13                   So I want to start by talking about some of the  
14 comments that were made by you in response to questions with  
15 respect to those protestors that came, the ones that stayed, and  
16 the ones that left.

17                   Is it your understanding that OPS has filed an  
18 institutional report in relation to this Commission?

19                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20                   **MS. JESSICA BARROW:** Are you familiar with it?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I am.

22                   **MS. JESSICA BARROW:** Are you prepared to adopt  
23 the content of that report?

24                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
25 am.

26                   **MS. JESSICA BARROW:** I would like to pull it up.  
27 The number is OPS.IR.00000001, and if we could turn specifically  
28 to page 13?

1           What do you understand this chart to represent?

2           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So that  
3 looks like the number of vehicles that rolled into town and the  
4 dates and the people and where they -- sorry, I think it's just  
5 the vehicles and the areas that they were -- whether they were  
6 at Parliament, whether they were on Wellington, and Elgin and  
7 Rideau.

8           **MS. JESSICA BARROW:** I think if you read  
9 paragraph 44 as well, it may assist in understanding what,  
10 specifically, is set out in that chart.

11           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So yeah.  
12 I think the individual protestors are the ones that are under  
13 "Parliament", and then the vehicles, yeah. So the vehicles are  
14 listed in the thousands and the people are estimated at 5,000 to  
15 6,000 on January 29th.

16           **MS. JESSICA BARROW:** So we've heard a lot about  
17 the vehicles in particular and the fact that they had not left.  
18 What do we see as between January 31st and February 1st in terms  
19 of the number of vehicles that are listed?

20           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It starts  
21 to dwindle from thousands to over 500, 600s and down to as low  
22 as 481, and then builds back up.

23           **MS. JESSICA BARROW:** Would you say that this  
24 chart aligns with your experience at the time in terms of the  
25 ebbs and flows of the trucks?

26           **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I would,  
27 yeah.

28           **MS. JESSICA BARROW:** Could we now please turn to

1 page 33? And I'm bringing this to your attention in response to  
2 some questions that we heard earlier. What do you understand  
3 this chart to be?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So this  
5 is our -- the total charges that were laid and the types of  
6 offences that were charged during the convoy or that occurred  
7 during the convoy.

8 **MS. JESSICA BARROW:** And if we scroll to the  
9 bottom of that chart, does this demonstrate how many charges in  
10 total arose out of the events of the convoy? If we could go --  
11 I guess it's on the next page, actually.

12 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

13 **MS. JESSICA BARROW:** As well, does it demonstrate  
14 how many charges were laid per day?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** It does.

16 **MS. JESSICA BARROW:** And if -- I'm sorry, if we  
17 could go back to the top of the chart, does it demonstrate how  
18 many charges were laid in relation to violent offences?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, it  
20 does.

21 So the assaults, the -- yeah, the assaults, the  
22 carrying weapons. It's a variety of different offences,  
23 obviously, in the list here.

24 **MS. JESSICA BARROW:** And can you see whether  
25 charges were laid during the period of at the beginning of the  
26 convoy through to when they ultimately left?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes. I  
28 can see that, for example, the weekend of the 17th, 18th, 19th,

1 which I believe was when we were doing most of the clearing of  
2 the streets, 11 peace or public officers were assaulted during  
3 that time.

4 **MS. JESSICA BARROW:** Great, thank you.

5 I want to turn to another issue that has been  
6 discussed with both Commission counsel as well as counsel for  
7 former Chief Sloly, and that is the request that was made by  
8 Chief Sloly for a POU plan. Do you recall that evidence?

9 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

10 **MS. JESSICA BARROW:** And do you recall evidence  
11 in relation to a meeting that occurred on February 1st with  
12 respect to that plan?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

14 **MS. JESSICA BARROW:** Did that POU plan  
15 materialize?

16 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:**  
17 Ultimately, it did not from the people who he was initially  
18 tasked with.

19 **MS. JESSICA BARROW:** Right. And you spoke  
20 earlier in your testimony about a POU being one part of a larger  
21 plan.

22 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

23 **MS. JESSICA BARROW:** Do I have that right?

24 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That's  
25 right.

26 **MS. JESSICA BARROW:** Can you explain to the  
27 Commission a little bit more about how POU would fit into a  
28 larger operational plan?

1                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So it's  
2 one component. Obviously, if we get to a position where we are  
3 no longer able to -- we shrunk the footprint as much as we can  
4 through negotiations or just through whether it's threats of  
5 charges once people have decided that they've had enough and  
6 they're leaving, then POU would be -- they would have a plan to  
7 the approach that they were going to take. You know, in this  
8 case, they had six or seven intersections, some large ground to  
9 cover, so how they would go about doing that, and it was, you  
10 know, the plan ultimately that they had was down to line-by-line  
11 as to what time they would move in, which direction of travel  
12 they would be going in, how they would contain it.

13                   The 1st of February, the chief, two of the PLT  
14 sergeants, and myself met with these POU commanders who had been  
15 in Ottawa. And I'm not sure if some of them were left over from  
16 the weekend because they had their teams here, but these were  
17 commanders who had some expertise in executing POU actions, but  
18 not necessarily in creating plans. And so when they were tasked  
19 with, at that point in time, what was a colossal area to cover,  
20 I got the sense from the group that they were -- and I certainly  
21 know that I communicated back and forth with our staff sergeant,  
22 but it was mind boggling, I think, would be a good term. They  
23 just couldn't -- you know, this was -- would have been the  
24 largest public order movement in Canada, and that's actually  
25 what it turned out to be. And they said when we initially spoke  
26 with them, "How do you think we could execute this?"

27                   And they said we would need every public order  
28 unit or section in the country to be able to clear the streets

1 the way they are now.

2 And that was on the 1st of February.

3 So I think -- my sense is that they struggled  
4 with trying to come up with a plan on its own, you know, just  
5 six of them sitting around a table at a hotel in Kanata, I think  
6 was thrilling for them.

7 **MS. JESSICA BARROW:** Would it normally be the  
8 case that a POU plan would be created in isolation from other  
9 plans?

10 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No.

11 **MS. JESSICA BARROW:** Would it normally be the  
12 case that it would be created in advance of all other aspects of  
13 the plan?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, it  
15 would be in concert with the rest of the plan.

16 **MS. JESSICA BARROW:** Can we turn please to  
17 Document OPS6085? And if we could just scroll down a little  
18 bit, there's an email there from Superintendent Dunlop to  
19 yourself, as well as a few others, right?

20 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

21 **MS. JESSICA BARROW:** And it's dated February 2nd.  
22 And perhaps you could just take a minute to read that.

23 And my question to you in relation that is, what  
24 did you understand the concern to be at this time from  
25 Superintendent Dunlop?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So he was  
27 tasked with, I think, the liaison with the POU and PLT teams,  
28 and I had been asking at the behest of the chief for this plan

1 and were they willing to come and present to him what they --  
2 how they foresaw this occurring.

3                   And so this, I think, was in response to another  
4 one of my asks saying where are we with the plan? Are we -- you  
5 know, is -- any issues?

6                   And so his response here was saying that he met  
7 with them all afternoon and this would have been the following  
8 day, and I'm not sure what the recalibration he's referring to  
9 but he's recommending that we meet again and discuss the  
10 approach. And when he talks about neighborhood issues, I think  
11 he was talking about the things that are our communities were  
12 facing and whether that was, you know, noise pollution. There  
13 was -- you know, people were defecating on lawns, those types of  
14 things, and he was -- I think his approach here was, "If we can  
15 focus on those and improve that situation for those people, that  
16 would probably go a long way to reduce, you know, the impact on  
17 the communities."

18                   **MS. JESSICA BARROW:** After this email, or perhaps  
19 before, I suppose, were the concerns in relation to the scope of  
20 the ask that was being direct to them raised with Chief Sloly?

21                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I  
22 believe it was. He -- the -- one of the commanders had asked  
23 for a mission statement. They really wanted to be able to  
24 understand what he was he asking because again I think it was  
25 that mind-boggling, enormous task that he was expecting of them.  
26 And I don't want to speak for them but I don't know if they knew  
27 where to start with that.

28                   **MS. JESSICA BARROW:** Would it normally be the

1 case that a plan such as this would be drafted by the people  
2 that were being asked to draft it?

3 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** No, I  
4 think it would be in conjunction with people who are excellent  
5 at planning and writing plans ---

6 **MS. JESSICA BARROW:** Right.

7 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** --- with  
8 being fed the subject-matter experts.

9 **MS. JESSICA BARROW:** Earlier in your testimony,  
10 in response to a question from counsel for Former Chief Sloly,  
11 you referenced the request for a POU plan as compared to other  
12 types of plans and used the word "fixated" when describing Chief  
13 Sloly's attitude towards the POU plan. Can I ask you to explain  
14 a little bit what you meant when you used that word?

15 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
16 that he valued this plan and anticipated this plan more than any  
17 other; this is what I would say to that.

18 **MS. JESSICA BARROW:** I'm going to move on now to  
19 the expectations of the community and City Council. And we've  
20 heard some evidence about that; you've been asked some questions  
21 about that. We heard evidence in relation to the level of  
22 communication, or perhaps the lack thereof in some people's  
23 minds, between the police and City Council. Can you tell us  
24 about the extent to which the police and you personally were in  
25 touch with City councillors?

26 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** So I was  
27 contacted on a number of occasions by Councillor Fleury. He had  
28 my phone number. He texted me fairly regularly. He sought for



1 the opportunity to meet. He requested I attend his BIA meeting  
2 almost every evening during the thick of the convoy and many  
3 times I -- in fact, I don't think I ever made one of the  
4 meetings. We did communicate back and forth but we did have a  
5 superintendent and inspector who were designated to be liaisons  
6 with the councillors. They also had their community police  
7 officers who were very present and very engaged with all of  
8 that. So, on a one-on-one basis, Councillor Fleury was somebody  
9 who I communicated with a fair bit.

10                   And then just through the Council meetings, we  
11 were obviously all present for those and some of them lasted for  
12 hours and many questions posed of us. And some things we were  
13 able to answer and some things we weren't, and so of it was just  
14 a venting session, I think, explaining that they were very  
15 frustrated with the situation and the City.

16                   **MS. JESSICA BARROW:** And kind of along those same  
17 line we've heard from multiple witnesses that there was a  
18 feeling from the community that there was insufficient presence  
19 and enforcement by police officers during this time period, and  
20 we've also heard some evidence about some enforcement actions  
21 that were taken. What the impact, from your perspective, of  
22 enforcement actions that were taken by police during this time?

23                   **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
24 we were doing them to try and show the community that we were  
25 present and we were in the communities. I think it was very  
26 difficult for us because it sent us in a variety of different  
27 directions where, if we had been able to really come that  
28 straight path to get to the plan and get those things -- so our

1 frontline officers, we were policing the rest of the city and we  
2 were trying to figure out how to position people here so that  
3 there was a presence and people felt somewhat safe but there was  
4 lots of things that our members were being tasked with and  
5 responding to, you know, fire barrels and things within the zone  
6 of -- you know, the red zone.

7           So I think, you know, things like interdiction of  
8 jerrycans, of gasoline, that was very troubling for -- you know,  
9 in terms of the reaction of the people and their -- and it was  
10 difficult for our members because in order to be able to do that  
11 effectively, you needed a number of officers because they were  
12 getting swarmed. They were getting, you know, intimidated.  
13 They were, you know, sometimes hundreds of people and I watched  
14 it happen on street to see it happening and it was frightening.  
15 And so our members were not comfortable doing that and I  
16 respected that they had they the discretion and on occasions  
17 they said, "This puts our people at risk and we are -- you know,  
18 there's not enough of us out there to be able to do this  
19 effectively."

20           **MS. JESSICA BARROW:** Those are my questions.  
21 Thank you very much, Deputy.

22           **COMMISSIONER ROULEAU:** Thank you. Any re-  
23 examination?

24           **MR. FRANK AU:** No re-examination, thank you.

25           **COMMISSIONER ROULEAU:** Okay, well, Deputy Chief,  
26 thank you for coming. I just have a couple of very quick  
27 questions. I'm just trying to understand a bit about PLT that  
28 you talk about it. And would I be correct in saying that they

1 are intended to stop lawlessness and turn the protest into  
2 something that is legal or not disruptive -- would be an  
3 objective of PLT?

4 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** That  
5 could be one of them. When I talked about places where there's  
6 antagonizes and agitators, we would go to the PLT to say, you  
7 know, "This person is causing your cause -- it's creating issues  
8 for your cause." In this case, we were hoping that they would  
9 be able to do that and prevent people from honking and all of  
10 those actions that they were taking but also to leave, so two-  
11 fold.

12 **COMMISSIONER ROULEAU:** And "to leave", i.e.,  
13 leave where they're disruptive?

14 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

15 **COMMISSIONER ROULEAU:** Now, in terms of the  
16 process here -- and I think I saw somewhere in your testimony  
17 that by the Monday, you called it an "occupation"; it moved from  
18 a protest to an occupation?

19 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes.

20 **COMMISSIONER ROULEAU:** Was there any discussion  
21 or thought given to how to allow the protest to continue in some  
22 form because -- as opposed to -- it seems, and I'm not putting  
23 words in your mouth, like it was from black to white or black to  
24 white, however you want to call it; it was a protest, "Okay,  
25 you're okay until the end of the day Sunday," but now it's an  
26 occupation. Do you understand what I'm trying to get at?

27 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** Yes, I do  
28 understand and I'm not sure if there was any conversation from

1 our -- some of our site managers and PLT Team. So Insp. Lucas  
2 in a position to be able to tell you what was going on there. I  
3 know from a command and strategic level it was that they're here  
4 and now they're entrenched and they're not leaving, so that's  
5 where it switched from a protest to occupation.

6 **COMMISSIONER ROULEAU:** So there was no part of  
7 the plan to allow a continuing or to encourage the protestors to  
8 in some way -- and I realize there's a lot of trucks and a lot  
9 of problems but the move towards something that was -- because  
10 as I understand it, there were a lot of people who were  
11 protesting who weren't violent and were not problematic; would  
12 that be fair?

13 **ACTING DEPUTY CHIEF PATRICIA FERGUSON:** I think  
14 that would be fair, yeah. I don't want to speculate. I don't  
15 know whether those conversations were happening and the PLT may  
16 have been engaging in those and saying like, "If we bring it  
17 from, you know, Metcalfe to wherever on Wellington, is that  
18 sufficient?" I do know there were a number of trucks who were -  
19 - in other parts of the city who very much wanted to get to  
20 Parliament Hill. They wanted to be on Wellington and they were  
21 upset because they tended to be some of the trucks that came  
22 from far west and they were the last ones to get here and the  
23 good spots were taken. And so I know there was conversations  
24 with some of those folks, convoy organizers who said, "You know,  
25 we've been cooperating with you this whole time and then all of  
26 the great spots were taken," but we weren't, you know, taking  
27 names and reservations for spots on Wellington, so.

28 **COMMISSIONER ROULEAU:** Okay, well, thank you very

1 much. Thank you for coming and thank you for your testimony.

2 I think what we'll do is take the morning break  
3 now and -- or "morning break", I'm sorry. I'm hinting you're  
4 going to be here a long time. But no, that's just a slip of the  
5 tongue, sorry. So we're going to take the afternoon break so  
6 we'll take 15 minutes and let the -- everyone have a -- get  
7 their -- stand up and get a little exercise, so 15 minutes.

8 **THE REGISTRAR:** The Commission is in recess for  
9 15 minutes, la commission lever pour 15 minutes

10 --- Upon recessing at 3:25 p.m.

11 --- Upon resuming at 3:40 p.m.

12 **COMMISSIONER ROULEAU:** Good afternoon. Bonne  
13 après-midi.

14 Just before we call the next witness, just to  
15 give you an update for counsel and for those who are glued to  
16 their computer at home, we're planning to go ahead with the next  
17 witness, who I believe will be two hours or so, and then we'll  
18 adjourn for the day. So we'll give you an early day.

19 Tomorrow at the moment, it appears it's not going  
20 to go very late. It will be a bit shorter than normal for those  
21 who want to make arrangements, so just to update you on the plan  
22 so far.

23 So with that introduction, go ahead.

24 **MR. ERIC BROUSSEAU:** Commissioner, for the  
25 record, Eric Brousseau, Commission counsel. And the Commission  
26 would like to call its next witness, OPP Superintendent Craig  
27 Abrams.

28 **--- SUPT. CRAIG ABRAMS, Sworn:**

1 --- EXAMINATION IN-CHIEF BY MR. ERIC BROUSSEAU:

2 MR. ERIC BROUSSEAU: Good afternoon,  
3 Superintendent Abrams.

4 SUPT. CRAIG ABRAMS: Good afternoon, sir.

5 MR. ERIC BROUSSEAU: If I could have document  
6 WTS00000013, please.

7 Superintendent Abrams, I'm showing you a copy of  
8 your interview summary from when you attended an interview this  
9 summer. I take it you've seen this document?

10 SUPT. CRAIG ABRAMS: I have.

11 MR. ERIC BROUSSEAU: Okay. And you reviewed it  
12 when you were signed off on its accuracy?

13 SUPT. CRAIG ABRAMS: I did.

14 MR. ERIC BROUSSEAU: Okay. And it remains  
15 accurate, to the best of your knowledge?

16 SUPT. CRAIG ABRAMS: It does.

17 MR. ERIC BROUSSEAU: Thank you.

18 And you have no corrections or additions to make  
19 to it?

20 SUPT. CRAIG ABRAMS: I have no corrections.

21 MR. ERIC BROUSSEAU: Thank you.

22 Superintendent, I take it you have more than 20  
23 years of experience with the OPP. Is that right?

24 SUPT. CRAIG ABRAMS: Twenty-seven (27) years,  
25 correct.

26 MR. ERIC BROUSSEAU: Twenty-seven (27). Okay.

27 Could you just very briefly in a couple of  
28 minutes walk us through your background?

1                   **SUPT. CRAIG ABRAMS:** Certainly.

2                   I spent 12 years at Detachment Central Region,  
3 five years in uniform, seven years as a detective/constable.  
4 Two and a half years as a detective/sergeant in our Professional  
5 Standards Bureau in the East Region. Nine months as Executive  
6 Sergeant at our local crime unit at Brockville, Ontario. And  
7 then with our Provincial Criminal Investigations Branch, I spent  
8 three and a half years there as a Staff Sergeant and Detective/  
9 Inspector, and then transferred to East Region Criminal  
10 Operations for a couple of years and then became a  
11 Superintendent in my current role for the past six years.

12                   **MR. ERIC BROUSSEAU:** And your current role is  
13 Superintendent of Operations for the East Region. Is that  
14 right?

15                   **SUPT. CRAIG ABRAMS:** Correct. I had a minor  
16 title change. We're all called Field Operations Superintendents  
17 now.

18                   **MR. ERIC BROUSSEAU:** Okay. And in that current  
19 role -- you were in that role at the time of January and  
20 February 2022?

21                   **SUPT. CRAIG ABRAMS:** I apologize. Yes, at the  
22 time I was Director of Operations.

23                   **MR. ERIC BROUSSEAU:** And what does that role  
24 entail specifically?

25                   **SUPT. CRAIG ABRAMS:** So within each region, we  
26 have a Chief Superintendent and two Superintendents. We have 16  
27 detachments. So I took care of eight detachments operationally  
28 and took care of their needs. I also took care of Criminal

1 Operations as well as Traffic in this period of time.

2 **MR. ERIC BROUSSEAU:** And who did you report to at  
3 that time?

4 **SUPT. CRAIG ABRAMS:** Chief Superintendent Carl  
5 Thomas.

6 **MR. ERIC BROUSSEAU:** And I want to ask you about  
7 Critical Incident Command. I take it you're not formally  
8 trained as a Critical Incident Commander. Is that right?

9 **SUPT. CRAIG ABRAMS:** That's correct. I'm a  
10 trained Incident Commander. I've not taken the Critical  
11 Incident Commander course.

12 **MR. ERIC BROUSSEAU:** Okay. You've sat in on it,  
13 I believe?

14 **SUPT. CRAIG ABRAMS:** I have. Most of our  
15 Critical Incident Commanders are of the Inspector rank, so as a  
16 Superintendent I sat in on one of their courses so I could  
17 understand what they were being instructed on, so that's how I  
18 obtained some of that knowledge in observing those courses.

19 **MR. ERIC BROUSSEAU:** Okay. And before the  
20 freedom convoy events, what was your experience in policing  
21 wide-scale protests?

22 **SUPT. CRAIG ABRAMS:** At various ranks, I was  
23 involved in at least a handful of different protestor blockades,  
24 primarily in the Tyendinaga Mohawks in the Bay of Quinte area.  
25 I was the strategic commander for the Tyendinaga rail blockades  
26 in 2020 and then strategic commander for this current here for  
27 the OPP.

28 **MR. ERIC BROUSSEAU:** Okay. And I was going to



1 ask you about sort of what that means to be strategic commander  
2 for an event. If you can describe that for us.

3 **SUPT. CRAIG ABRAMS:** Certainly.

4 I think you heard the witness this morning. She  
5 very eloquently described the structure system as how it works.  
6 You have the strategic, operational and tactical, so in my role  
7 as a strategic commander, my role is to help facilitate the  
8 Critical Incident Commanders that are the operational level. If  
9 they have exceptional needs or resources, they'll come to me and  
10 I'll try to make that available to them.

11 My role also is as a -- to create situational  
12 awareness for OPP Command and brief OPP Command regularly as to  
13 what's occurring.

14 I also have some oversight on the command and  
15 control just to make sure that what our mission we're trying to  
16 accomplish is going to be successful, so I oversee that command  
17 and control. And I also look at those areas, try to mitigate  
18 any risks that might be involved in our operations. Many of our  
19 Critical Incident Commanders are obviously very focused on the  
20 jobs they're doing and may not be aware of what's occurring  
21 around the outside of them, and that's my job, to make sure  
22 their understanding of any political issues or other issues that  
23 might be going on outside that could affect what they're  
24 operating on. It's kind of my job to bring that to their  
25 attention.

26 **MR. ERIC BROUSSEAU:** All right. And you had a  
27 significant amount of sort of decision-making authority over  
28 this event, I take it?

1                   **SUPT. CRAIG ABRAMS:** Not in an operational  
2 capacity. I had decision-making authority in relation to --  
3 when this event started, this was a traffic event for the OPP,  
4 so my job was to create an Incident Command team to be able to  
5 represent the OPP on the arrival of the convoy vehicles, so that  
6 was my role initially as strategic commander to make sure that  
7 the organization was well suited and prepared for the arrival of  
8 the trucks.

9                   **MR. ERIC BROUSSEAU:** Okay. And you used the term  
10 "traffic event" there. Can you describe that for us?

11                   **SUPT. CRAIG ABRAMS:** Certainly.

12                   So as we saw it, as we've heard in evidence, we  
13 knew vehicles were travelling from across the country from the  
14 east and west and from northern Ontario to converge here in  
15 Ottawa. Well, to get to Ottawa, you have to travel through OPP  
16 jurisdictions primarily.

17                   So within each region, we had many jurisdictions  
18 on Highway 17, Provincial Highway 417, which are OPP  
19 responsibility.

20                   I had to make sure that the small communities  
21 were prepared for the large influx of convoy vehicles and  
22 protestors, so I had to create a team that could support those  
23 communities and then also I had to create a traffic plan as to  
24 how we're going to manage the vehicles on the highway.

25                   As you heard, I think, from Superintendent  
26 Morris, there is a concern are they going to blockade highways,  
27 is there going to be damage to highways possibly, so we need to  
28 have a strategy in place to manage that if it was to occur. So

1 we used our provincial highway blockade strategy.

2 I had an Incident Commander create an operational  
3 plan to prepare for the arrival of the trucks and, as part of  
4 that plan, we communicated with the City of Ottawa, Ottawa  
5 Police Service to figure out how can we support them in that  
6 because they obviously had a plan for where they wanted these  
7 vehicles to be and since we controlled the 417 and the on and  
8 off ramps, they needed our support, and so we had to work  
9 together on that.

10 **MR. ERIC BROUSSEAU:** Okay. And we'll get into  
11 that.

12 But just to go back to one thing you said, you  
13 talked about assisting smaller communities sort of along the  
14 way. Are these communities that are policed by the OPP or would  
15 they have their own municipal forces?

16 **SUPT. CRAIG ABRAMS:** Yes, policed by us.

17 So specifically the communities of Arnprior and  
18 Casselman, Casselman to the east, Arnprior to the north, we knew  
19 that they were overnighing in those communities and we did have  
20 situations where there was tension at some restaurants where  
21 convoy participants maybe not comply with the mask mandates at  
22 the time, so we had business owners calling asking for OPP  
23 assistance, so I had to prepare my members to be prepared, okay,  
24 this is what you may see, so do we have a system in place to  
25 help support the citizens and make sure that they remained safe.

26 And we know that they're only going to be there  
27 for the one night, but we needed to make sure we had bolstered  
28 members to assist in that capacity.

1                   **MR. ERIC BROUSSEAU:** And I also understood that  
2 you set up or, to use the police term, sort of stood up the  
3 Emergency Operations Centre.

4                   Can you describe that for us?

5                   **SUPT. CRAIG ABRAMS:** Correct. Many times in  
6 these major events you have to have a command post. You have to  
7 have somewhere to work out of. So within East Region  
8 Headquarters, which is located in Smiths Falls, Ontario, we have  
9 a room which is called Emergency Operations Centre. And so we  
10 have a place for all the parties that help participate in these  
11 events, so Traffic Services, PLT, Media Relations, Criminal  
12 Operations, Incident Command that all sit in that room and focus  
13 on that one task of completing the mission, and that's kind of  
14 where we try to have a unified command sitting in that one  
15 location. And I'm available to them when they need me.

16                   **MR. ERIC BROUSSEAU:** And you mentioned that you  
17 were coordinating with various police agencies, but I want to  
18 ask you about the OPS now. When did you start coordinating with  
19 the OPS to plan for this event?

20                   **SUPT. CRAIG ABRAMS:** Right. January 24<sup>th</sup>, I was  
21 asked to be the strategic commander for the OPP in relation to  
22 the traffic event, and then I would say at least that day or the  
23 day after I called Deputy Bell and said, "This is my role. What  
24 can we do to assist you?" And then we had Intersect calls,  
25 which I can explain if you like what Intersect is. And on those  
26 calls, we discussed where vehicles would park and how the OPP  
27 could support the influx of the vehicles later in that week.

28                   **MR. ERIC BROUSSEAU:** I do want to ask you about

1 Intersect. I also just -- I was reminded that I wanted to ask  
2 you just to slow down. We have interpreters and then  
3 translators. So I will make an effort to speak slowly and they  
4 appreciate that as well.

5 **SUPT. CRAIG ABRAMS:** Certainly.

6 **MR. ERIC BROUSSEAU:** And so you've mentioned  
7 Intersect. So if you could describe that for us?

8 **SUPT. CRAIG ABRAMS:** Sure. It's a  
9 multijurisdictional all hazards emergency preparedness group  
10 that focuses on the national capital region. It's been in place  
11 for many years now. I've been part of Intersect for over four  
12 years. And there's over 60 clients that are connected to  
13 Intersect. And we talk about many different pillars: health,  
14 cyber, terrorism, law enforcement. And we have regular monthly  
15 meetings and phone calls, and there's also subgroups of  
16 Intersect, one of them being law enforcement, where we meet and  
17 have discussions.

18 I want to say it was January 24<sup>th</sup>. I emailed -- I  
19 apologize. I'll go back with the -- Intersect Program is  
20 chaired by the Ottawa Police Service, co-chaired by Ottawa  
21 Police Service, the Sûreté du Québec and the RCMP. And  
22 currently, they have a civilian kind of a programmer that runs  
23 the program that Ottawa Police provides. Her name is Kim  
24 Stirrup (ph). So I emailed Kim early in the week because I'd  
25 heard about -- I unfortunately was away from the workplace for  
26 two weeks prior to the 24<sup>th</sup>, and I knew that we regularly met  
27 when major events were coming to the national capital.  
28 Normally, we would talk to each other, and I hadn't seen an

1 invite for a meeting. So I emailed her and said, "I think we  
2 should get the group together and have discussions about how  
3 we're going to -- this is all going to affect us." So she  
4 generated that meeting invite and we had a meeting shortly  
5 thereafter.

6 **MR. ERIC BROUSSEAU:** Okay. And going back to the  
7 24<sup>th</sup>, the start of the coordination, what did that look like in  
8 terms of coordinating with OPS? What were you doing?

9 **SUPT. CRAIG ABRAMS:** So I was -- I spoke with  
10 Deputy Bell and I also worked with my -- I had my traffic  
11 inspector connect with the Ottawa Police traffic inspector to  
12 say, "Okay, you guys need to work out traffic angle and then  
13 report up to myself as an incident commander as to what we can  
14 do to facilitate the traffic." He would have to come up with a  
15 traffic plan. So that Inspector Dave Tovell is the one who  
16 wrote the operational plan for the OPP response to this event  
17 that was supposed to occur over a single day. And he worked  
18 with his counterpart with Ottawa Police to make sure that we  
19 were supporting them in the way they needed it.

20 **MR. ERIC BROUSSEAU:** Now you say the OPP response  
21 was planning for a single day event. Why is that?

22 **SUPT. CRAIG ABRAMS:** I should back up, sorry.  
23 Obviously, it was a multi-day in our purposes because they were  
24 stopping overnight in Arnprior the night before, so it was more  
25 than one night, but they expected the majority of the vehicles  
26 were going to make their way into the City of Ottawa on one  
27 particular day. So that was kind of the day we wanted to make  
28 sure that we had all our resources available to prepare for what

1 with vehicle stoppages, road blockages, those types of things.  
2 And our Provincial Liaison Team, as the Commission has heard  
3 about, they were engaged with many of the convoy leaders and  
4 they talked about routes they would take and they would only  
5 take up one lane of 417, wouldn't take up all the lanes. And  
6 then Ottawa Police had told us what off-ramps that they wanted  
7 us to have them go off at. So we worked with our partners with  
8 EMTO and ourselves to make sure we had those ramps ready for  
9 their arrival.

10 **MR. ERIC BROUSSEAU:** Okay. And so maybe I just -  
11 - I want to make sure I understood you correctly, when you say a  
12 one-day event, you're talking about one day where a lot of  
13 vehicles will be converging on Ottawa?

14 **SUPT. CRAIG ABRAMS:** Correct.

15 **MR. ERIC BROUSSEAU:** Is that correct?

16 **SUPT. CRAIG ABRAMS:** The majority arrived in the  
17 villages of Arnprior and Casselman the night before. They  
18 overnighted there. And the plan was the next morning to make  
19 their way into the City of Ottawa.

20 **MR. ERIC BROUSSEAU:** Right. And I believe you  
21 were familiar with Hendon reports?

22 **SUPT. CRAIG ABRAMS:** I was. As Superintendent  
23 Morris spoke about, Hendon originated many years ago and not  
24 just because of this event. And because of my involvement in  
25 many of the Indigenous protests in my role, I have been on the  
26 Hendon remail distribution list for many years. So I received  
27 all those Hendon reports, not only for this period of time, but  
28 also in the past.

1                   **MR. ERIC BROUSSEAU:** Okay. And were you  
2 reviewing them as they were coming out?

3                   **SUPT. CRAIG ABRAMS:** Yes. Like I said, for the  
4 two-week period of January 11<sup>th</sup> to the 22<sup>nd</sup>, I was away from the  
5 workplace. When I returned, I reviewed my emails and caught up  
6 on my Hendon reports upon my return from work. But, yes, I have  
7 reviewed the Hendon reports as they came in because they  
8 directly impacted our planning as to what we were going to do to  
9 make sure that we had all our angles covered in case something  
10 from the report indicated that there might be a problem in the  
11 Village of Arnprior, or there might be intelligence in the case  
12 there might be problems in Casselman. Those are things I needed  
13 to know, and my incident commander needed to know, so we  
14 reviewed them religiously.

15                   **MR. ERIC BROUSSEAU:** Okay. And I understand  
16 Casselman and Arnprior are sort of areas under OPP jurisdiction  
17 where you would have a particular attention, but did you have an  
18 understanding or a view of what was going to transpire in Ottawa  
19 based on those reports in the week leading up to the convoy?

20                   **SUPT. CRAIG ABRAMS:** I certainly, based on the  
21 reports, saw many different views of what might happen in  
22 Ottawa. We saw social media reports that said there might be  
23 34,000 vehicles that arrive in Ottawa. We saw the reports that  
24 might be only in the hundreds. I think as recently as January  
25 24<sup>th</sup> Hendon report, one of the intelligence gaps that's indicated  
26 on the report says unknown exact number of vehicles that will be  
27 attending Ottawa. So even as late as the 24<sup>th</sup>, we weren't a  
28 hundred percent sure on numbers, so we had an intense range from



1 social media saying 30,000, 32,000 to in the hundreds.

2 **MR. ERIC BROUSSEAU:** Did you discuss the Hendon  
3 reports with anyone at OPS in your sort of role of coordinator?

4 **SUPT. CRAIG ABRAMS:** I did not discuss Hendon  
5 directly with anybody at Ottawa Police Service, no.

6 **MR. ERIC BROUSSEAU:** Now I want to ask you about  
7 an Intersect call, I think it was the morning of January 27<sup>th</sup>.  
8 Do you remember that call?

9 **SUPT. CRAIG ABRAMS:** I do.

10 **MR. ERIC BROUSSEAU:** And could you describe it  
11 for us?

12 **SUPT. CRAIG ABRAMS:** Yes, it was part of the  
13 regular Intersect call. Normally, they do round table -- this  
14 is more specific to this event, so we kind of open the floor to  
15 Ottawa Police Service, and they spoke about their event, and  
16 they spoke about their plans to manage the convoy vehicles that  
17 were travelling to their city.

18 **MR. ERIC BROUSSEAU:** Okay. And what were the  
19 plans that were shared on that call?

20 **SUPT. CRAIG ABRAMS:** There was no written plan  
21 shared on the call. It was all verbal. They indicated that  
22 they had a plan and had a capacity to accept 3,000 vehicles in  
23 their city. And then they set about describing on what streets  
24 those vehicles would park in. In my notes, I made notes of the  
25 call. I noted the streets. I just don't have the streets and  
26 the exact vehicle numbers, but they had, you know, Sir John A  
27 MacDonald Parkway, X number of vehicles could park there.  
28 Wellington Street, X number of vehicles could park there. They

1 spoke about how the convoy leaders agreed to only take three of  
2 four lanes on Wellington Street and leave one lane open for  
3 emergency vehicles. Other vehicles would take up side streets  
4 off of Wellington and keep the curb lane open for emergency  
5 vehicles. That's how they described their interactions with the  
6 convoy leaders.

7 **MR. ERIC BROUSSEAU:** And prior to this call, were  
8 you aware that they -- the OPS was planning to allow the trucks  
9 into downtown Ottawa?

10 **SUPT. CRAIG ABRAMS:** This was the first I'd heard  
11 about how Ottawa planned to deal with the vehicles that were  
12 travelling to their city.

13 **MR. ERIC BROUSSEAU:** Okay. And did you have any  
14 concerns about that proposal?

15 **SUPT. CRAIG ABRAMS:** I didn't. As much as I had  
16 seen Henton reports like we've heard evidence here that  
17 obviously motivated individuals travelling from east coast to  
18 west coast, very well funded, indications that they may spend  
19 multiple days, some in the reports said three days, but,  
20 certainly, it looked like multiple days. But I think  
21 Superintendent Morris talked about being in your lane. I had to  
22 stay in my lane, and I had a lot of experience working with the  
23 Ottawa Police Service with other major events and seen their  
24 abilities, very professional organization. And it wasn't my  
25 place to question whether they were ready. I had to make that  
26 assumption that they were ready.

27 They were talking calmly about what their plans  
28 were. They felt that it was going to be successful, and it was

1 not my place to question them. I assume they had that plan in  
2 place, and my job was there to just -- to support them.

3 **MR. ERIC BROUSSEAU:** And I understand that, and  
4 the whole sort of "Stay in your lane" mentality, but did you  
5 have any concerns? Even if you didn't voice them, did you have  
6 any concerns about that number of maybe heavy commercial  
7 vehicles in downtown Ottawa?

8 **SUPT. CRAIG ABRAMS:** I didn't have concerns. It  
9 certainly was unique. Not something that I've ever experienced,  
10 large vehicles -- I've experienced a large number of persons but  
11 not that number of vehicles. But, once again, I had to rely on  
12 the Ottawa Police with that experience; they were the police of  
13 jurisdiction, and it was just not my place to question. I had  
14 to assume that they had a solid plan, and ---

15 **MR. ERIC BROUSSEAU:** Did ---

16 **SUPT. CRAIG ABRAMS:** --- we were there to  
17 support.

18 Sorry.

19 **MR. ERIC BROUSSEAU:** No, sorry. Did anybody else  
20 on that call, any of the other participating agencies raise any  
21 concerns or question that plan?

22 **SUPT. CRAIG ABRAMS:** I don't recall it. I just  
23 recall conversation about how, you know, vehicles travelling  
24 from Quebec had impact the citizens of Quebec, Gatineau Police.  
25 We just talked about impacts that traffic flow would have, but I  
26 don't recall anybody questioning what Ottawa Police was speaking  
27 about.

28 **MR. ERIC BROUSSEAU:** Okay. And there was also a

1 discussion of a plan to have vehicles kind of park further away  
2 and protesters sort of bused in; do you remember that?

3 **SUPT. CRAIG ABRAMS:** I recall discussions about,  
4 you know, could we have the vehicles park at the Canadian Tire  
5 Centre, the hockey arena, and have them shuttle-bused down to  
6 the downtown core. My view, that's more difficult; if you're a  
7 truck driver and you've driven your truck multiple days and  
8 weeks across the country, you're likely not going to be happy to  
9 park it at the Canadian Tire Centre.

10 But -- so I know some areas were opened up by the  
11 City to allow some overflow parking but those ideas, I didn't  
12 believe came to fruition.

13 **MR. ERIC BROUSSEAU:** Okay. And based on your  
14 participation in this call, what did it appear -- how long of an  
15 event did it appear that the OPS was planning for?

16 **SUPT. CRAIG ABRAMS:** The weekend at the most.

17 **MR. ERIC BROUSSEAU:** Okay. And was that  
18 consistent with what you understood at the time?

19 **SUPT. CRAIG ABRAMS:** Sorry; consistent in what  
20 context?

21 **MR. ERIC BROUSSEAU:** Did you also believe it  
22 would be a weekend-long event?

23 **SUPT. CRAIG ABRAMS:** Yes. Because I was relying  
24 on Ottawa Police believed it would be a weekend event, so who  
25 was I to question that it wasn't -- if they believed it, I  
26 believed it, and we were partners in it. And as much as Hendon  
27 did say those other things, I had to take some faith that Ottawa  
28 had a plan and that we would be done on Sunday evening, maybe

1 Monday morning at the latest.

2 **MR. ERIC BROUSSEAU:** Well, you've anticipated my  
3 question because Supt. Morris was very clear yesterday that the  
4 Hendon reports in the week leading up used the word, "Long term"  
5 and sort of made it clear that protesters would be staying. So  
6 I guess I'm wondering if you were reading them, why you weren't  
7 left with that impression as well.

8 **SUPT. CRAIG ABRAMS:** There was more Hendon report  
9 -- there was more intel to indicate that they were staying  
10 longer, than staying shorter, for sure, there was. And I just  
11 had to assume that Ottawa had a capacity to manage what may have  
12 been a longer-term event; that there must have been a plan B,  
13 let's say, for lack of a better word, that, "Yeah, if these  
14 people do stay after Monday, then we pull out plan B and we  
15 activate plan B." Those were just assumptions I was making that  
16 because we all knew, and we all had access to those Hendon  
17 reports, we knew the possibility it could be longer, there must  
18 be a contingency plan in place if Monday is still locked up.

19 **MR. ERIC BROUSSEAU:** Right. Was there discussion  
20 of that contingency plan or of a plan B on this Intersect call?

21 **SUPT. CRAIG ABRAMS:** There was not.

22 **MR. ERIC BROUSSEAU:** Who, if anyone, at the OPP  
23 did you sort of report back to after this Intersect call about  
24 the plan to let the vehicles into downtown?

25 **SUPT. CRAIG ABRAMS:** I reported to my Chief  
26 Superintendent, Karl Thomas, about what was occurring. I  
27 reported to my Incident Commander, of course, because he wasn't  
28 on the call; it was Inspector Scott Semple, he was Incident

1 Commander at the time, to say that I'd had this conversation,  
2 this is what Ottawa's plan is for the vehicles. And that's when  
3 I asked my traffic inspector to connect with their traffic  
4 inspector, and just filled my superior in on what I'd heard on  
5 the call.

6 **MR. ERIC BROUSSEAU:** And ultimately there was a  
7 sort of a plan that dated January 28<sup>th</sup> or 29<sup>th</sup>, I believe, that  
8 was put together by the Ottawa Police Service. Did you ever see  
9 a copy of that plan?

10 **SUPT. CRAIG ABRAMS:** I don't recall seeing a plan  
11 for that weekend.

12 **MR. ERIC BROUSSEAU:** Okay. Did you ever ask for  
13 a copy?

14 **SUPT. CRAIG ABRAMS:** I did not.

15 **MR. ERIC BROUSSEAU:** No. Would you normally see  
16 a copy of a plan for an event like that?

17 **SUPT. CRAIG ABRAMS:** Not as much. Not in -- it's  
18 another policing jurisdiction, unless it had ties to OPP  
19 operations in the plan, I wouldn't normally see it because it  
20 didn't impact me or my service.

21 **MR. ERIC BROUSSEAU:** We've heard evidence, and I  
22 expect we'll continue to hear evidence that this was a fairly  
23 unprecedented event. Would you agree with that assessment?

24 **SUPT. CRAIG ABRAMS:** I would agree.

25 **MR. ERIC BROUSSEAU:** All right.

26 **SUPT. CRAIG ABRAMS:** On many levels;  
27 unprecedented in size, the vehicles used. Lots of unprecedented  
28 natures to the event for sure.

1                   **MR. ERIC BROUSSEAU:** If we could pull up  
2 OPP00000773, please?

3                   I'm just showing you another document. This is  
4 the Will Say that I believe you prepared in connection with --  
5 attending the interview this summer; is that correct?

6                   **SUPT. CRAIG ABRAMS:** Actually, within a week  
7 after the end of the event, I just felt because of my role that  
8 the organization would likely want to hear from what I  
9 experienced, so I created the Will Say then.

10                  I didn't even know that a Commission was coming  
11 for that, or that interviews may be coming several months later.  
12 I just did it because I knew the facts were fresh in my mind at  
13 the time. There was so many things that happened that -- most  
14 made it into my notebook, but there were so many things that  
15 were independent recollections that I didn't want to lose, so  
16 both myself and Chief Pardy created these type of documents  
17 around the same period of time.

18                  **MR. ERIC BROUSSEAU:** Okay. So that's helpful to  
19 know. So this was created in, we're talking late February,  
20 maybe early March?

21                  **SUPT. CRAIG ABRAMS:** Yes. No later than two  
22 weeks after the end of the event.

23                  **MR. ERIC BROUSSEAU:** Okay. And so I won't take  
24 you to it, but I just wanted to understand the circumstances  
25 under which it was created.

26                  And so it references a conversation with an Insp.  
27 Ferguson on January 29<sup>th</sup>. Who is Insp. Ferguson?

28                  **SUPT. CRAIG ABRAMS:** That's Insp. Dawn Ferguson.

1 She's Detachment Commander of our Renfrew Detachment, but she's  
2 also a trained Critical Incident Commander. So as part of our  
3 planning for this event, because it was a traffic event on the  
4 417, the National Capital Regional Command Centre was stood up  
5 and most of the policing partners were housed there: MTO, OPS,  
6 Gatineau Police.

7 So it was important for us to have a leader there  
8 to be able to help direct the traffic and have better  
9 communication flow between all the agencies. So I asked her to  
10 be there and be able to report back to the Incident Commander at  
11 the OC, which was Insp. Semple and myself; they both fell under  
12 myself. And her role there was to kind of monitor how things  
13 were occurring and how the vehicles were travelling into the  
14 city and report back at what was occurring with our partners.

15 **MR. ERIC BROUSSEAU:** Okay. And she did report  
16 back to you on the 29<sup>th</sup>; correct?

17 **SUPT. CRAIG ABRAMS:** She did.

18 **MR. ERIC BROUSSEAU:** Okay. And what was that  
19 report?

20 **SUPT. CRAIG ABRAMS:** I want to say it was around  
21 mid-morning; 11:47, I think the time was. I may be mistaken on  
22 the time, but she indicated that she was experiencing  
23 dysfunction within the NCRCCs, specifically to the OPS  
24 commander, Insp. Lucas. He was yelling profanities, not only at  
25 her but we also had a staff sergeant there, Lisa Nicholas, and  
26 also they were yelling profanities at each other. And they had  
27 clearly, seemed to her, had lost some control over what was  
28 occurring and didn't have a way to figure it out and they were



1 trying to offer assistance to them in the form of officers to  
2 help. If they had calls for service in the City of Ottawa they  
3 weren't able to get to because all their members were tied up  
4 downtown, that we could provide some of that service, but they  
5 weren't able to get command communication back to say yes we  
6 could use that or not.

7 **MR. ERIC BROUSSEAU:** Okay. And what --  
8 specifically what type of assistance was the OPP offering at  
9 this point?

10 **SUPT. CRAIG ABRAMS:** We offered everything from a  
11 public order unit assistance, Rapid Response Team, QRT Teams, we  
12 kind of use that term. We had Quick Response Teams; if they had  
13 an armed robbery, let's say, in Kanata, and everybody was tied  
14 up with the convoy downtown, we could rally members together to  
15 help them out with those major calls that they were obviously  
16 stretched to be able to get to.

17 **MR. ERIC BROUSSEAU:** Okay. And I think your  
18 Will-Say includes this phrase:

19 "This event was clearly beyond their  
20 capabilities."

21 Is that -- and "Their" being OPS. Was that a  
22 view that you had formed already on January 29<sup>th</sup>?

23 **SUPT. CRAIG ABRAMS:** That was the term Insp.  
24 Ferguson used to me.

25 **MR. ERIC BROUSSEAU:** Okay.

26 **SUPT. CRAIG ABRAMS:** Because obviously I wasn't  
27 experiencing it, that's what she was experiencing and that's how  
28 she described it to me.

1                   **MR. ERIC BROUSSEAU:** And did Inspector Ferguson  
2 relate to you or did you have a view of kind of what was going  
3 wrong, what was overwhelming, I guess, the OPS at that point?

4                   **MR. CRAIG ABRAMS:** Just a lack of what to do.  
5 There was no real plan as to who do we send where, what do you  
6 want me to do? Lots of questions about where the resources --  
7 their resources were supposed to go; lots of confusion in that  
8 aspect.

9                   **MR. ERIC BROUSSEAU:** Okay. And I understand that  
10 you spoke with Deputy Chief Bell on that day as well, correct?

11                   **MR. CRAIG ABRAMS:** I did.

12                   **MR. ERIC BROUSSEAU:** Can you describe that  
13 conversation for us?

14                   **MR. CRAIG ABRAMS:** Sure. Essentially, it was an  
15 agreement that we would be the contacts with each other  
16 throughout this event. Obviously, they're going to have to have  
17 a contact from the OPP, so we agreed that we would be each  
18 other's contact. If he needed something from the OPP, he would  
19 call me, and vice versa, so we had arranged that process early  
20 on.

21                   **MR. ERIC BROUSSEAU:** Did you offer any assistance  
22 on this day in particular?

23                   **MR. CRAIG ABRAMS:** I'd have to check my notes. I  
24 know I've offered assistance; I just can't remember if it was  
25 this particular day.

26                   **MR. ERIC BROUSSEAU:** Okay.

27                   **MR. CRAIG ABRAMS:** Which date -- I can look  
28 quickly here. I have my notes with me as to what date.

1                   **MR. ERIC BROUSSEAU:** We can pull it up. It's  
2 OPP00000774, and it's at page 12. It's the entry at 16 -- just  
3 about 1642, I think, advise D.C. Bell 18 at ---

4                   **MR. CRAIG ABRAMS:** I -- so I advised him that we  
5 had 18 members at our Kanata detachment, which is our Ottawa  
6 detachment, including two sergeants that could assist if  
7 required. He acknowledged and stated that he would relay that  
8 information to his incident commander.

9                   And we waited. There was no real reply, and then  
10 at 1830, I again contacted and made a final offer for assistance  
11 to the Ottawa Police Service, and at 1900 they advised us that  
12 there was really no help required. And that was through Staff  
13 Sgt. Nicholas who was in the NCRCC.

14                   **MR. ERIC BROUSSEAU:** And so you offered them some  
15 point in the afternoon, didn't have a response, and then at 7  
16 o'clock were told, "We don't -- thanks, but no thanks"?

17                   **MR. CRAIG ABRAMS:** Yeah. They were just -- there  
18 was no -- we never heard back. We just called again to say, "We  
19 made the offer at just after 4 o'clock. Do you still need these  
20 18 officers?" and there was just no reply back to say they  
21 wanted them and then finally, at 1900, they stated that there  
22 was just no help required.

23                   **MR. ERIC BROUSSEAU:** And what type of officers  
24 were these 18 officers?

25                   **MR. CRAIG ABRAMS:** They were just frontline  
26 constables that we would have pulled from detachment operations  
27 within 45-minute tower radius of Ottawa, the soonest we could  
28 get members there to help support without critically damaging

1 our ability to police the communities they were serving. It was  
2 strictly just members who were currently on duty that we could  
3 pull.

4 We have a region immobilization plan that kind of  
5 has a set number of -- based on how many are working on this  
6 day, this is how many officers we could move to other locations  
7 in an emergency, so we were able to dictate, okay, we can  
8 survive with pulling 18 if they need it.

9 **MR. ERIC BROUSSEAU:** And so was 18 the most that  
10 you could sort of put together in that short order?

11 **MR. CRAIG ABRAMS:** That's the most I could summon  
12 in that short order. This region's a rather large region, but  
13 within an hour of Ottawa, that's the most I could muster at that  
14 period of time.

15 **MR. ERIC BROUSSEAU:** And did the OPS ultimately  
16 take you up on that offer at some point?

17 **MR. CRAIG ABRAMS:** I believe the next day they  
18 agreed. My inspector, Luc Duval, indicated that we had members  
19 that were prepared to go to Ottawa, and they were sending --  
20 they had 18 but I think initially they were going to send 10,  
21 and they sent 10 downtown to Elgin Street to be deployed, mainly  
22 in a traffic service capacity and helping out with traffic  
23 control, closing streets.

24 And then shortly thereafter, I heard back from my  
25 incident commander, Inspector Ferguson, that only two of those  
26 members had been used and the rest had been sitting there for  
27 over, I believe it was four hours, and they were on day shift.  
28 It was late in the day. And I said, "Pull them from Elgin. We

1 can't let them sit around there any longer."

2                   So then I reached out to Deputy Bell just to let  
3 him know this is what's happening, and he indicated that he  
4 apologized and said there was a lack of communication within  
5 their bureau, within their service, and that he would rectify  
6 it.

7                   **MR. ERIC BROUSSEAU:** And did you -- did either  
8 you offer additional assistance or did he ask for those 10 back  
9 or additional officers at that time?

10                   **MR. CRAIG ABRAMS:** It's hard to recall, because  
11 we spoke so often, but certainly, there was the offer. He knew  
12 that he was going to have to ask for more assistance. Inspector  
13 Duval indicated that through Inspector Lucas that there was  
14 going to be a formal ask coming for more assistance from the  
15 OPP. It was unknown what that number was going to look like,  
16 but it was likely going to come. And so Deputy Bell and I would  
17 have had that conversation to say, "Look, it's coming. They  
18 haven't figured out the exact number yet, but there's going to  
19 be a further request for resources coming."

20                   **MR. ERIC BROUSSEAU:** And that was going to be  
21 Chief to Commissioner, Chief Sloly to Commissioner Carrique?

22                   **MR. CRAIG ABRAMS:** In a formal way it would do  
23 that, but Deputy Bell could call me to say, "I need 30 people,"  
24 and we would operationalize that right away. The formal  
25 paperwork can take its time and move its way from Ottawa to  
26 Orillia, but we're not going to wait for the formal paperwork.  
27 They're partner agencies. We're going to help them in their  
28 time of need, and I would have mustered those members and got

1 them to Ottawa prior to any letter being signed by the  
2 Commissioner.

3 **MR. ERIC BROUSSEAU:** Okay. But if that's the  
4 case, why pull back the officers that you had sent who were  
5 just, in your words, sort of sitting around doing nothing? I  
6 mean, they were there. They could have been activated.

7 **MR. CRAIG ABRAMS:** Mainly because of the hours  
8 they'd already been working. They'd already been working over  
9 12 hours that day, so they're on 14 hours. If they were then  
10 just starting to work, it would be unfair to those members to  
11 work past the period of time they were working, so that's why I  
12 pulled them.

13 **MR. ERIC BROUSSEAU:** In this first weekend, sort  
14 of January 29th, January 30th, can you just share with us any  
15 other observations about what was happening on the ground, what  
16 was going well, what was not going well?

17 **MR. CRAIG ABRAMS:** It was really not going well.  
18 I was getting lots of reports from my members at the NCRCC.  
19 There was lots of dysfunctions to lots of yelling, lots of  
20 unknowns of what they were going to do.

21 On the 31st of January I had a conversation with  
22 Deputy Bell where he basically said, "We're planning for a  
23 protracted event and we really don't know our way out of this."

24 So that was the first indication to me on the  
25 31st that we were going to be in for a long haul to assist them.  
26 So I had to prepare my incident command team to kind of switch  
27 to say, "Okay. Now, might have to switch operations to  
28 supporting the Ottawa Police, and I'm not 100 percent what the

1 numbers are going to look like yet, but it's clear, through  
2 talking to Deputy Bell, that it's going to be protracted. They  
3 don't see a way out and they're going to be relying on us and  
4 other services to help them."

5 **MR. ERIC BROUSSEAU:** And we'll get there. But  
6 first I'd like to pull up an email. It's OPP00001593. If we  
7 can go to the bottom email, the one from Joseph Varga. He's an  
8 inspector with the OPP, correct?

9 **MR. CRAIG ABRAMS:** Yes. He's a critical incident  
10 commander, a major critical incident commander.

11 **MR. ERIC BROUSSEAU:** Okay. And what was his role  
12 at this point?

13 **MR. CRAIG ABRAMS:** Early on, there was discussion  
14 within our own organization as to, you know, how were we going  
15 to structure this support for Ottawa? Would Inspector Varga  
16 come down and act as the MCIC to help direct OPP resources to  
17 assist Ottawa? What was the command structure looking like,  
18 because there was concerns over what the Ottawa Police command  
19 structure was going to look like. So there was just a lot of  
20 general discussions about how best can we insert ourselves and  
21 integrate ourselves and provide the support that's required.

22 A lot of that conversation resolved around that.

23 **MR. ERIC BROUSSEAU:** Okay. And I think this  
24 email kind of touches on some of that regrouping.

25 So Inspector Varga writes:

26 "Supt. As you are aware, OPP POU  
27 direct supports to PPS will conclude  
28 this evening. At the request of OPS

1 and the NCRCC Command Group, OPP POU  
2 has now been requested to support OPS  
3 with the ongoing POU deployment in the  
4 City of Ottawa."

5 So what assistance had the OPP rendered to the  
6 PPS, being the Parliamentary Protective Service, during that  
7 first weekend?

8 **MR. CRAIG ABRAMS:** Within Ontario, a lot of the  
9 services have Public Order Unit hub, and they communicate with  
10 each other when they require services. So this request wouldn't  
11 necessarily have gone directly through myself.

12 POU and POU commanders reported to me indirectly,  
13 but I certainly didn't direct other operations, because they're  
14 trained POU commanders. They would tell me when the request  
15 comes in.

16 So I recall that a request from PPS came in for  
17 support, and we discussed about well, where is this support? Is  
18 it at PPS or is it with Ottawa? Who needs the support the most?  
19 And it was, as agreed amongst the POU subject-matter experts  
20 that they would begin supporting the Parliamentary Protective  
21 Services first and then, if required, transition to support  
22 Ottawa.

23 **MR. ERIC BROUSSEAU:** Okay. And do you know why  
24 that agreement was reached?

25 **MR. CRAIG ABRAMS:** I didn't ask specifics because  
26 it wasn't my subject-matter expertise. I relied on their  
27 expertise to say that something -- PPS told them they needed  
28 protect them and support them first and then always be available



1 to Ottawa if they required it.

2                   **MR. ERIC BROUSSEAU:** Okay. If we could scroll  
3 down a little bit, Insp. Varga shares the plan for the next  
4 three days.

5                   " This concept of operations is  
6 anticipated to utilize OPP POU in  
7 connection with all other assisting  
8 agency POU units in the following  
9 timeline."

10                   And then it set out what was going to occur on  
11 Monday, Tuesday, and Wednesday, including a possible injunction  
12 of the injection -- and then the injunction would be enforced.  
13 So at this point, on January 30<sup>th</sup>, which is the Sunday, is  
14 everyone planning to basically wrap this up by Wednesday of the  
15 coming week?

16                   **MR. CRAIG ABRAMS:** I can't say that that's the  
17 case because I wasn't engaged in these conversation with Public  
18 Order. My role was on a frontline capacity; we call them Soft  
19 Hats, so your normal police officer you'd see on the street. So  
20 that was my focus. Public Order command was separate to me so  
21 they would have their conversations and if they felt they needed  
22 to added Public Order to Ottawa they would do that on their own  
23 and just notify me that it was happening. I was providing  
24 around 30 officers a day at this period of time to Ottawa  
25 Police, 15 on days and 15 on nights, primarily to just do  
26 traffic services, traffic enforcement just at intersections,  
27 closing roads, and I let the incident commanders like Joe Vargo  
28 and his Public Order Unit commanders work out what system they

1 felt they needed to do with their Public Order partners in  
2 Ottawa and other services.

3 **MR. ERIC BROUSSEAU:** Okay. So the 30 were  
4 traffic officers under your command and then Insp. Varga had POU  
5 units that may have been in Ottawa as well?

6 **MR. CRAIG ABRAMS:** That's correct.

7 **MR. ERIC BROUSSEAU:** Okay. And this is a POU  
8 plan so weren't involved in preparing that?

9 **MR. CRAIG ABRAMS:** I was not. There would have  
10 just been a phone call to say, "Superintendent, there's going to  
11 be POU in Ottawa supporting PPS and Ottawa Police," and I would  
12 general, "We're on the ground today and we've got this many on  
13 the ground doing QRT, or this many on the ground doing this."  
14 But that was the extent of the notifications I was receiving.

15 **MR. ERIC BROUSSEAU:** Okay. And if we just scroll  
16 down a little bit, the next paragraph:

17 "A review of the shift of OPP/POU  
18 support from PPS to OPS has resulted in  
19 a re-evaluation of required OPP/POU  
20 resources."

21 And you see it talks about the:

22 "...release of 14 bodies back to their  
23 home location. Further, eight POU  
24 members will be returning to their home  
25 locations."

26 And so my question is, it's January 30<sup>th</sup>, it  
27 certainly doesn't look like the protest is ending on Monday  
28 morning but POU members are leaving the City of Ottawa; do you

1 know why that is?

2           **MR. CRAIG ABRAMS:** I can't say. And that's the -  
3 - kind of the essence of the command structure. As a strategic  
4 commander, I'm not going to get necessarily into the weeds. I  
5 trust my subject-matter experts, incident commanders, POU  
6 commanders to know what they need to do. We had many other  
7 priorities going on around the province with other borders  
8 through Bluewater Bridge and the Ambassador Bridge; we had to  
9 protect international border crossings so they may have been  
10 redeployed to those other areas. But kind of the nature of that  
11 major critical incident command structure is, for a person like  
12 me and the role I was in, do not get too far into the weeds. So  
13 that's why I would not necessarily have been advised.

14           **MR. ERIC BROUSSEAU:** Okay. You referred earlier  
15 to a discussion with Deputy Chief Bell on the 31<sup>st</sup> where he  
16 indicated they were now planning for a four-week extended  
17 occupation. How did you react to that timeline?

18           **MR. CRAIG ABRAMS:** I was concerned. I really  
19 thought and hoped that we could resolve it prior to that period  
20 of time because as -- from my experience with other blockades,  
21 the longer they go, the more people that are attracted and the  
22 more people you now have to deal with, and it makes the job of a  
23 police service that much difficult -- that much more difficult  
24 to be able to manage. So I was hoping that we could develop  
25 something between the multiple groups at the table to be able to  
26 deal with it prior to the four weeks. But there was -- it was a  
27 surprise to hear that early in the game, that they were already  
28 looking four weeks down the road.

1                   **MR. ERIC BROUSSEAU:** All right. And based on  
2 that, did you escalate that within the OPP; did you change  
3 anything about your own planning when you heard that anticipated  
4 timeline.

5                   **MR. CRAIG ABRAMS:** Most certainly. I had to  
6 reach out to my inspector, my Chief Superintendent but also my  
7 Inspector and incident commanders to say, "Okay, now we have to  
8 start scheduling for four weeks out. Let's try to figure out  
9 how we can provide the resources that Ottawa needs. We're going  
10 to expect that they're going to expect more than 30 a day as the  
11 days move on, so how are we going to do this?" We had to engage  
12 -- in our organization, we have an Emergency Operations Centre  
13 in Orillia, and that's part of their role is to help with major  
14 planning for major events.

15                   So it was clear that it was going to start  
16 getting out of my ability on a regional level to staff Ottawa  
17 police with just regional people. We were going to have to  
18 start bringing in people from all over the province so that we  
19 needed help in that logistic so we reached out to Orillia  
20 Emergency Operations Centre to say, "Okay, get ready. It's  
21 going to be an extended event," and we start identifying  
22 regional contacts to start relaying what Ottawa's going to need  
23 and how many people we can get to Ottawa. And then I had to  
24 stand up a much more robust logistics team and now plan for  
25 hotels and be able to staff and feed and deploy all these people  
26 and most likely find a bigger command post to manage it because  
27 now it's going to be growing.

28                   **MR. ERIC BROUSSEAU:** Okay. I'd like to pull up

1 OPP00000024, please. This is an email from -- I believe it's  
2 Supt. Alakas; is that correct?

3 **MR. CRAIG ABRAMS:** Yes, he's in our Field Support  
4 Bureau.

5 **MR. ERIC BROUSSEAU:** Okay. And what role was he  
6 playing in the response?

7 **MR. CRAIG ABRAMS:** Right, so as Superintendent of  
8 Field Support Bureau, they cover the majority of the OPP's  
9 Emergency Services, so Tactical Response Units, Emergency  
10 Response Teams, which are our Public Order Units -- they're  
11 Emergency Response officers and they're POU trained so that  
12 falls under their bureau, which falls under Deputy DiMarco's  
13 bureau, so he would have had -- and he also is in control of our  
14 EOC, so he had a lot -- a large role to play in what was  
15 happening.

16 **MR. ERIC BROUSSEAU:** Okay. So I want to go down  
17 and start with Supt. Alakas identifies three issues. He says:

18 "Much of the uncertainty around  
19 response and especially around the  
20 utilization of our resources has  
21 resulted from three main difficulties."

22 And so if you could just help us understand  
23 these, if you had observed these, and just take us through, sort  
24 of, one, two, and three.

25 **MR. CRAIG ABRAMS:** Sure. This is the first I'm  
26 seeing the email so you'll have to -- I apologize. I'm reading  
27 through it.

28 **MR. ERIC BROUSSEAU:** Okay.

1           **MR. CRAIG ABRAMS:** So he has concerns about, I  
2 guess, a terminology. I think we've kind of heard with Deputy  
3 Ferguson that the Ottawa Police may refer to their critical  
4 command structure a little bit differently than us so  
5 nomenclature and naming can sometimes cause confusion. So I  
6 think that's what he -- they're referring to in No. 1 and what -  
7 - whether they need -- do they incident commanders? Do they  
8 need major critical incident commanders? And do they understand  
9 what the true function of a CAC is? Could that be done with  
10 just an incident commander? So I think he's just trying to  
11 clarify to them, "Can you go back to them to clarify what is it  
12 they really need because then we know what we can send them?"  
13 because there's three levels of command. Incident command,  
14 critical incident command, and major critical incident command  
15 come with many different skills so you want to try to keep it to  
16 the lowest level as possible.

17           **MR. ERIC BROUSSEAU:** And so before we move on to  
18 2, is that an issue -- or a function of the fact that there  
19 isn't standardized Incident Command System across various police  
20 agencies?

21           **MR. CRAIG ABRAMS:** As far as I'm aware, there's  
22 fairly standardized processes but, as we heard, they had the  
23 term "event commander" which meant "incident commander", so I  
24 guess some municipalities may choose to use different  
25 terminology than others but, from my understanding of the  
26 critical incident command process, naming conventions are fairly  
27 consistent.

28           **MR. ERIC BROUSSEAU:** Okay. And so if you'd just

1 point to:

2 "OPS requests were framed in terms of  
3 specific amounts of resources rather in  
4 terms of the effect or impact they  
5 wished these resources to impart."

6 Was that something that you had observed?

7 **MR. CRAIG ABRAMS:** Correct. And that's kind of  
8 where the line divides here. So I'm getting requests from  
9 Deputy Bell for frontline officers and we're very clear around  
10 what he wants them to do and what they're going to do. They're  
11 getting requests from Ottawa Police Public Unit Command about  
12 what they want them to do. So his concern is what he's hearing  
13 from the Public Order side of Ottawa Police. And I'm making  
14 assumptions here because I wasn't involved in this email. It's  
15 a little more clear on my side because I can ask those direct  
16 questions, what do you want them to do? How many cars do you  
17 want them to bring? What are their roles and responsibilities,  
18 so I can find those people with those skills. Whereas, here, it  
19 seems that the Public Order Unit request from Ottawa was maybe a  
20 little vague and not as specific about exactly what they wanted  
21 and what exactly what they wanted them to do. And that can  
22 cause frustration for sure.

23 **MR. ERIC BROUSSEAU:** Okay. But in your view, you  
24 had a better, I guess, relationship with Deputy Chief Bell and  
25 were able to have that direct conversation in a way that's  
26 better than what Superintendent Alakas was able to accomplish?

27 **SUPT. CRAIG ABRAMS:** Initially for sure. I mean,  
28 along the way, there was certain frustrations about where do you

1 want our people and when. That was more minor, but it was very  
2 clear he needed the most help relieving his members from the  
3 downtown core, so they could get some rest. And that's -- what  
4 his -- kind of his focus was on the maintenance piece first, and  
5 that was the easiest piece for us to help him with, because they  
6 didn't have to have specialized skills. They just had to be  
7 police officers with a cruiser.

8 **MR. ERIC BROUSSEAU:** Okay. And then just briefly  
9 on the third point, an initial lack of internal communication  
10 and unified incident command which created barriers to effective  
11 information intelligence flow. Is that something that you had  
12 observed at that point?

13 **SUPT. CRAIG ABRAMS:** I did. Observed -- and I  
14 did speak to Deputy Bell about this as well, I just observed  
15 multiple points. They had an incident commander at their  
16 Greenbank location. They had some commanders at their Elgin  
17 Street Headquarters, and they had Inspector Lucas at the NCRCC.  
18 They were all spread out across the city. It was almost like a  
19 left-hand, right-hand situation. Inspector Lucas may not have  
20 been aware of what the incident commander superintendent was  
21 doing at Greenbank. And it bore out in Public Order Unit work  
22 as well. So I had some conversations with Deputy Bell about  
23 that, just to say these are the frustrations my people are  
24 seeing. He recognized that right away. He understood they were  
25 trying to do their best to become more unified. I wasn't  
26 telling him anything he hadn't heard or seen himself, I think.  
27 But we -- yeah, for the benefit of my people, that's why I was  
28 there. To protect my people, and when they wanted me to message



1 with Ottawa Police, that was my role. And we did have lots of  
2 conversation around the difficulty we were seeing in their  
3 incident command structures, yes.

4 **MR. ERIC BROUSSEAU:** Okay. And was Deputy Chief  
5 Bell as receptive to those comments?

6 **SUPT. CRAIG ABRAMS:** Yeah, he seemed very  
7 receptive. He seemed to understand and said, "Yes, Craig, we're  
8 doing the best we can."

9 **MR. ERIC BROUSSEAU:** Okay. If we could get  
10 OPP00001342, please. I just want to show you, this is an email,  
11 I believe, from Pat Morris to you and others February 2<sup>nd</sup>. And  
12 if we can just go down, there's an organizational chart here and  
13 I just want to understand and make sure that this is -- this  
14 accurately represents the sort of command structure for the OPP  
15 for this event at the time.

16 **SUPT. CRAIG ABRAMS:** It is exactly how it was at  
17 the time, yes.

18 **MR. ERIC BROUSSEAU:** Okay. And can you -- what's  
19 the difference between the NCRCC and then the OPP Ottawa Command  
20 Post?

21 **SUPT. CRAIG ABRAMS:** Essentially, it was the  
22 NCRCC housed all our partner agencies and I felt it would be a  
23 real -- we'd be missing out on a lot if we didn't put something  
24 there, so we needed somebody to coordinate what was happening.  
25 They had access to MTO cameras. They had access to Ottawa  
26 Police radios because Ottawa Police was right there. So they  
27 were able to provide a lot more real time and quick information  
28 to those incident commanders that were sitting at the Ottawa

1 Command Post. So that's why we had those two inspectors at  
2 those locations. And then Inspector Dave Springer, who is a  
3 trained POU commander and an MCIC, he was taking care of the POU  
4 command side.

5 **MR. ERIC BROUSSEAU:** Okay.

6 **SUPT. CRAIG ABRAMS:** And they all kind of  
7 reported up to myself.

8 **MR. ERIC BROUSSEAU:** And so this email's from  
9 February 2<sup>nd</sup>, which is also the date of Chief Sloly or former  
10 Chief Sloly, you know, saying he doesn't believe that there's a  
11 policing solution, or there may not be a policing solution. I  
12 take it you're familiar with that, with him saying that?

13 **SUPT. CRAIG ABRAMS:** I am.

14 **MR. ERIC BROUSSEAU:** And so as somebody who was  
15 on the ground and sort of witnessing what was going on very  
16 close, close hand from the OPP, did you share that assessment of  
17 the situation at that time?

18 **SUPT. CRAIG ABRAMS:** I did not.

19 **MR. ERIC BROUSSEAU:** Okay. Why not?

20 **SUPT. CRAIG ABRAMS:** Based on my experience, I  
21 guess, is the best example. I hadn't -- even up to this point,  
22 I had already heard about issues integrating PLT into this  
23 process. And all the blockades I've been involved in, I've seen  
24 nothing but success from our PLT team. They're a amazingly  
25 dedicated group of individuals who are able to establish  
26 relationships with protestors and able to start discussions  
27 about, okay, why are you here. You know, what are you  
28 protesting? How long do you plan to be here? Can we help you

1 with an exit strategy? They're obviously trained in the  
2 framework that's been adopted by the Canadian Association of  
3 Police Chiefs, which I think the Commission's heard about  
4 already. And they've done amazing work to be able to resolve a  
5 lot of situations without having to use POU, just through  
6 negotiation and discussions and allowing groups, whatever they  
7 happen to be, exit on their own and without having to have  
8 police enforcement. Now we've had to use police enforcement at  
9 times, for sure, but I did not see that piece being used in this  
10 situation. I didn't see Intelligence being used to lead a  
11 solution. I didn't see PLT being used to lead a solution. So  
12 that's why I felt maybe he was being a little premature. I  
13 didn't see that all these steps had been tried yet. I guess if  
14 all those steps had been tried and every tool in our toolbox had  
15 been used and we were still at ground zero, maybe you could  
16 think about that in that way, but I just didn't think that we  
17 had used all our tools yet, so I couldn't agree with that  
18 statement.

19 **MR. ERIC BROUSSEAU:** Okay. And so hearing that,  
20 did that prompt a renewed extension of support, or did you do  
21 anything with that to say -- to go back to your team and say we  
22 have to step up our assistance because, clearly, this is a  
23 situation that's getting out of hand?

24 **SUPT. CRAIG ABRAMS:** Not too longer -- not too  
25 long after the February 2<sup>nd</sup> date -- my other date's wrong -- we  
26 had already sent our OPP PLT team to Ottawa to support them. So  
27 they were already on the ground trying to support. So I was  
28 already hearing frustrations on integration. They weren't able

1 to be integrated. They weren't given autonomy to make  
2 decisions. So I was more communicating with Deputy Bell because  
3 they would call me and Inspector Beaudin, which the Commission  
4 will hear from who runs the PLT program, he would call me, his  
5 sergeants would call me to say, "Sir, we're not getting anywhere  
6 here." The actual Ottawa Police Service team's not giving  
7 autonomy to connect with convoy drivers, make a lot of those  
8 concessions, which they do. And so they were just -- they were  
9 floundering.

10 They didn't feel they had a role. They didn't  
11 see a plan. There was no PLT plan, which normally there is a  
12 plan for PLT. There was none. So I wasn't as much  
13 communicating with them as they were communicating with me about  
14 their concerns. And part of my role as strategic commander was  
15 deconfliction. So I would reach out to Deputy Bell and say,  
16 "Steve, this is what we're seeing and we're hearing from Chief  
17 Sloly and other commanders that PLT is important to the solution  
18 of this problem, but we're just not seeing it be  
19 operationalized."

20 And that's not unique sometimes if you're at a  
21 high level like a Chief and you're not seeing what's happening  
22 on the ground. Maybe that's news to Chief Sloly; right? So it  
23 was important for me on behalf of my members and for the Ottawa  
24 Police Service to bring it to their attention and see if they  
25 can make some changes to get them more autonomy, and get them  
26 more engaged, and try to stress upon Deputy Chief Bell the  
27 successes I've seen and the importance of using them to help  
28 move this forward.

1                   **MR. ERIC BROUSSEAU:** And sort of generally  
2 speaking, when you relayed those concerns, what was the  
3 reception?

4                   **SUPT. CRAIG ABRAMS:** Positive. Deputy Bell  
5 agreed. He understood the importance of the integration and  
6 that he was going to make sure that that was happening.

7                   **MR. ERIC BROUSSEAU:** Okay. And I understand that  
8 the OPP assigned two planners in the very early days, Inspector  
9 Younan and Staff Sergeant Gauvin (ph); is that right?

10                   **SUPT. CRAIG ABRAMS:** That's correct.

11                   **MR. ERIC BROUSSEAU:** Can you just describe what  
12 their role would have been?

13                   **SUPT. CRAIG ABRAMS:** Right. So they were asked  
14 as part of the kind of formal ask from Chief Sloly to come and  
15 help their planners come up with a plan. And I heard from them  
16 regularly about their frustrations. And they were kind of given  
17 three tasks and number 1 was a plan to go intersection by  
18 intersection, and number 2 was -- I don't know if -- mass arrest  
19 may be the wrong word, but just another plan, another  
20 enforcement plan. And the third plan was kind of a status quo  
21 plan that it kind of hold the streets for a certain period of  
22 time.

23                   There was questions about who they reported to  
24 within the Ottawa Police Service, who's responsible for this  
25 plan, who's going to sign off on the plan. And at a certain  
26 period, one of the OPS inspectors, Marin, came in the room and  
27 said, "Whatever you were told to do, forget it. Chief Sloly  
28 wants you to come up with a whole new plan. You report to me

1 now, and go to work."

2                   And they essentially walked away from the table  
3 and called me and relayed this information to me to say, "Sir,  
4 can you help us? This isn't working."

5                   And then I called Deputy Bell and explained, and  
6 he explained, "No, these members report to --" I think it was  
7 Superintendent -- maybe Acting Superintendent Dunlop -- and they  
8 were to take direction from him.

9                   So the planning table was having its own  
10 frustrations itself.

11                   **MR. ERIC BROUSSEAU:** And but these two OPP  
12 planners were working alongside OPS planners?

13                   **MR. CRAIG ABRAMS:** Correct.

14                   **MR. ERIC BROUSSEAU:** And did that group  
15 ultimately come up with any sort of plan?

16                   **MR. CRAIG ABRAMS:** Not that I ever saw, no.

17                   **MR. ERIC BROUSSEAU:** Now, I understand there's a  
18 bit of confusion also about the role that Superintendent Mark  
19 Patterson was playing at this time as well.

20                   **MR. CRAIG ABRAMS:** I was clear myself that he was  
21 their incident commander in the early days. I knew that he was  
22 the one I needed to contact if I had incident commander type  
23 conversations I needed to have. I knew he was the one to call.  
24 So it wasn't unclear to me at that stage. It changed as days  
25 moved forward. It became confusing because they changed  
26 incident commanders fairly quickly, but in the early days, the  
27 period of time we're talking about, I knew that he was the  
28 person to contact.

1                   **MR. ERIC BROUSSEAU:** Okay. Did it appear to you,  
2 I guess, based on this incident that you just described or  
3 otherwise, that there was some confusion in the OPS about lines  
4 of authority and who was -- who needed to sign off on what, or  
5 who was in charge of PLT or the plan or whatever it is?

6                   **MR. CRAIG ABRAMS:** Yes, very much so. There was  
7 confusion amongst the PLT. They didn't know who they reported  
8 to. Obviously, just -- the planners didn't know who they were  
9 supposed to report to and there was confusion about who had  
10 authority to make decisions and move our plan forward.

11                   **MR. ERIC BROUSSEAU:** Did you raise that within  
12 the OPP at all?

13                   **MR. CRAIG ABRAMS:** Yes. That's kind of the job  
14 of a strategic commander again. I talked about situational  
15 awareness. It was important for me to let my command, including  
16 Deputy Commissioner and Commissioner Carrique be aware of what I  
17 was seeing and the concerns I was seeing in the hopes that  
18 Commissioner Carrique or Deputy Commissioner Harkins could have  
19 higher-level conversations with Chief Sloly. So I had to make  
20 them aware of what was occurring because in a way, we had to  
21 protect our members, you know? If we're going to bring more  
22 members into an event that was dysfunctional and dangerous,  
23 that's -- my job is to protect our members, so I didn't want to  
24 do that either.

25                   So and that really, I was the eyes and ears of  
26 the organization for the -- until Chief Pardy arrived, that was  
27 essentially my role, situational awareness reporting up to  
28 senior command and deconflicting the issues that I saw with PLT

1 and our planners, and just trying to navigate logistical  
2 challenges that Ottawa Police required help on the street with  
3 traffic.

4 **MR. ERIC BROUSSEAU:** And when you talk about  
5 deconflicting issues, you're talking about sort of direct  
6 conversations with Deputy Chief Bell?

7 **MR. CRAIG ABRAMS:** Yes. So I would hear from my  
8 members, either attached to the PLT team or attached to the  
9 planning teams, and they would express concerns to me, and then  
10 I would commit to them that I would reach out to Deputy Bell to  
11 see what we could do to try to resolve.

12 **MR. ERIC BROUSSEAU:** I want to go to February 4th  
13 now, and there was the press conference, I believe, at which it  
14 was announced that all off ramps from the 417 into Ottawa and  
15 the bridges into Ottawa were going to be shut down, closed,  
16 essentially. Do you remember that press conference?

17 **MR. CRAIG ABRAMS:** I do. In fact, I remember it  
18 was predicated with Chief Sloly saying that due to new  
19 intelligence, this is what he wanted to do.

20 **MR. ERIC BROUSSEAU:** On the intelligence piece,  
21 were you aware of any new intelligence?

22 **MR. CRAIG ABRAMS:** No. That's why I was quite  
23 confused. I was in my command post watching the news, and I saw  
24 Chief Sloly and Deputy Bell on the TV announcing this, and it  
25 caused me great concern.

26 **MR. ERIC BROUSSEAU:** And were you aware that this  
27 was going to be announced or that this was a new proposal or  
28 plan?



1                   **MR. CRAIG ABRAMS:** It was totally out of the  
2 blue, unprepared, unaware.

3                   **MR. ERIC BROUSSEAU:** And why was it concerning,  
4 or why was this an issue for you?

5                   **MR. CRAIG ABRAMS:** The OPP was responsible for  
6 the 417 and all on ramps and off ramps. We had partnerships  
7 with the MTO. As you're aware, Ottawa has many on ramps and off  
8 ramps on the 417. I certainly also even had a -- even if we had  
9 the members to do it, which we did not, I still questioned what  
10 that does. There's lots of ways to get into downtown Ottawa.  
11 You don't have to use the 417.

12                   So I had two issues. Number 1, I currently did  
13 not have the capacity to do what I was hearing I wanted to be  
14 done in relation to OPP-policed highways; and I also questioned  
15 the intelligence just because three things; and I questioned how  
16 would that help?

17                   So I reached out to Deputy Bell right away.

18                   **MR. ERIC BROUSSEAU:** And how did that  
19 conversation go?

20                   **MR. CRAIG ABRAMS:** I just -- I texted him, I  
21 believe, to say, "Steve, if this is true, we need to talk  
22 because this is going to have huge additional impacts on me and  
23 my organization, and you haven't talked timelines. Chief  
24 Sloly's almost talking immediately. It's never going to happen  
25 immediately."

26                   And then he called me shortly after to say, "No,  
27 Craig. We're not going to do this."

28                   And then I asked, "What's this new intelligence?"

1                   And he said, "Obviously, there's no intelligence,  
2 Craig. You're the ones, the OPP, that are providing us the  
3 intelligence."

4                   But certainly, maybe CSIS or another intelligence  
5 network may have provided the information. That was my concern.  
6 But he indicated that that there was no new intelligence and  
7 there was no plan to close ramps.

8                   And I reached out to my inspector, Inspector  
9 Ferguson at the NCRCC. She talked to her Ottawa Police Service  
10 inspectors, and they also had never heard of this plan and  
11 started to become upset because they were never even notified  
12 this is the Chief's idea.

13                   **MR. ERIC BROUSSEAU:** Was closing off ramps or  
14 bridges something that the OPP had done as the convoy traversed  
15 Ontario?

16                   **MR. CRAIG ABRAMS:** We closed some off ramps on  
17 the initial arrival just to try to focus them to use ramps that  
18 were open. We did that. And off and on throughout this whole  
19 event, we would do that. If we saw a large convoy wanting to  
20 come to Ottawa, we would open and close certain off ramps just  
21 to get them into the city in a cleaner fashion, and we would  
22 communicate with the convoy leaders to make that happen.

23                   So -- and the bridges, the bridges, I believe  
24 almost every bridge is within ease of the City of Ottawa, so the  
25 only time we ever did bridges was during the COVID lockdown when  
26 they had the provincial lockdowns and we did bridges in OPP  
27 jurisdiction, but not in the City of Ottawa. But it obviously  
28 pre-dated this event.

1                   **MR. ERIC BROUSSEAU:** And when you closed off  
2 ramps, at some point, was that done at the request of OPS or was  
3 that just done ---

4                   **MR. CRAIG ABRAMS:** It was totally at the request  
5 of OPS. OPS was the police of jurisdiction so we were  
6 essentially attached to their hip. What they wanted, if they  
7 wanted us to do it, we could only do what they wanted. We  
8 couldn't read their mind as to what their plan was because there  
9 was no plan, so we would essentially wait, they would phone us,  
10 they would say, "Could you close this ramp for this period of  
11 time for this reason?"

12                   If we had the resources to do it, we would do it,  
13 and then reopen the ramp.

14                   **MR. ERIC BROUSSEAU:** Okay. So just help me  
15 understand that though, because my understanding is that the OPP  
16 are the place of jurisdiction for 400-series highways, and so  
17 that's why they were asking you to close ramps, because the OPS  
18 couldn't send cruisers to close an off ramp on a 400-series  
19 highway; is that correct?

20                   **MR. CRAIG ABRAMS:** Correct. I apologize. I  
21 mean, it come out wrong. The Ottawa Police would have wanted us  
22 to close the ramp because of an operational issue they had, so  
23 they were reaching out to us to do it for their purpose.

24                   **MR. ERIC BROUSSEAU:** Right.

25                   **MR. CRAIG ABRAMS:** As the OPP, we generally did  
26 not just close ramps just because we wanted to. It would have  
27 been at the request of Ottawa Police because they had an issue  
28 within the City and they need our help on the ramp. Sorry, I

1 wasn't clear.

2 **MR. ERIC BROUSSEAU:** No, I just wanted to make  
3 sure it was clear for the Commissioner's benefit.

4 And so it had been done before, closing of ramps  
5 at the request of the OPS. In this case, it just caught you by  
6 surprise?

7 **MR. CRAIG ABRAMS:** Well, yeah, just based on the  
8 sheer number. I mean, obviously, a ramp or two for collisions  
9 is normal, but to hear all ramps, that was concerning because  
10 that's a large number.

11 **MR. ERIC BROUSSEAU:** Okay. In your witness  
12 summary -- and I won't take you there -- but refers to a  
13 conversation with Deputy Chief Bell. What do you characterize  
14 as a formal conversation with Deputy Chief Bell on the 4<sup>th</sup>? What  
15 can you tell us about that conversation?

16 **MR. CRAIG ABRAMS:** That was about the unified  
17 command conversation?

18 **MR. ERIC BROUSSEAU:** Sorry?

19 **MR. CRAIG ABRAMS:** That was about unified  
20 command?

21 **MR. ERIC BROUSSEAU:** Yes. Once again, that was  
22 triggered by my calls from my members on the ground still  
23 concerned with not seeing a plan, no unified structure, no  
24 inability to integrate, no inability to have autonomy, so I  
25 wanted to express it to Deputy Bell in a formal way to say,  
26 "Deputy, this is what we're seeing and we need to try -- or you  
27 need to try to come up with a more unified structure to make  
28 this work a bit better, much better."

1                   And Deputy Bell was very receptive to our  
2   conversations, understood the need, and stated that that's what  
3   their goal was, and they were trying to do that. It was  
4   difficult. Deputy Bell, obviously, is a senior officer to me; I  
5   don't want to be seen as trying to tell him what to do. I think  
6   he recognized it himself when we discussed it. But, once again,  
7   as the role of strategic commander, that was my job. I had to  
8   protect my people and when they were signalling to me they  
9   wanted help, it was my job to help them.

10                   **MR. ERIC BROUSSEAU:** Okay. And during this  
11   conversation, did either did either Deputy Chief Bell ask for  
12   more resources or did you offer more resources?

13                   **MR. CRAIG ABRAMS:** I don't recall that happening  
14   in that conversation. More resource requests happened  
15   continually throughout the event but I just don't know if that  
16   happened in that conversation.

17                   **MR. ERIC BROUSSEAU:** Okay. And so after the  
18   early days, the resource requests were not coming directly to  
19   you; is that right?

20                   **MR. CRAIG ABRAMS:** Once the incident commanders  
21   were in place at the NCRCC, all of those requests would go to  
22   the incident, and then they would come to myself or my incident  
23   commander, and then we would do what we needed to do  
24   logistically in the province to try to get those officers to the  
25   City of Ottawa.

26                   **MR. ERIC BROUSSEAU:** Okay. If we could pull up  
27   OPP00000556, this is an email that, I think if we scroll down, I  
28   believe Insp. Younan forwarded you and Supt. Alakas an email.

1 And if we go further down, this is an email which we saw in  
2 evidence this morning, from Former Chief Sloly to a number of  
3 members on his team at 6:30 in the morning of February 5<sup>th</sup>. Do  
4 you recall getting this forwarded email from Insp. Younan?

5 **MR. CRAIG ABRAMS:** I recall Insp. Younan sending  
6 an email as it relates to -- I think this is the period of time  
7 where it was an email where Chief Sloly was directing a lot of  
8 different things that he wanted to see happen and one of those  
9 things, S/Sgt. Gauvin was woken up in the early hours and the  
10 request was for OPP/Public Order Unit to help clear this  
11 particular area. S/Sgt. Gauvin handled it himself and put them  
12 off, just saying like, "No, this is not part of our framework.  
13 This is not how we operate," and was able to delay that  
14 operation.

15 **MR. ERIC BROUSSEAU:** Okay.

16 **MR. CRAIG ABRAMS:** But it was part of a bigger  
17 email chain, I believe, on that day.

18 **MR. ERIC BROUSSEAU:** And if we could just scroll  
19 down to the "General Priorities" list there. No. 1 is "surge,  
20 contain, and enforce" which I think gets referred to as "surge  
21 and contain". What -- did you have a view on, sort of, whether  
22 that was an appropriate strategy at the time or whether there  
23 were -- like, there was a plan in place to effect that?

24 **MR. CRAIG ABRAMS:** I certainly had concerns  
25 because there was no plan. These were ideas and concepts of  
26 what they wanted to happen but if it didn't come with a plan, I  
27 certainly wasn't going to offer OPP support to just do that  
28 based on, you know, a one-line email. I understand that was our

1 goal but there had to be a cogent plan for that to happen and,  
2 up to this point, I still hadn't seen on. And so we couldn't  
3 allow that, to have OPP participate in that.

4 **MR. ERIC BROUSSEAU:** And so that's something  
5 we've heard, and we will hear from a number of witnesses, I  
6 think, is the idea that -- as my colleague put it this morning,  
7 does the plan drive the numbers or the numbers drive the plan?  
8 And so I think you're saying, you know, the OPP isn't going to  
9 make more resources without a plan that it can review; is that  
10 accurate?

11 **MR. CRAIG ABRAMS:** I'm a -- you have to have a  
12 plan. It's backwards to do it just by numbers. You have to  
13 have a plan. And once you have a plan that your subject-matter  
14 experts, your incident commanders, your MCICs all agree on,  
15 then, okay, what human resources do we need to make this plan  
16 effective and successful?

17 **MR. ERIC BROUSSEAU:** Okay. And is that standard  
18 practice? Is that always the case that you wouldn't be offering  
19 up OPP resources unless you knew exactly how the local police  
20 jurisdiction plans to use them?

21 **MR. CRAIG ABRAMS:** Every situation is different  
22 but, certainly, my POU commanders are going to want to see an  
23 operational about, "What was the intent? What are you going to  
24 ask our people to do? How many of them do you need? And what  
25 is the expectation of them?" because they want to make sure it  
26 matches with out framework, it matches with our organizational  
27 values, so they want to be able to have answers to all those  
28 things before they ever say yes. So, normally, that involves

1 seeing a plan.

2 **MR. ERIC BROUSSEAU:** Okay. But what about the  
3 view that, you know, if you send them to Ottawa, at least  
4 they're there to be used when there is a plan. If there's a  
5 delay, if it's going to take you two, or three, or four days to  
6 get 500 OPP officers to Ottawa, then when you have a plan, you  
7 still have to wait two, or three, or four days?

8 **MR. CRAIG ABRAMS:** It's just it's not an  
9 appropriate use of our resources. We need to have an idea;  
10 "What do you want to do with those 500? We'll get them going  
11 but we have to have some idea. Currently, there is absolutely  
12 nothing that says what they'll do. Will they do traffic  
13 control? Will they do QRT patrols? What will you have them do?  
14 I'm not going to bring 500 officers to Ottawa, literally fly  
15 them from Sioux Lookout all over the province, try to find  
16 somewhere for them to stay without having an understanding of  
17 what they're doing."

18 And that's -- that goes for municipal police  
19 service, too. They need to have an understanding of what their  
20 members are going to do. We're protecting our members; we're  
21 not going to send them several hours away and say, "Go to  
22 Ottawa. I really don't know what you're going to do. I really  
23 don't know how long you're going to be there. I don't know what  
24 to tell you to pack. Just show up there and we'll figure it out  
25 when we get there." That's just not how we operate.

26 **MR. ERIC BROUSSEAU:** Okay. And at this point,  
27 this is February 5<sup>th</sup>; are -- Is Insp. Younan and S/Sgt. Gauvin,  
28 are they still embedded with the OPS Planning Group as of



1 February 5<sup>th</sup>?

2 **MR. CRAIG ABRAMS:** I believe they're still there  
3 trying. I don't know that they're sitting around the table  
4 working on it because I feel that their frustrations have  
5 bubbled over to the point where they just couldn't put pen to  
6 paper at that point.

7 **MR. ERIC BROUSSEAU:** Okay. And did you speak  
8 with the Commissioner on February 5<sup>th</sup>?

9 **MR. CRAIG ABRAMS:** I'd have to check my notes but  
10 I know I had a couple of different calls directly with the  
11 Commissioner to advise them of what I was seeing and what I  
12 discussed. I'd just have to look to see the date.

13 **MR. ERIC BROUSSEAU:** Okay.

14 **MR. CRAIG ABRAMS:** If you say that's the day,  
15 then ---

16 **MR. ERIC BROUSSEAU:** I believe that's -- I  
17 believe you spoke with him perhaps twice that day, actually.  
18 But what concerns were you elevating to the Commissioner?

19 **MR. CRAIG ABRAMS:** Many of the things you've  
20 already heard, the disorganization, inability to have PLT get  
21 engaged in what needed to get done, concerns with the incident  
22 command structure within the Ottawa Police, and an uncertainty  
23 of what role they wanted us to play in supporting their  
24 operations, and was really looking for him to engage with Chief  
25 Sloly to have those conversations to say, "In case you weren't  
26 aware, this is what's happening. What can we do to try to  
27 resolve?"

28 **MR. ERIC BROUSSEAU:** Okay. And do you understand

1 that the Commissioner did have those discussions with Chief  
2 Sloly?

3 **MR. CRAIG ABRAMS:** Yeah. I know from one  
4 recollection, Commission Carrique advised that he had talked to  
5 Chief Sloly had told him, "Yes, PLT is an important part of our  
6 plan and we want to embed it in our plan. It's the way  
7 forward," and he indicated that he thought that that's what was  
8 occurring and he felt that there was a productive conversation.

9 **MR. ERIC BROUSSEAU:** Okay. And just generally,  
10 sort of, how often were in contact and relaying your  
11 observations and concerns to Commissioner Carrique?

12 **MR. CRAIG ABRAMS:** In the early days, I'd say  
13 maybe every third or fourth day we would have a group call and  
14 update him on what was occurring. If things were stressing to  
15 the point -- around this period of time, things were getting  
16 more stressful and, basically, my members, Insp. Beaudin, and  
17 them were saying, "We need to talk to the Commissioner about  
18 this to let him know what's happening," and I would ask those  
19 calls to happen.

20 **MR. ERIC BROUSSEAU:** Okay. I want to ask you  
21 about the Coventry Road enforcement. So if you could just tell  
22 us what -- what happened there, as far as you understand it.

23 **MR. CRAIG ABRAMS:** So the first I learned about  
24 it was in -- I received an invitation to join a Zoom call, video  
25 call with Chief Sloly and his command. And apparently, he had  
26 heard that the OPP PLT team was leaving, and he wanted to talk  
27 to me about it. I didn't know anything really about that until  
28 I got on the call and then I heard the story, much like Deputy

1 Chief Ferguson told this morning. Essentially, PLT had gone to  
2 the Coventry Road site to try to negotiate the removal of some  
3 gasoline, and Major Incident Commander Patterson was aware of  
4 this and chose to use it as an enforcement opportunity. And  
5 when the gas was being driven away, his members pulled the  
6 vehicles over, seized the gas and charged the members. And that  
7 caused extreme stress amongst the PLT team, both Ottawa Police  
8 Service and OPP PLT members to the point where the Ottawa Police  
9 PLT members just said, "You folks, you should go home. We've  
10 lost." We've lost all -- any goodwill we were able to reach  
11 with some of the convoy organizers or operators was now lost  
12 because there's no way they could not have seen the connect  
13 between them trying to negotiate a removal of gas and then being  
14 arrested. It was too obvious.

15 So there was much concern about that, but on this  
16 call, I learned that Staff Sergeant Ferguson, who's in charge of  
17 Ottawa Police PLT, didn't know that that was Superintendent  
18 Patterson's plan all along. They hadn't communicated. It was a  
19 shock -- it was as much of a shock to him as anybody else.

20 **MR. ERIC BROUSSEAU:** Okay. And I think you  
21 transcribed your recollection of the call in an email, so if we  
22 could pull up OPP00001532? And if we can go down just to the  
23 top of your email, there we go.

24 "The following is a summary of the OPS  
25 video call that Insp. Beaudin asked me  
26 to participate in on his behalf this  
27 evening."

28 So Inspector Beaudin was not -- wasn't able to

1 make it?

2 **SUPT. CRAIG ABRAMS:** No.

3 **MR. ERIC BROUSSEAU:** Okay. The next paragraph,  
4 "I can say that OPS Chief Sloly said  
5 numerous times that PLT needs to be  
6 embedded and engaged in operations and  
7 that it was mission critical that they  
8 be. I sensed however that they just do  
9 not understand how best to utilize  
10 PLT."

11 Where did you get that sense from and where was  
12 the disconnect in the organization?

13 **SUPT. CRAIG ABRAMS:** I was having discussions  
14 with my own PLT members who were -- they had decided on their  
15 own to try to pair up with Ottawa Police PLT members because  
16 they were seeing it firsthand. As you heard this morning, the  
17 Ottawa Police PLT program is different than the OPP program.  
18 Ours is full time, OPS is part time. And they seemed to be used  
19 more as an intelligence gathering capacity rather than trying to  
20 make concessions, figure out what exit plans are. There's more,  
21 hey, who's in this truck, who are you, what are you doing here.  
22 And didn't seem to be that measured approach that our PLT  
23 members are used to doing. And it was more hard tact you're  
24 going to get arrested if you don't get out of here type thing.

25 **MR. ERIC BROUSSEAU:** The next paragraph mentions  
26 a Dr. Peter Collins who was on the line. What -- who is Dr.  
27 Collins and what role was he playing?

28 **SUPT. CRAIG ABRAMS:** Sure. Dr. Collins is a

1 forensic psychologist. He has worked with the OPP for many  
2 years, mainly in the tactical capacity, crisis negotiator  
3 capacity. I've used him when I was in our homicide unit if I  
4 was going to interrogate a person that was to have known mental  
5 health problems. I would speak to Dr. Collins to get his  
6 perspective on how best to approach a person that may be  
7 suffering whatever ailment they were suffering. But he mainly  
8 works with the crisis negotiator side of our organization. I  
9 understood at some point he was brought into this operation, and  
10 he was made aware of this incident. And he wasn't on video. I  
11 think he was on a telephone. I didn't see his face anyways on  
12 the video call. And those were the comments he gave about the  
13 impact this was going to have on the program and on the members  
14 that are in the program.

15 **MR. ERIC BROUSSEAU:** The next paragraph,  
16 "OPS Command feels that there is a  
17 silver lining as the arrests were made  
18 away from the fuel depot so there is  
19 not as strong a connection between PLT  
20 and the arrests."

21 Did you share that silver lining assessment?

22 **SUPT. CRAIG ABRAMS:** No. I have trained PLT  
23 investigators that are getting calls from their contacts in the  
24 convoy saying, "We're not going to talk to you again. This just  
25 happened. Why would we ever trust you again?" So it was clear  
26 that as much as Superintendent Patterson may have hoped that  
27 there was a disconnection and then the members couldn't make  
28 that connection, that connection was made right away.

1                   **MR. ERIC BROUSSEAU:** If we go down to the next  
2 paragraph,

3                                    "They then had a long conversation  
4 about staffing and again Chief Sloly  
5 stated that PLT needed to be embedded  
6 in all they do. Chief Sloly expects  
7 all policing partners will engage in  
8 arrests for Aiding and Abetting the  
9 offence of Mischief and if they refuse  
10 then he will call that police services  
11 senior management to ensure they do."

12                   Can you describe for us what that captures there?

13                   **SUPT. CRAIG ABRAMS:** He was expecting all  
14 officers, regardless of who they work for, to effect mischief  
15 arrests for members who were believed to be carrying gasoline.  
16 That's what he was looking for.

17                   **MR. ERIC BROUSSEAU:** Okay. Oh, is this just in  
18 relation to Coventry Road and the gas issue or is this a larger  
19 issue?

20                   **SUPT. CRAIG ABRAMS:** No, it was the larger issue.

21                   **MR. ERIC BROUSSEAU:** Okay. But at this point on  
22 February 6<sup>th</sup>, there's no large operational plan that's ready to  
23 be actioned; is there?

24                   **SUPT. CRAIG ABRAMS:** There's not.

25                   **MR. ERIC BROUSSEAU:** Okay. And so when you've  
26 written down all policing partners, that includes the RCMP, the  
27 OPP, any other municipal agencies that were there participating?

28                   **SUPT. CRAIG ABRAMS:** When he says all policing

1 partners, I got to believe he means all policing partners and  
2 that's who was there.

3 **MR. ERIC BROUSSEAU:** Okay. If we go -- there,  
4 the next paragraph.

5 "I was not asked to speak on the call.  
6 At the end I was asked to confirm the  
7 rumour that OPP PLT was leaving. I  
8 explained that it was in fact the OPS  
9 PLT members who suggested our PLT folks  
10 leave [as] the Coventry Road fuel  
11 arrests had made their jobs untenable  
12 and there seemed to be no use trying  
13 any longer using PLT tactics since the  
14 trust was [...] broken."

15 So just to be clear, did OPP PLT leave or reduce  
16 their -- the numbers in light of this?

17 **SUPT. CRAIG ABRAMS:** We never left, no.

18 **MR. ERIC BROUSSEAU:** Okay. And then you go on to  
19 describe two major operational plans upcoming, and I wonder if  
20 you could just take us through one and two and what was being  
21 planned at that time?

22 **SUPT. CRAIG ABRAMS:** Sure. Chief Sloly was  
23 looking for action, what's happening, what are you doing,  
24 certain type of action, so he detailed, number one, he wanted to  
25 do a dynamic arrest and takedown at Rideau and Sussex. They  
26 planned to do that the following day, but because of lack of  
27 assets, they postponed it to possibly Wednesday. And they were  
28 going to have a call tomorrow at nine o'clock that myself and

1 Superintendent Alakas were invited on, and it was advised that  
2 they will work through the top convoy organizers and  
3 influencers, and they will pick a few, and there will be planned  
4 arrests and extractions tomorrow of those persons. And they  
5 wanted PLT engaged in that along with POU teams.

6 **MR. ERIC BROUSSEAU:** Okay. Did you have a view  
7 on either of these two operational plans?

8 **SUPT. CRAIG ABRAMS:** I had a view on both, yes.  
9 I didn't agree with either, for various reasons. And I didn't  
10 see a plan for dynamic arrests that were supposed to happen  
11 within the next couple days. There was no -- nothing I could  
12 read to how they planned to use the POU, what time of day they  
13 planned to do it. I hadn't seen what intelligence or PLT work  
14 they'd done on that intersection to understand who was there. I  
15 had no understanding of how they planned to get rid of the  
16 trucks. There was just a total lack of information on that call  
17 anyways, so I couldn't support that.

18 And then basically, what he's describing in  
19 number two are snatch and grabs off the street, which we're  
20 normally not associated with. And again, he doesn't speak about  
21 time of day. And again, he speaks about involving PLT in them.  
22 How are PLT engaged in snatch and grabs? From my experience,  
23 that's not what OPP PLT are involved in. So I certainly right  
24 away had concerns for both of those.

25 **MR. ERIC BROUSSEAU:** And, sorry, when you say  
26 PLT, like, the PLT would actually engage in the arrests?

27 **SUPT. CRAIG ABRAMS:** That was the struggle. All  
28 I can see is he said they want PLT engaged. In what aspect or



1 how was unknown. He didn't go into those details on the call.

2 **MR. ERIC BROUSSEAU:** And then I believe you spoke  
3 with Superintendent Patterson after the call, if you can just  
4 describe for us that second call with Superintendent Patterson.

5 **SUPT. CRAIG ABRAMS:** Yes, I had heard, because I  
6 had heard that our POU Unit had been engaged as part of this  
7 Coventry Road exercise. So I contacted Insp. Dave Springer to  
8 say, like, "What are we doing there?" He said, "We're just here  
9 to protect PLT. We're not engaged with the gasoline. We're  
10 just making sure nobody gets hurt."

11 And in our conversation, I had understood that  
12 even some of the Ottawa Police detectives were uncertain about  
13 their legal authorities to do what they were doing. Could they  
14 seize the trucks? Could they seize the gas? Could they lay the  
15 charges?

16 So I wanted to talk further with Supt. Patterson  
17 to say, "Where are you getting this authority? I'm assuming  
18 you've consulted the Crown Attorney. What has the Crown  
19 Attorney told you about this? What was the Crown Attorney told  
20 you about your authorities? Do you have a Crown opinion letter  
21 that I could have? Because until and if I see that letter, I'm  
22 not directing my OPP members to be engaged in this type of  
23 activity, until I can be certain that the Crown Attorney  
24 supports it."

25 Once again, my role as strategic commander is to  
26 protect my people from -- their physical safety, but also their  
27 civil liability. I don't want them involved in illegal arrests.  
28 It's a difficult thing to make the connection between gasoline

1 and a criminal offence of mischief. So there may be a memo out  
2 there, which eventually there was, the Crown Attorney was able  
3 to explain that these types of offences, as long as you can  
4 articulate them correctly, can lead to charges. I had  
5 conversations with OPP senior command either the next day or two  
6 days later, once I got the letter. Once they saw it in that  
7 conversation, they said, "No, it's okay. OPP members can  
8 participate in this type of activity." So then I had to work my  
9 incident commanders to build a training package for my members  
10 to say, "Hey, here's your authorities. Here's how to approach  
11 it." Even down to the basics about what do you do with the  
12 seized gas? You can't throw it in the trunk of your car. Down  
13 to that level. But we had to create a system for our own  
14 members to understand and educate them.

15 **MR. ERIC BROUSSEAU:** But as of the evening of  
16 February 6<sup>th</sup>, that level of planning didn't exist for the OPP's  
17 POU; correct?

18 **SUPT. CRAIG ABRAMS:** I'm sorry, the planning for  
19 the POU?

20 **MR. ERIC BROUSSEAU:** The work that you did over  
21 the next two days ---

22 **SUPT. CRAIG ABRAMS:** Yes.

23 **MR. ERIC BROUSSEAU:** --- to ascertain that, you  
24 know, this was something you could do and you had planned for  
25 what to do with the gas. That work hadn't been carried out, but  
26 at the time that you're having this conversation with ---

27 **SUPT. CRAIG ABRAMS:** No.

28 **MR. ERIC BROUSSEAU:** --- Supt. Patterson?

1                   **SUPT. CRAIG ABRAMS:** No. I'm just trying to  
2 gather information.

3                   **MR. ERIC BROUSSEAU:** Yeah.

4                   **SUPT. CRAIG ABRAMS:** Yeah.

5                   **MR. ERIC BROUSSEAU:** If we could pull up  
6 OPP00001546, please?

7                   So this is an email you sent, I believe, the  
8 following day, after the call.

9                   If we could scroll down?

10                  You sent it to Deputy Harkins and C/Supt. Thomas.

11                  **SUPT. CRAIG ABRAMS:** Yes.

12                  **MR. ERIC BROUSSEAU:**

13                         "Deputy,

14                         I did not want to mention this on the call  
15                         with the group but feel it important for  
16                         you to have this information. On my call  
17                         with OPS Command last night Chief Sloly  
18                         asked his people to send him their  
19                         resource needs. They told him that they  
20                         need 250 members a day to run things.

21                         Chief Sloly told them that if they need  
22                         100 he will ask for 200, if they need 200  
23                         he will ask for 400. He seemed very  
24                         comfortable asking for twice what he  
25                         really needed. He looks at it that it the  
26                         other partner police agencies can't meet  
27                         the ask number then Ottawa may still get  
28                         more than they really need.. [It] was a

1                   very strange call to be a part of." (As  
2                   read)

3                   Could you sort of tell us how that came about on  
4 the call and why you were relaying that information to Deputy  
5 Harkins and C/Supt. Thomas?

6                   **SUPT. CRAIG ABRAMS:** It came near the end of the  
7 call. I believe the Chief had to leave, so it was more, "Okay,  
8 before I leave, this is what I want." So his direction to his  
9 members was, "I need to know how many people we need to operate  
10 and control this event. And if you tell me, --" like, I don't  
11 want to repeat the email, but that was what he was saying. And  
12 that was his rationale for saying it.

13                   I was surprised only because I thought, "He knows  
14 I'm on the call. He knows I'm here. Is he -- he welcomed me on  
15 the call and we talked about PLT not leaving. So he knows I'm  
16 still here, but he's talking about basically doubling the ask  
17 he's going to ask from other police agencies in Ontario to  
18 support what's happening in Ottawa with no plan." I mean, there  
19 was no plan to plug these numbers into yet, but these were just  
20 random numbers.

21                   So I found that strange and I felt it was  
22 important for my Chief and Commissioner to be aware of it,  
23 because I knew that higher level meetings were happening with  
24 Chiefs around Ontario about how they could support Ottawa and I  
25 thought it was important for them to have in the back of their  
26 mind about what occurred that night.

27                   **MR. ERIC BROUSSEAU:** Did you say anything on the  
28 call with Chief Sloly and the other members of the OPS at the

1 time?

2                   **SUPT. CRAIG ABRAMS:** No, he left the call rather  
3 abruptly. He basically said, "This is my direction," and then  
4 he left the call. And there was a bit of that awkward silence,  
5 like, you could tell the other people knew that "Abrams is on  
6 this call," which was awkward. But we moved forward after that.  
7 There was no direct talk about this doubling of numbers. We  
8 never discussed it.

9                   **MR. ERIC BROUSSEAU:** Okay. Again, going back to  
10 the issue of numbers driving the plan or the plan driving  
11 numbers, that, to your knowledge, like had you said it, or to  
12 your knowledge, had anybody else said it directly to anybody at  
13 OPS? Like, we don't need a number, we don't need a number  
14 that's doubled, we need a plan and you'll get resources when we  
15 have a plan?

16                   **SUPT. CRAIG ABRAMS:** That's essentially the  
17 conversations we were having all along with Deputy Bell, is  
18 where's the plan? We need an operational plan. And Deputy Bell  
19 agreed, like, "Yeah, we know we need a plan. We're working on a  
20 plan." So really, the numbers were irrelevant. As we've spoken  
21 about, it's about the plan first and the numbers can come later.  
22 It may be 1,800, as we've heard. It was actually more than  
23 that. But to ask for all these numbers without plan and  
24 explanation of what they will be used for seemed odd to me.

25                   **MR. ERIC BROUSSEAU:** I think the 7<sup>th</sup> is the same  
26 day that Chief Sloly publicly requested 1,800 officers.

27                   **SUPT. CRAIG ABRAMS:** I thought it was the 8<sup>th</sup> only  
28 because I thought how could a team come up in under 24 hours

1 when they were just told on the 7<sup>th</sup> to come up with a number, and  
2 all of a sudden the number is 1,800 the next day? How did they  
3 figure that out in under a day? So I may have my dates wrong,  
4 but I thought it was the 8<sup>th</sup> that the announcement came of the  
5 1,800.

6 **MR. ERIC BROUSSEAU:** Okay. I believe it's the  
7 7<sup>th</sup>, but ---

8 **SUPT. CRAIG ABRAMS:** Okay.

9 **MR. ERIC BROUSSEAU:** --- in any event, did you --  
10 how did you view that number in light of this conversation?

11 **SUPT. CRAIG ABRAMS:** I viewed it with suspicion.

12 **MR. ERIC BROUSSEAU:** Okay. And so around this  
13 time, the 8<sup>th</sup> and the 9<sup>th</sup>, former Chief Supt. Pardy became  
14 involved in the events. Can you describe how he became involved  
15 and what his role was?

16 **SUPT. CRAIG ABRAMS:** I was invited on a call on  
17 the morning of the 8<sup>th</sup> with the Commissioner. Deputy Harkins was  
18 on the call, Supt. Matt Denal (Phonetic) and Chief Pardy. And  
19 the Commissioner announced that there was going to be an  
20 Integrated Planning Team that would attend Ottawa. He gave us a  
21 mission. Essentially the mission was to help the Ottawa Police  
22 restore trust and confidence in their service, obviously help  
23 them with planning to get themselves out of this situation  
24 that's occurring in the City of Ottawa. Those were the  
25 essentially high-level expectations from this integrated  
26 planning team.

27 The Ottawa Police would still be the police of  
28 jurisdiction. This wasn't a situation where the OPP were coming

1 to take over an incident. That experts would be drawn from  
2 other police services to come with Chief Pardy, subject matter  
3 experts in public order, major events, to help Ottawa police to  
4 come up with a plan to see this come to an end.

5 I didn't hear where this idea came from. I  
6 assumed it was from higher level meetings that Commissioner  
7 Carrique was a part of. But it was told to me because I was the  
8 lone senior officer on the ground up to that point, that I would  
9 be important to have beside Chief Pardy, to inform him of what  
10 had been occurring, because he was the regional commander in  
11 North Bay. He didn't really have intimate details of what was  
12 happening in Ottawa. So that's why I was placed on a team with  
13 him. And then he was given direction to come to Ottawa.

14 **MR. ERIC BROUSSEAU:** And did you remain part of  
15 that team?

16 **SUPT. CRAIG ABRAMS:** Only for a short period of  
17 time. I'd say 48 hours at the most. Once it was clear that  
18 larger plans were going to be put in place. And at that point,  
19 OPP was probably providing around 150 officers a day. We were  
20 kind of reaching our capacity in the command post we were in  
21 Kanata. And it was expected that a much larger number would  
22 likely come once Integrated Plan Team got their work together.  
23 And they were under a tight timeline. Like, they wanted to have  
24 a plan within 48 hours, if possible, to get this done. My time  
25 was better spent rotating back to coordinating the logistical  
26 challenges of getting all those members into Ottawa.

27 So I helped Chief Pardy out for the first couple  
28 of days. Then once he was established with his subject matter

1 experts, I rotated back to my role of overseeing a deployment of  
2 frontline officers to the City of Ottawa.

3 **MR. ERIC BROUSSEAU:** Okay. You just mentioned  
4 that, at this point, you're at about 150 officers a day, up from  
5 30 a day maybe a week ago.

6 **SUPT. CRAIG ABRAMS:** Yeah, it basically went 30,  
7 60, 120, and then obviously, on weekends, we always had surge  
8 weekends because more people would come on a weekend, so we'd  
9 have to have more numbers for weekends. We'd bump up to 156,  
10 160 on a weekend, and then back to 120 on a Monday or a Tuesday,  
11 just because there always was a surge of population on a  
12 weekend. We were around that number when Chief Pardy arrived.

13 **MR. ERIC BROUSSEAU:** Okay. But so these numbers  
14 had increased in the absence of any sort of concrete operational  
15 plan; is that fair to say?

16 **SUPT. CRAIG ABRAMS:** That's correct. And we're -  
17 - and because there were traffic points, they were easy to  
18 articulate and the reasons why they needed our people for help.  
19 They just -- they needed to restrict the flow of traffic into  
20 the downtown core and the traffic points just continued to grow  
21 and they were running out of Ottawa police officers to stick on  
22 those traffic points. So in a maintenance phase, you don't  
23 necessarily need a super detailed plan to help out on a  
24 maintenance phase. You're just essentially holding ground until  
25 a plan can be developed. So we were comfortable in deploying  
26 those members because they knew exactly what they were supposed  
27 to do, exactly what their role was, and I could articulate that  
28 to our members. So we were -- we felt safe and confident to



1 bring them -- to tell them to do that.

2 **MR. ERIC BROUSSEAU:** Okay. And I understand you  
3 attended a couple of early Integrated Planning Team meetings as  
4 I guess this transition was happening. What can you tell us  
5 about those meetings?

6 **SUPT. CRAIG ABRAMS:** So the first meeting was the  
7 evening of February 8<sup>th</sup> around the 5 o'clock mark. Chief Pardy  
8 had a scribe with them, and normally, my general rule of thumb  
9 is if there's a scribe in the room and they're taking notes, I  
10 won't take notes because they're religiously taking notes. So  
11 his scribe took the notes. We received a presentation from  
12 Acting Deputy Chief Ferguson about her concept of operation,  
13 that single sheet we saw early this morning with the points.  
14 Sorry. She displayed that to us and explained that to us. And  
15 then we had general discussions about how they felt about  
16 integrated team, and does she think it's as value, and just had  
17 those kinds of discussions about what was happening and how this  
18 integrated team could help them move forward.

19 **MR. ERIC BROUSSEAU:** Okay. And what did you  
20 sense the reception of the integrated team was like on the OPS  
21 side?

22 **SUPT. CRAIG ABRAMS:** Deputy Ferguson was very  
23 much in support of it. I think she'd explained Chief Sloly was  
24 supposed to be on the call, but he had an emergent issue he had  
25 to deal with that night, so he wasn't able to be on the call.  
26 There was some technical issues. Being at RCMP headquarters,  
27 everybody who wanted to be on the call could be on the call at  
28 that time. But we gained very good ground. We had good

1 conversations. We requested -- Deputy Ferguson stated that they  
2 were just finishing up a larger concept of operational plan. It  
3 just wasn't quite ready yet. She indicated it'd be ready the  
4 next morning. So the plan was for her to come again and show us  
5 the more broader, expanded plan the following morning on the 9<sup>th</sup>.

6 **MR. ERIC BROUSSEAU:** And did that happen?

7 **SUPT. CRAIG ABRAMS:** No, Chief Pardy called me  
8 early in the morning to say that he'd heard from Acting Deputy  
9 Ferguson that it wasn't quite ready yet. They were just  
10 finishing it up. And that they would prefer if we attended  
11 downtown Elgin Street around the lunch hour.

12 **MR. ERIC BROUSSEAU:** Okay. And can you describe  
13 that meeting for us?

14 **SUPT. CRAIG ABRAMS:** Certainly. It was in a  
15 boardroom on the second floor of police headquarters. Chief  
16 Sloly was present, and two deputies were present, a few  
17 inspectors. Superintendent Patterson was present. Counsel  
18 Huneault -- I apologize if I don't pronounce your name  
19 correctly. She was present. And there was myself, Chief Pardy,  
20 Inspector from York Regional Police. Tim's his first name. I  
21 apologize I can't remember his last name. Superintendent from  
22 the RCMP, Phil Lue, and Staff Sergeant Darwin Tetreault. And we  
23 all sat on one line on one table, Chief Sloly sat at a table,  
24 flanked by his deputies. They spoke -- Acting Deputy Chief  
25 Ferguson gave her presentation on the expanded concept of  
26 operations and what that looked like. After that presentation,  
27 Chief Sloly turned to me directly, which I was surprised because  
28 I just happened to be the first OPP in the line. Chief Pardy

1 was next to me on my right. And in a clearly unhappy fashion  
2 expressed his unhappiness with the fact that the Solicitor  
3 General reported that there was 1500 OPP officers in his city  
4 when clearly there was not. And he was quite upset about that.

5 I explained to him that I was the one who  
6 provided numbers. On the second of February I was asked by the  
7 SOLGEN's office to provide a document to show how many OPP  
8 members were in the City of Ottawa. Clearly, there was more  
9 than just frontline officers. We had Public Order officers, we  
10 had Intelligence officers, we had PLT members, we had Logistical  
11 officers, Traffic members. So my team created a chart, daily  
12 chart from the beginning to that period, 2<sup>nd</sup> of February, with  
13 rows and columns to fill in any POU and Traffic, and then the  
14 total for each day and then a total cumulative. I want to say  
15 the cumulative total at that point was 826, could be 862. It  
16 was around that number. And I stated that each day moving  
17 forward was going to average about 125 a day. And I submitted  
18 that to my Chief Superintendent, and I never saw the numbers  
19 again.

20 So I explained to Chief Sloly that -- I didn't  
21 explain to Chief Sloly in that detail. I just said, "I'm the  
22 one who submitted the numbers. In my opinion, I think that a  
23 SOLGEN media staffer just maybe crafted a bad sentence. The  
24 intent was not to say there was 1500 literally that day. The  
25 intent was to say it was cumulative." Chief Sloly again became  
26 upset and basically said, "Don't explain the politics of the  
27 SOLGEN's office to me. I know that was done intentionally."  
28 And I just said, "I can't speak to that. I just provided the

1 numbers." And we moved on.

2 **MR. ERIC BROUSSEAU:** Okay. And was there  
3 discussion about Rideau and Sussex at this meeting as well?

4 **SUPT. CRAIG ABRAMS:** There was. So we were  
5 provided -- I want to say it was a three-page document by  
6 Superintendent Patterson that detailed kind of his daily plan.  
7 It was weekly. Monday, Tuesday, Wednesday, Thursday, Friday,  
8 Sunday, and what he planned -- what they planned to do. They  
9 were dynamic actions primarily. And one of them was supposed to  
10 happen that evening at 11 o'clock. So he detailed that and  
11 basically just kind of left it there to say -- as if for us to  
12 say, okay. So sensing no one else in the room was speaking, I  
13 started to ask some direct questions to Superintendent Patterson  
14 to say, "What are you going to do with the trucks? What's your  
15 plan with the trucks?" He had two plans with the trucks. One  
16 plan was to use retired Ottawa police members to drive them out  
17 of there, indicated they'd been there for quite a period of  
18 time. Many of them had been chained and altered to kind of make  
19 it difficult to tow them. I'm not a diesel mechanic, but a lot  
20 of -- you probably need mechanic skills to get them started  
21 again. And he indicated, well, if that didn't work, I'd use the  
22 Canadian Armed Forces tow trucks to tow it. And I said, "Have  
23 you asked for an aid to the civil power from the federal  
24 government?" And Superintendent Patterson indicated that he  
25 didn't require that, it wasn't necessary.

26 So then I asked, because I knew through those  
27 weeks, that week, I was getting regular phone calls from my  
28 PLTs, I've described about their frustrations of we're not being

1 on the same page, no autonomy, no connection, I asked, "Has PLT  
2 been engaged in this plan, this takedown plan?" And  
3 Superintendent Patterson said they had. I knew they hadn't. So  
4 that concerned me.

5 So I told them directly, I said, "I'm not a  
6 Public Order Unit Commander, but based on what I'm seeing and  
7 what I've just heard, you will never see OPP support on any  
8 operation tonight or tomorrow based on what I'm reading."  
9 Literally, it's two lines on a page to take down a whole  
10 intersection. There was no idea of -- no indication any way at  
11 that meeting is there children in the car? How many people are  
12 in each truck? That wasn't told to us. Essentially, they were  
13 looking for us to agree, and I wasn't comfortable. I had to ask  
14 the questions because it was dangerous for my members. That's  
15 what I'm being paid to do, protect our members and our  
16 organization. And it was at nighttime. Only in emergent  
17 extreme situations would we ever do Public Order exercises in  
18 the dark. We don't operate in the dark. It's too dangerous for  
19 our members. It's too dangerous for the public. So there were  
20 so many reasons why I could never support it. That's why I had  
21 to ask the direct questions I did.

22 **MR. ERIC BROUSSEAU:** And how was it left at the  
23 end of the meeting?

24 **SUPT. CRAIG ABRAMS:** Then we transitioned and  
25 Chief Pardy and RCMP members then piped in to basically say to  
26 Chief Sloly, "Maybe you should pump the brakes, and slow down a  
27 bit, and allow" -- this is Darwin Tetreault talking now -- allow  
28 -- he had coordination for a Public Order Unit in the RCMP. "I

1 can get you bodies here to Ottawa, but it's going to take some  
2 time. Give me a week. We can get you 400 people here," and  
3 that really seemed trigger Chief Sloly. He became very  
4 passionate, a raised voice again, and basically said that the  
5 head of hydra is in Ottawa and we needed to cut the head of the  
6 hydra off in Ottawa.

7                   Sorry, I'll back up quickly. We also talked  
8 about the impacts around the country, that this isn't just an  
9 isolated incident. We have Coutts, Alberta; we have Ambassador  
10 Bridge; there's more events that happened. And I think Supt.  
11 Morris called it the "rubber band effect" or "elastic effect";  
12 one event that happened in one part of the country has an  
13 immediate effect on another. When we tried to bring that to his  
14 attention, he didn't want to hear that.

15                   His focus was on his city which, he's the Chief  
16 of the City, I can't say I blame him, but he was very passionate  
17 about he didn't like to hear that. He didn't like to hear about  
18 a delay and essentially said, "I want you to promise me that you  
19 will get 400 RCMP or POU members here or I will go the  
20 Minister." He never named the minister; he just called -- just  
21 said "the Minister".

22                   **MR. ERIC BROUSSEAU:** Did you speak privately with  
23 any OPS members after that meeting about this -- the Rideau-and-  
24 Sussex Plan in particular?

25                   **MR. CRAIG ABRAMS:** Immediately after the meeting,  
26 Chief Sloly left the room rather quickly and Acting Deputy  
27 Ferguson, she was seated to my left, she grabbed my elbow and  
28 she just pulled me to the side and she thanked me for asking the

1 questions I asked because they were almost the same or very  
2 similar questions that she had been asking all along and was not  
3 able to get answers for. And then a day later, I received a  
4 text message from Deputy Bell saying that he appreciated my  
5 direct questions and felt it helped move the issue along.

6 **MR. ERIC BROUSSEAU:** Okay. And then, just very  
7 briefly, what was your role after this. I understand this was  
8 the last of your sort of involvement in the Integrated Planning  
9 Team; is that correct?

10 **MR. CRAIG ABRAMS:** Essentially. I returned to  
11 the headquarters after that meeting. We debriefed the meeting  
12 and we talked about how dangerous what we'd just heard was, how  
13 we could never support what we heard, and how there was a need  
14 to start an integrative plan. But I'm not a Public Order SME so  
15 my role was to get back and deal with the hundreds of OPP  
16 officers that I had to deploy onto the street of non POU  
17 frontline members. Chief Vardy had the SMEs he needed and my  
18 job was to basically make what needed from his plan, from a  
19 frontline perspective, happen. So I moved to our command post  
20 and allowed him and his team to do the work they needed to do.

21 **MR. ERIC BROUSSEAU:** Okay. Now, you talked just  
22 a minute ago about events around the country and so I want to  
23 ask you a little bit about Windsor. You had a few discussions  
24 with Supt. Dana Earley there; is that correct?

25 **MR. CRAIG ABRAMS:** I don't recall speaking to  
26 Dana directly, no.

27 **MR. ERIC BROUSSEAU:** Okay, you don't recall  
28 having conversations with her?

1           **MR. CRAIG ABRAMS:** No. I recall sending messages  
2 of support to another NCIC, Insp. Needham, just about the good  
3 work they were doing on the Ambassador Bridge but I don't recall  
4 ever having direct conversations with Supt. Earley.

5           **MR. ERIC BROUSSEAU:** Okay. Well, I'm -- Supt.  
6 Earley has recorded that in her notes so perhaps we'll pull  
7 those up and see if that helps you. If I could get OPP00004543,  
8 and it's February 10<sup>th</sup> and I don't have the page number. I  
9 apologize -- page 33, sorry.

10           **COMMISSIONER ROULEAU:** There is no 33.

11           **MR. ERIC BROUSSEAU:** Oh, it may be --  
12 OPP00004543. It's February 10<sup>th</sup>. I'm looking at 10:21 on  
13 February 10<sup>th</sup>. So there were are. I think it's probably on the  
14 next page, two pages. She takes quite detailed notes.

15           **MR. CRAIG ABRAMS:** Apparently even better than  
16 myself.

17           **MR. ERIC BROUSSEAU:** Okay, there we are:  
18                           "Call from Craig Abrams to confirm  
19                           resources."

20                           And so I guess we're now 10:21 on February 10<sup>th</sup>.  
21 I don't know if that helps situate you -- helps you recall  
22 whether you had a call with her.

23           **MR. CRAIG ABRAMS:** In my original notes, on page  
24 52, on the 10<sup>th</sup> of February, I just have her name, "Dana", with a  
25 slash. I don't have any information.

26           **MR. ERIC BROUSSEAU:** Okay.

27           **MR. CRAIG ABRAMS:** So clearly, we did connect at  
28 some point but I wasn't able to detail what we discussed.



1                   **MR. ERIC BROUSSEAU:** And so she records the  
2 calls:

3                                   "Call from Craig Abrams to confirm  
4 resources. Ottawa has been sending  
5 resource sheets to EOC. Advised Abrams  
6 Windsor is priority according to  
7 Deputy."

8                   Do you recall Supt. Earley telling you that?

9                   **MR. CRAIG ABRAMS:** I can't say that I do.

10                   **MR. ERIC BROUSSEAU:** Okay.

11                   **MR. CRAIG ABRAMS:** I'm not saying she didn't; I  
12 just can't recall.

13                   **MR. ERIC BROUSSEAU:** If we go further down at  
14 10:28, I think you're sort of giving her some advice:

15                                   "Abrams advised..."

16                   Or sorry, 10:28:

17                                   "Advised Abrams - Windsor has told us  
18 this is now ours."

19                   So you remember hearing that from Supt. Earley at  
20 all?

21                   **MR. CRAIG ABRAMS:** I don't know if heard it from  
22 Dana but I knew that there had been an agreement that the OPP  
23 was going to take over the operations in Windsor. I just can't  
24 say that I heard that from Dana.

25                   **MR. ERIC BROUSSEAU:** And then the second entry of  
26 10:28:

27                                   "Abrams advised that's easier. Ottawa  
28 doesn't like PLT nightmare. This will

1 allow you to make your own plan.  
2 Ottawa is just truck on side streets,  
3 not affecting livelihoods."

4 Is that -- is she recording what you've -- you're  
5 saying to her at that point?

6 **MR. CRAIG ABRAMS:** I've got to assume so. It  
7 seems pretty detailed. I recall -- because the comment about  
8 "making things easier", it certainly is a lot easier. As I  
9 discussed, we were kind of attached at the hip with Ottawa  
10 Police; we could only move as fast as they were willing to move  
11 forward as the police jurisdiction. If she was now in the  
12 situation in Windsor where she could essentially control the  
13 event, it made her job a lot easier to be able to just move  
14 forward without having to work with the police jurisdiction  
15 directly.

16 **MR. ERIC BROUSSEAU:** Okay, and I want to ask you  
17 about the "Ottawa is just trucks on side streets, not affecting  
18 livelihoods." Is that a view that you held or that you had  
19 heard sort of espoused within the OPP.

20 **MR. CRAIG ABRAMS:** Yeah, it's not a view I held  
21 because I was on the street. I visited my members on the  
22 street, and I talked to my members, and I talked to storeowners  
23 who described because they were wearing masks and the  
24 difficulties they were having in the businesses so I knew that  
25 there was impacts on businesses. Whether I had those meetings  
26 with business owners after this conversation or before, I can't  
27 recall for sure but it's not a position I espoused because there  
28 was clearly an affect on the residents in that area. I think I

1 may have been commenting more -- because I talked to other  
2 members about this -- if you drove the 417 through Ottawa or  
3 used any streets south of the 417, you'd never know what was  
4 happening in Ottawa. Ottawa seemed to be functioning as per  
5 normal outside of that core area. So I may have been reflecting  
6 on my experience driving around the City of Ottawa kind of  
7 impeded with no real traffic problems generally south of the 417  
8 but clearly lots of effects and impacts in the downtown core.

9 **MR. ERIC BROUSSEAU:** Right, okay. And again,  
10 just kind of backing up one more step, you're not aware of the  
11 OPP having prioritized sending resources to Windsor over Ottawa  
12 for, I guess, economic reasons?

13 **MR. CRAIG ABRAMS:** I never had conversations  
14 about priorities. It was more about, "We have this many members  
15 tied up in Windsor so we can only send you this many." It  
16 wasn't about making Windsor a priority over Ottawa that was ever  
17 communicated to me that I'm aware of.

18 **MR. ERIC BROUSSEAU:** Okay. I just want to ask  
19 you a last series of questions about the *Emergencies Act* and its  
20 invocation. And I understand you -- you know, you learned on  
21 February 17<sup>th</sup> about the creation of the red zone in Ottawa,  
22 right?

23 **MR. CRAIG ABRAMS:** Yes.

24 **MR. ERIC BROUSSEAU:** Okay. And is it your  
25 understanding that that was only made possible by the invocation  
26 of the *Emergencies Act*?

27 **MR. CRAIG ABRAMS:** It was my understanding,  
28 through reading Twitter accounts and media releases that Ottawa

1 Police had indicated to the public that the red zone was created  
2 as a result of the *Emergency Act*, that the restriction of  
3 movement, the subsequent stoppage of vehicles to determine if  
4 they have lawful authority to be in that controlled area that  
5 they described was based on authorities obtained under the  
6 *Emergency Act*, yes.

7 **MR. ERIC BROUSSEAU:** And did you have experience  
8 and had you advised officers that there were existing  
9 authorities or you had done it previously without the  
10 *Emergencies Act*?

11 **MR. CRAIG ABRAMS:** We had talked prior because  
12 prior to this date on the 17th, our members were doing traffic  
13 enforcement and -- but more in an observation capacity, looking  
14 for criminality that may be obvious or vehicles that may look  
15 like they want to block a roadway.

16 So we had a formal education package. The EMCPA  
17 was in authority at that period of time, so we educated them on  
18 the provincial EMCPA Act. That gave them some authorities. And  
19 we educated them on their normal Highway *Traffic Act*  
20 authorities, their normal Criminal Code authorities, about their  
21 ability to stop traffic, determine what they're doing, and the  
22 ability to turn them around and/or make arrests if they feel  
23 they have the reasonable grounds to do so.

24 I did a lot of the briefings with the members to  
25 explain their authorities and I tried to explain in the simple  
26 terms as I could, just saying, "You're all police officers. You  
27 all understand your authorities to make arrests, and you all  
28 have -- you understand the concept of discretion. And these

1 authorities are available to you here, just like they are back  
2 at your home detachments. Nothing has changed."

3           So this is prior to the 17th. So they knew they  
4 had those abilities. If they saw something, they could act.  
5 They didn't need the *Emergency Act* to do it. But then when the  
6 *Emergency Act* was invoked and there was restrictions placed and  
7 "headlines" is the wrong word -- but restrictions or regulations  
8 put in place about boundaries and certain street boundaries and  
9 entry into those boundaries, and that members of the public  
10 entering that area had to have three or four different excuses;  
11 is there a lawful purpose, a business owner, going to a hotel.  
12 So there's three or four different areas that they were allowed  
13 to. So my officers were then expected to essentially do that.

14           So it turned from what was officers really  
15 observing traffic to once the Act was invoked, I went downtown  
16 to see what our members were dealing with, and it was  
17 essentially a 14-to-15-hour ride program. Members were out in  
18 horrible weather, standing on the roadside, checking vehicles,  
19 going through the list, "Where are you going, what are you  
20 doing, why are you travelling here, do you have a reason to go  
21 here?" and then turning around vehicles that may need to be  
22 turned around.

23           **MR. ERIC BROUSSEAU:** And the government revoked  
24 the *Emergencies Act* on February 23rd, and you were asked by your  
25 members, "What can we continue to do?" What did you tell them?

26           **MR. CRAIG ABRAMS:** So it wasn't necessarily an  
27 ask. So I was sitting in the command post. I saw our prime  
28 minister on the television revoke the Act, and I looked at my

1 watch, and I knew I was less than an hour away from briefing  
2 300, close to, officers that were going to go on the street that  
3 night. And I knew they were going to want to know what -- "What  
4 can we do, Boss?" essentially. They could see the TV as well as  
5 I could.

6                   So I had to really consider what are our lawful  
7 authorities to do that we're doing, minus the Act, *Emergencies*  
8 *Act*?

9                   So I looked at what we were doing prior, I looked  
10 at the common-law authorities to stop vehicles. It was a very  
11 restricted area. We had literally just cleared the streets  
12 almost less than 24 hours before. How could we ever just turn  
13 the streets back over again that we'd just secured less than 24  
14 hours? We've got to have a presence and still maintain some  
15 presence of restriction in some capacity.

16                   So I tried to call Chief Pardy. He was my kind  
17 of commander and just to run it by him, just to make sure I was  
18 on the right track. Unfortunately, he was tied up. I think  
19 that announcement caught everybody by surprise, so the phones  
20 were ringing.

21                   So I appeared before them and that's essentially  
22 what I explained to them. I said, "Use your discretion, but  
23 we're going to continue to stop vehicles until and as such time  
24 as I'm told that the lawful authorities doesn't exist any more.  
25 The emergency has passed."

26                   And at the end of the day, the next morning,  
27 that's what had happened. Our meetings were held and it was  
28 agreed there was no intelligence to indicate that convoy

1 participants were going to return. Therefore, a common-law  
2 authority that we base our authorities on was -- didn't exist  
3 any more. There was no emergent need, there's no intelligence  
4 to support us stopping vehicles, so the direction was made to  
5 now fall back to an observation mode again.

6           On that first evening when I gave that direction,  
7 they continued to stop. We stopped 11 vehicles that were convoy  
8 related, according to my members, that wanted to get back into  
9 the zone that we just cleared. So I was glad that we continued  
10 it that evening. They gave lots of excuses. They wanted to  
11 pick up an old hockey net that was left behind, but who knows?  
12 Maybe that was accurate, maybe not. But the count was 11  
13 vehicles that we turned aside, and after conversations the next  
14 day with Chief Pardy and council, they agreed the authority  
15 didn't exist any more, so we went back to pre-*Emergency Act* and  
16 developed an observational posture.

17           **MR. ERIC BROUSSEAU:** We're almost out of time. I  
18 have two final questions for you. The first is, as somebody who  
19 had an early vantage of the Freedom Convoy and the preparations,  
20 you know, can you give us a very short list of sort of what went  
21 well and what could have been improved upon in preparing for the  
22 arrival of the convoy?

23           **MR. CRAIG ABRAMS:** From an OPP's perspective or  
24 an Ottawa Police perspective?

25           **MR. ERIC BROUSSEAU:** From your perspective as  
26 somebody who observed them coming into the city.

27           **MR. CRAIG ABRAMS:** I thought the OPP role in the  
28 initial convoy arrival on Ottawa went very smooth. We had minor

1 issues in our smaller communities with members not obeying the  
2 mask mandates. We had some restaurants who just chose to ignore  
3 the mandates altogether, but overall, we had no assaults, we had  
4 no criminality. I wasn't aware of any charges being laid. They  
5 said what they would do. They kept to one lane. They entered  
6 the City of Ottawa in an orderly fashion. We had minor issues  
7 with supporters on the roadside on the 417 getting kind of  
8 dangerously close to the side of the highway, which was a  
9 concern, but that wasn't convoy -- the convoy participants  
10 couldn't control that. They did what they said they would do,  
11 and they didn't damage any highways and they didn't cause any  
12 criminality. So from that perspective, it was a success in  
13 getting them into the City of Ottawa, from an OPP. That was our  
14 mission, that was our goal for that period of time, to have the  
15 convoy come through OPP-policed areas without a blockage of a  
16 highway, without assaults or damage and injury to the public,  
17 and we were successful in all those areas.

18 **MR. ERIC BROUSSEAU:** And I guess the reverse side  
19 of that question is, what would you say to the suggestion that  
20 this could have been avoided if the OPP had more actively  
21 inserted itself or actively offered support, maybe no strings  
22 attached, maybe "Here's people. Show us the plan later", that  
23 that might have avoided the situation?

24 **MR. CRAIG ABRAMS:** I'm not a subject-matter  
25 expert in public -- or I'm not a subject-matter expert in  
26 principles of Commander MCIC. If you're asking for my opinion,  
27 I'll give it to you, but I'm not a highly-trained public order  
28 manager.



1                   But certainly, if you could go by the  
2 intelligence and do an intelligence-led assessment of what was  
3 coming to your city, I think there was ways to block streets. I  
4 don't think you could ever stop them coming to the city at all.  
5 That was a foregone conclusion. They were coming to Ottawa. It  
6 would have been a matter of how can we lessen the impact to our  
7 city? Can we divert them to other areas of the city that have  
8 less impact? Can we divert them somewhere and then they go and  
9 they protest on foot as opposed to protesting in what is  
10 essentially a mobile house, once it's in one place it's hard to  
11 move?

12                   Monday morning quarterbacking is an easy thing.  
13 I don't like to do that, but you asked me a question. I think  
14 that's a way that perhaps, just like Toronto did, but Toronto  
15 admitted that they learned from the lessons of Ottawa and that's  
16 why they blocked roads and were able to clear the Queen's Park  
17 area the way they did so effectively.

18                   So hindsight is always 20/20. So that's my  
19 humble submission, but I'm not naïve enough to know that that is  
20 5:49:01 with hindsight and knowledge that I would never had at  
21 the beginning.

22                   **MR. ERIC BROUSSEAU:** Thank you, Superintendent.  
23 Those are my questions.

24                   **COMMISSIONER ROULEAU:** Okay. Well, thank you,  
25 Superintendent. That's very useful, and the bad news is, we  
26 want you back tomorrow.

27                   **MR. CRAIG ABRAMS:** Certainly.

28                   **COMMISSIONER ROULEAU:** So we're going to adjourn

1 until 9:30 tomorrow morning, and if everything goes right, you  
2 should be out before lunch.

3 **MR. CRAIG ABRAMS:** Thank you, Commissioner.

4 **COMMISSIONER ROULEAU:** We'll rise til 9:30.

5 **THE REGISTRAR:** The Commission is adjourned. La  
6 Commission est ajournée.

7 --- Upon adjourning at 5:49 p.m.

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9

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

10

11 I, Wendy Clements, a certified court reporter, hereby certify  
12 the foregoing pages to be an accurate transcription of my  
13 notes/records to the best of my skill and ability, and I so  
14 swear.

15

16 Je, Wendy Clements, une sténographe officielle, certifie que les  
17 pages ci-hautes sont une transcription conforme de mes  
18 notes/enregistrements au meilleur de mes capacités, et je le  
19 jure.

20

21



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22

Wendy Clements