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EMERGENCY
COMMISSION**

**COMMISSION
SUR L'ÉTAT
D'URGENCE**

Public Hearing

Audience publique

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

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II Appearances / Comparutions

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Commission Senior Counsel	Mr. Frank Au Ms. Erin Dann Mr. Gabriel Poliquin Ms. Natalia Rodriguez Mr. Daniel Sheppard
Commission Regional Counsel	Ms. Mona Duckett Mr. Sacha Paul Ms. Maia Tsurumi
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Mr. Brendan van Niejenhuis
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Mr. Michael Finley
Mr. Graham Reeder

Mr. Peter Sloly

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

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Ontario Provincial Police	Mr. Christopher Diana Ms. Jinan Kubursi
Windsor Police Service	Mr. Thomas McRae Mr. Bryce Chandler Ms. Heather Paterson
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National Crowdfunding & Fintech Association	Mr. Jason Beitchman
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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

1 --- Upon commencing on Monday, October 24, 2022 at 9:34 a.m.

2 **THE REGISTRAR:** The Public Order Emergency
3 Commission is now in session. La Commission sur l'état
4 d'urgence est maintenant ouverte.
5

6 **COMMISSIONER ROULEAU:** Good morning. Bonjour.
7 Great Monday morning. Nice to see you all back again. So we
8 have a new witness this morning?

9 **MR. FRANK AU:** Interim Chief Bell.

10 **COMMISSIONER ROULEAU:** Okay. Go ahead.
11 Good morning.

12 **THE REGISTRAR:** Interim Chief Bell, will you
13 swear on a religious document or do you wish to affirm?

14 **INTERIM CHIEF STEVE BELL:** I'll swear, please.

15 **THE REGISTRAR:** We have the Bible, the Koran, the
16 Torah available.

17 **INTERIM CHIEF STEVE BELL:** The Bible, please.
18 Thank you very much.

19 **THE REGISTRAR:** For the record, please state your
20 full name and spell it out.

21 **INTERIM CHIEF STEVE BELL:** Steven Bell, B-E-L-L.

22 **--- INTERIM CHIEF STEVEN BELL, Sworn:**

23 **--- EXAMINATION IN-CHIEF BY MR. FRANK AU:**

24 **MR. FRANK AU:** Good morning, Commissioner.
25 Good morning, Chief -- Interim Chief Bell. Now,
26 Interim Chief, you remember that ---

27 **COMMISSIONER ROULEAU:** If you could just
28 introduce yourself for the record.

1 **MR. FRANK AU:** Yes.

2 It's Frank Au for the Commission. Interim Chief,
3 you remember that we met in the summer remotely, and you
4 attended an interview that we arranged. You -- after the
5 interview, we prepared a summary of the interview and you
6 reviewed it; am I correct?

7 **INTERIM CHIEF STEVE BELL:** That is correct.

8 **MR. FRANK AU:** So I'd like to call up the
9 document, WTS00000029. And this is a copy of the summary that
10 you approved?

11 **INTERIM CHIEF STEVE BELL:** If -- I believe so.
12 If we could scroll through the document, please.

13 **MR. FRANK AU:** Could we scroll through?

14 Yes?

15 **INTERIM CHIEF STEVE BELL:** Yes. Yes, this is
16 correct. From what I've seen so far, yes.

17 **MR. FRANK AU:** Now, is there any correction that
18 you'd like to make to this document?

19 **INTERIM CHIEF BELL:** No.

20 **MR. FRANK AU:** So you adopt its content, then?

21 **INTERIM CHIEF STEVE BELL:** Yes, I do.

22 **MR. FRANK AU:** Thank you. Now, Interim Chief,
23 you've served with the Ottawa Police Service for some 26 years?

24 **INTERIM CHIEF STEVE BELL:** Almost 27 now.

25 **MR. FRANK AU:** And over those years, you've been
26 in charge of many different portfolios?

27 **INTERIM CHIEF STEVE BELL:** That's correct. I've
28 been involved in several different places within the

1 organisation?

2 **MR. FRANK AU:** Could you give us a quick
3 highlight of some of your responsibilities over the years?

4 **INTERIM CHIEF STEVE BELL:** For sure. So I was
5 obviously a patrol officer for a number of years. I was a
6 neighbourhood officer. I spent time in our Professional
7 Standards Section, our Human Resources Section, our Drug
8 Enforcement Section. I've had the ability as an executive
9 within the organisation to work within all the directorates, and
10 now currently have the Interim Chief position.

11 **MR. FRANK AU:** And in January of this year, you
12 were Deputy Chief in charge of what Deputy Ferguson has describe
13 as the Three I's.

14 **INTERIM CHIEF STEVE BELL:** That is correct.

15 **MR. FRANK AU:** Those are Intelligence,
16 Information, and Investigation.

17 **INTERIM CHIEF STEVE BELL:** That's correct.

18 **MR. FRANK AU:** Now, for the purpose of this
19 hearing, we are going to be focussing on Intelligence. And what
20 were your responsibilities as the Deputy Chief in charge of the
21 Intelligence Unit?

22 **INTERIM CHIEF STEVE BELL:** So my responsibilities
23 in terms of overseeing that section would have been to make sure
24 that our Intelligence Unit was gathering, collecting, analysing,
25 and sharing information, and I would do that through what was an
26 established chain of command.

27 **MR. FRANK AU:** And I am going to show you a
28 document of the organisational chart, and perhaps you can

1 explain some of the people involved in that unit.

2 OPS00014925. Okay. If we go further to the
3 right. Sorry, go up. Yeah, further to the right. I'm looking
4 for Deputy Chief Bell.

5 So am I correct that -- well, we saw former
6 Chief Sloly at the top, and then underneath him, at the
7 executive levels, there are -- there were Deputy Ferguson, who
8 was in charge of Community Policing, and then you in charge of
9 the Three I's?

10 **INTERIM CHIEF STEVE BELL:** That's correct.

11 **MR. FRANK AU:** And then going down that line
12 under you, we see Intelligence.

13 So we need to go further to the right.

14 So now we see all three I's, and then under
15 Intelligence Directorate, who was the superintendent in charge
16 when -- around January and early February?

17 **INTERIM CHIEF STEVE BELL:** So yeah, I think it's
18 important to note the superintendent in charge at that point was
19 Superintendent Patterson. And there had been a large movement
20 of superintendents and leaders within the Directorate. So
21 Superintendent Patterson was in charge, and he had two
22 inspectors that reported to him. And that entire Command Team
23 had just been placed in that area.

24 **MR. FRANK AU:** Right. So let's talk about that
25 turnover. When did Superintendent Patterson assume this role of
26 the Superintendent -- of the lead of the Intelligence Unit?

27 **INTERIM CHIEF STEVE BELL:** Superintendent
28 Patterson would've taken that position on on January 1st.

1 **MR. FRANK AU:** Okay. And were you not relatively
2 new as well to this portfolio of the Three I's?

3 **INTERIM CHIEF STEVE BELL:** That's correct.
4 Towards the end of December, I was assigned into that area once
5 I was -- before that I was temporarily in the CAO or Chief
6 Administrative Officer role for a year due to a vacancy, and
7 then in late December, I took over this portfolio and began to
8 establish it with a new team.

9 **MR. FRANK AU:** So you took over in December 2021?

10 **INTERIM CHIEF STEVE BELL:** That's correct.

11 **MR. FRANK AU:** And then in early January 2022,
12 Superintendent Patterson took the lead of the Intelligence Unit?

13 **INTERIM CHIEF STEVE BELL:** That's correct.

14 **MR. FRANK AU:** And he reported to you?

15 **INTERIM CHIEF STEVE BELL:** Yes, he did.

16 **MR. FRANK AU:** And under him, you said, there are
17 two inspectors; right?

18 **INTERIM CHIEF STEVE BELL:** Correct.

19 **MR. FRANK AU:** They would be on this chart.
20 They're Inspector Cartwright and Inspector Bryden. When did
21 they join the Intelligence Unit?

22 **INTERIM CHIEF STEVE BELL:** So
23 Inspector Cartwright was in the Information Services Branch.

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

25 **INTERIM CHIEF STEVE BELL:** Inspector Bryden was
26 in the Intelligence Service Branch, and both of them started on
27 January 1st as well.

28 **MR. FRANK AU:** And how did those two branches

1 interact with each other, the Intelligence and the Information
2 branches?

3 **INTERIM CHIEF STEVE BELL:** So that was something
4 that we had identified and that Chief Sloly had identified as a
5 need for us moving ahead was how Intelligence and Information
6 work together. So we had a large project underway at that time
7 which was around intelligence-led policing to look at how we
8 most effectively gather, analyse, and share information through
9 the organisation.

10 So they work together very effectively, but the
11 goal of the ILP project, as we named it, was actually to
12 identify how we can refine that sharing of information even more
13 to make sure the information we're bringing into the
14 organisation is shared as broadly and effectively as it could
15 be. We had been involved in that project for probably over a
16 year, and I can say that there were steps and there were
17 efficiencies and improvements that had been found in terms of
18 information-sharing.

19 **MR. FRANK AU:** Now, in the context of Incident
20 Command, we've heard last week that the command system is
21 structured by way of three levels: strategic, operational, and
22 tactical. When it comes to the work of the Intelligence Unit,
23 is that also the rough organisation?

24 **INTERIM CHIEF STEVE BELL:** Absolutely.

25 **MR. FRANK AU:** So in that structure, you would
26 be, I assume, at the top strategic level?

27 **INTERIM CHIEF STEVE BELL:** That's correct.

28 **MR. FRANK AU:** And Inspector, sorry,

1 Superintendent Patterson would be what?

2 **INTERIM CHIEF STEVE BELL:** He would be in the
3 operational area, and I would say Inspector Bryden would be
4 moving from the operational to the tactical level.

5 **MR. FRANK AU:** Right. And so inferring from this
6 chart, did -- Inspector Bryden would report up to
7 Superintendent Patterson, then?

8 **INTERIM CHIEF STEVE BELL:** Yes, he did.

9 **MR. FRANK AU:** And they both report to you?

10 **INTERIM CHIEF STEVE BELL:** That's correct.

11 **MR. FRANK AU:** And -- okay. So let's first talk
12 about that reporting process. How often would you receive an
13 update or briefing from Superintendent Patterson.

14 **INTERIM CHIEF STEVE BELL:** Specifically around
15 the issue we're here to talk about or overall generally?

16 **MR. FRANK AU:** So let's turn our mind back to
17 around January-February of this year.

18 Now, we've heard from other people that Freedom
19 Convoy-related events came into their radar at around mid-
20 January, say January 13. So starting at around that time, I'm
21 just trying to understand the frequency of briefings and
22 meetings and so on.

23 **INTERIM CHIEF STEVE BELL:** So we had regularly-
24 scheduled biweekly meetings that we called "CTOM", Crime,
25 Traffic and Order Management meetings, that were run by the
26 Information Branch and that were specifically designed to
27 identify key areas of risk and our response to it within the
28 organization.

1 So that level and frequency of briefing to the
2 entire Executive Command was on a biweekly basis as it related
3 to -- as it related to overall issues.

4 Specifically to the Freedom Convoy and the events
5 around that, that was flagged, as you say, through a Hendon
6 Report around January 13th. Superintendent Patterson and I
7 began having discussions on it in and around the 20th and the
8 briefings went to me in terms of the activities that they were
9 taking, ensuring that the information was flowing would have
10 been on a regular basis.

11 **MR. FRANK AU:** I heard January the 20th. Did I
12 hear it correctly?

13 **INTERIM CHIEF STEVE BELL:** It would have been in
14 and around that week. I can't say which was the specific date
15 through that week, but that's what it would have been flagged
16 and raised in prominence that we would have -- we did begin
17 discussing it.

18 **MR. FRANK AU:** Now, we've spoken to the former
19 Chief Sloly and I expect that he may give evidence that he
20 became aware -- well, he was in receipt of the first Hendon
21 Report as of January the 13th and he forwarded a copy of that
22 report to you.

23 What's your recollection?

24 **INTERIM CHIEF STEVE BELL:** So my recollection is
25 that I did not start receiving the Hendon Reports until the 27th
26 of January, and that was through discussion with Superintendent
27 Patterson. So I don't recall and I don't have -- in searches, I
28 don't believe I received that report.

1 **MR. FRANK AU:** Now, we've also spoken to
2 Inspector Bryden, and during his interview he informed us that
3 he received a copy of the January 13th Hendon Report from
4 Superintendent Patterson.

5 Have you -- do you have any recollection at all
6 that you received any Hendon Report before the 27th?

7 **INTERIM CHIEF STEVE BELL:** No, I didn't. No, I
8 don't have any recollection. And we've searched to -- our
9 database to identify when I did start receiving them, and it was
10 on the 27th of January.

11 **MR. FRANK AU:** Now, as one of the deputies
12 assisting the former Chief and you were tasked with the
13 intelligence responsibility, do you recall any discussions you
14 had with the former Chief about your specific assignment with
15 respect to the Freedom Convoy events?

16 **INTERIM CHIEF STEVE BELL:** Absolutely. The --
17 Chief Sloly indicated when we began to discuss it. We also had
18 morning command calls from 9:00 to 10:00 a.m., and during those
19 calls we would discuss issues that had occurred and emerging
20 issues.

21 The issue of the Freedom Convoy came onto our
22 radar in and around that week of the 20th. I'm not -- I can't
23 specifically identify the day. And we had discussions and there
24 was clear discussion around intelligence responsibility to be
25 involved and identify risks and threats and make sure that we
26 were informing any sort of planning that was going to occur
27 around our response.

28 **MR. FRANK AU:** I understand that Mr. Sloly, the

1 former Chief, made it clear that he wanted all operations to be
2 intelligence led. Is that your understanding, too?

3 **INTERIM CHIEF STEVE BELL:** Oh, absolutely. One
4 of the -- one of the things that Chief Sloly was very firm about
5 was that intelligence -- and I absolutely agree with it.
6 Intelligence needs to inform the planning cycle and it needs to
7 be utilized to actually identify what our appropriate response
8 is.

9 **MR. FRANK AU:** And he assigned you the specific
10 responsibility to ensure that appropriate intelligence were
11 collected and disseminated to the planning team.

12 **INTERIM CHIEF STEVE BELL:** That is correct.

13 **MR. FRANK AU:** And so that would have been your
14 duty as -- around when? When do you recall that first
15 discussion with Mr. Sloly took place?

16 **INTERIM CHIEF STEVE BELL:** So again, I don't have
17 a specific date, but it would have been in and around the week
18 of the 20th. I'm not sure the specific date of it.

19 **MR. FRANK AU:** Okay. Now, was a threat
20 assessment eventually completed by the Intelligence Unit?

21 **INTERIM CHIEF STEVE BELL:** Yes, it was.

22 **MR. FRANK AU:** I want to take you to a threat
23 assessment that the Commission has received. And the document
24 number is 00 -- sorry, OPS00004039.

25 Now, looking at the first -- cover page, this is
26 a document completed by Sergeant Chris Kiez. Am I correct?

27 **INTERIM CHIEF STEVE BELL:** That's correct.

28 **MR. FRANK AU:** It is dated January 28th, but the

1 title is "Freedom Convoy Ottawa January 29th, 2022". Is that
2 right?

3 **INTERIM CHIEF STEVE BELL:** That is correct.

4 **MR. FRANK AU:** And is the date -- the title date
5 January 29th because it was initially expected that the event
6 would start on the 29th?

7 **INTERIM CHIEF STEVE BELL:** That's correct, yes.

8 **MR. FRANK AU:** But this version is -- was
9 completed on the 28th; right?

10 **INTERIM CHIEF STEVE BELL:** Correct. And it's
11 Version 4, so there's been iterations of this as more
12 intelligence has been received, gathered and analyzed.

13 **MR. FRANK AU:** Right. And I understand from
14 earlier witnesses' testimony that that week in particular was a
15 very fluid and dynamic week, lots of things happened.

16 **INTERIM CHIEF STEVE BELL:** That is correct.

17 **MR. FRANK AU:** In any event, we have reached now
18 the 28th and this is the threat assessment.

19 I'd like to take you to page 3. Can we take a
20 look at the second paragraph?

21 Can we enlarge the screen a little bit? Thank
22 you.

23 So you see that in the second -- the second
24 paragraph starts with:

25 "The most likely police matter at this
26 time, will be the vast number of
27 vehicles on the area roads. The Convoy
28 will be able to stop and effectively

1 shut down movement if they desire."

2 That's the understanding as of the 28th; right?

3 **INTERIM CHIEF STEVE BELL:** That is correct.

4 **MR. FRANK AU:** And if we go down the page to the
5 very bottom, the last sentence in bold says, "These conditions
6 create grounds for passionate emotions."

7 And those conditions refer to the sentiment of
8 the truckers.

9 **INTERIM CHIEF STEVE BELL:** Sorry. I'm just
10 reading the paragraph.

11 **MR. FRANK AU:** Yes. Take your time.

12 **INTERIM CHIEF STEVE BELL:** That is correct.

13 **MR. FRANK AU:** Now, if we go to the next page,
14 page 4, we go to the heading "Summation".

15 So the writing concluded that:

16 "There is a quickly growing financial
17 fund that can pay for food, lodging,
18 fuel and legal cost.

19 This event is, as described above, less
20 of a 'professional protest' with the
21 usual sad players, but rather, is a
22 truly organic grass roots event that is
23 gathering momentum largely from the
24 widespread population."

25 And then in bold, "Read: Expect Very Large
26 Crowds."

27 Am I correct?

28 **INTERIM CHIEF STEVE BELL:** That is correct.

1 **MR. FRANK AU:** And then the next bullet went on
2 to quote from a journalist to the effect that, if we go to the
3 last sentences:

4 "When it finally meets a successful
5 protest to air their grievances, there
6 may be larger crowds and longer
7 disruptions than was ever planned for."

8 Right?

9 **INTERIM CHIEF STEVE BELL:** Correct. But I also
10 believe there's pieces in here as well as in other intelligence
11 reports that are missing that are very germane to the discussion
12 we're having today.

13 Large numbers. Yes, we did see large numbers.
14 What there isn't included in any of the intelligence that we
15 received is the community impact that actually occurred.
16 There's nothing around the information that identifies the
17 activities of the protestors when they actually arrive in the
18 city. There's nothing that indicates that the protestors are
19 going to use the citizens of our community as the leverage point
20 to have their voices heard.

21 In Ottawa, we manage multiple protests on a
22 yearly basis. We've managed protests similar to this on
23 previous times. We've never experienced and had no intelligence
24 to indicate that it was actually going to be the leverage of the
25 community and the activities of the protestors to use our
26 community members through their activities as the leverage point
27 to be heard.

28 **MR. FRANK AU:** Right. You're talking about the

1 reality that dawned on everyone once the convoy arrived, as
2 compared to what was known the day before?

3 **INTERIM CHIEF STEVE BELL:** That's correct. And
4 what I would say is what was known the day before was that a
5 large number, and the day before, so if this is the 28th, the 27th
6 is we were starting to receive numbers on what the size and
7 scope would be, ---

8 **MR. FRANK AU:** Right.

9 **INTERIM CHIEF STEVE BELL:** --- and that the
10 overall activity of the group moving across was extremely lawful
11 and extremely law abiding.

12 **MR. FRANK AU:** Right. But you agree with me that
13 this is an assessment and this is a summation part where the
14 writer was trying to draw some conclusions; right?

15 **INTERIM CHIEF STEVE BELL:** That's correct.

16 **MR. FRANK AU:** It's not -- the writer is not here
17 just reporting various pieces of information? This is the
18 conclusion, at least from this writer, having gathered all of
19 these disparate sources of information; correct?

20 **INTERIM CHIEF STEVE BELL:** Correct. And I would
21 say the conclusion here is that large numbers could attend the
22 city and we accepted that.

23 **MR. FRANK AU:** Right.

24 **INTERIM CHIEF STEVE BELL:** That there could be
25 traffic disruptions, absolutely. And that it could be a motions
26 associated to it. But not anything that would relate to the
27 activity that we ultimately saw on our streets.

28 **MR. FRANK AU:** Right. Now, if we go to the next

1 page and we look at the third bullet. So the author is here
2 saying that:

3 "In 6 years of working large demonstration
4 events from the intelligence point of
5 view, the writer has never seen such
6 widespread community action, which means
7 three things for planners..."

8 Now the third thing is redacted, but we can look
9 at the first two.

10 "the event is likely going to be bigger in
11 crowd size than any demo in recent
12 history, possibly on par with Canada Day
13 events but more disruptive."

14 Second:

15 "There is significant popular support for
16 this event on a scale not seen in recent
17 years. This means the protest groups have
18 access to larger protestor pools than they
19 have ever had access to, which means there
20 will be likely widespread disorganization
21 and confusion."

22 Now, so the author seems to be warning here of
23 something quite unprecedented, at least compared to recent
24 experience. Do you agree?

25 **INTERIM CHIEF STEVE BELL:** Yes, I would
26 absolutely agree with that.

27 **MR. FRANK AU:** So it may not contain as much
28 detail about, you know, some of the events that the residents

1 subsequently experienced, but it's providing a warning here as
2 to something quite significant, not seen before?

3 **INTERIM CHIEF STEVE BELL:** Well I would agree
4 with that. And I would say that all of the intelligence and
5 intelligence gathering that we'd had prior to that indicated a
6 very similar fact.

7 This group had only come on the intelligence
8 radar in late summer of 2021 and never actually materialized.
9 They -- as they moved across the country, they seemed to build
10 support. But they seemed to build grass roots support and all
11 the activities that we had seen them engage in prior to that had
12 been very lawful, had been very pro-social. The amount of
13 people that were supporting them, from my perspective, actually
14 gave it more credibility that it was a grassroots initiative,
15 not that we were going to see the violence that we saw in our
16 streets.

17 **MR. FRANK AU:** Right. And there's nothing here
18 to suggest anything other than a lawful protest. But the author
19 is pointing to the significant number and the likelihood of this
20 organization, or at least the, if not likely -- well, there
21 would be likely widespread disorganization and confusion.

22 Now, if we go on to the paragraph underneath the
23 third redacted point:

24 "The demographic of the Convoy is very
25 unusual; the protests globally are made up
26 almost entirely of middle-class members of
27 society. Since the so-called; silent
28 majority' is numerically much larger than

1 the professional activists. As a result,
2 law enforcement is being met with numbers
3 of people beyond the norm."

4 So it just reinforces the theme that we've been
5 on; right?

6 **INTERIM CHIEF STEVE BELL:** That's correct, but I
7 don't know that the numbers of people who attended, from a
8 pedestrian, or from a protest perspective, were unmanageable or
9 were had any sort of -- we had any sort of consideration about
10 the activities that they would be involved in. Numbers on their
11 own are something that we have managed in the past at different
12 scales. This was large. This was unprecedented. Everyone
13 realized it was unprecedented. But for us as a policing
14 organization, what pushed it over the top was the activities
15 that the people protesting were engaged in and the harm that
16 they did to our community. A large protest that was lawful
17 could have been managed, would have been managed. It was what
18 was anticipated. The activities engaged in were never clearly
19 identified. And from my perspective, that is exactly what made
20 this unprecedented to any other demonstration that we'd ever
21 seen.

22 **MR. FRANK AU:** Right. Now, what Chief Sloly
23 wanted was for you and Deputy Chief Ferguson to coordinate an
24 approach with you -- I mean, your unit, the Intelligence Unit,
25 providing the best intelligence to the Planning Team, so that an
26 effective response could have been developed before the convoy
27 arrived; right?

28 **INTERIM CHIEF STEVE BELL:** That's correct.

1 **MR. FRANK AU:** And he took some oversight role in
2 the days leading up to the arrival of the convoy; right?

3 **INTERIM CHIEF STEVE BELL:** That's correct.

4 **MR. FRANK AU:** You mentioned that ---

5 **INTERIM CHIEF STEVE BELL:** So an oversight. He
6 had a role as a Chief of Police. He was informed and briefed on
7 the progression that was being made.

8 **MR. FRANK AU:** So let's talk about those
9 briefings. You're reporting up to the former chief. How often
10 do those briefings occur?

11 **INTERIM CHIEF STEVE BELL:** So we would have
12 discussions on this on a daily basis at our command team calls.
13 And that's where I would be briefed by Supt. Patterson, and that
14 information would be shared on our command team calls.

15 As we came into the week of the 24th, which I
16 believe is a Monday, and we started to increase those briefings,
17 and actually, there was in-person -- I don't know the specific
18 time, but there was in-person briefings by Supt. Patterson in
19 terms of what we were seeing and how we were moving ahead to the
20 command team.

21 **MR. FRANK AU:** Now, if Supt. Patterson knew of
22 the Hendon Report as early as January 13th, why was it that you
23 weren't aware until the week of the 20th?

24 **INTERIM CHIEF STEVE BELL:** So one of my
25 responsibilities as the Deputy Chief is to make sure that the
26 information is shared. And Supt. Patterson and I had
27 discussions around that. He -- we had discussions around
28 Project Hendon. And one of my responsibilities was through him

1 to ensure that the information that we were receiving was
2 gathered by Intelligence, but also shared with our Planning
3 Team. And he ensured me that that was happening, and then
4 briefed me on the information that was occurring. He identified
5 that there was regular on-going calls that picked up in tempo
6 and intensity as the convoy moved across and came closer to
7 Ottawa. And it wasn't until some point during that week that he
8 identified that Project Hendon actually had an output in a
9 formal report. It was unknown to me before that. And that's
10 when I requested that he started sharing it with me, and he
11 started to share it with me.

12 **MR. FRANK AU:** Okay. Now, I want to ask you
13 about the plan, the initial plan that was developed to respond
14 to the freedom convoy events. That plan was also dated January
15 28th; right?

16 **INTERIM CHIEF STEVE BELL:** So I would need to see
17 the plan ---

18 **MR. FRANK AU:** Yes.

19 **INTERIM CHIEF STEVE BELL:** --- you're
20 referencing, because there's different plans.

21 **MR. FRANK AU:** Right. So can we call up the
22 document, OPP -- sorry, OPS00004221? So can we zoom in to look
23 at the entire first page, the cover page, please?

24 So this document is titled "Freedom Convoy -
25 Canada Unity January 29th, 2022". So the title date is also 29th,
26 but if we go down, we may need to enlarge it now to see the
27 print, here it's noted that it's authored -- oh, actually the
28 name of the author is redacted.

1 Let me put -- we have the identical document in
2 an unredacted fashion, and I've spoken to counsel about this
3 before.

4 Let's call up the identical document in the
5 unredacted version, which is OPP00004262. Can we go down,
6 please.

7 So here, we know that the author of this is
8 Sergeant Sean Kay, and it's dated January 28th, 2022; am I
9 correct?

10 **INTERIM CHIEF STEVE BELL:** That is correct.

11 **MR. FRANK AU:** So that's the same day of the
12 threat assessment that we saw earlier?

13 **INTERIM CHIEF STEVE BELL:** That is correct.

14 **MR. FRANK AU:** Now, if we turn the next page, the
15 authorizing authorities, there are two here noted. The first
16 one is Staff Sergeant Kevin Kennedy, and if we go down, and
17 Inspector Russ Lucas. And we heard from Deputy Ferguson last
18 week that these are members of the Planning Team; am I correct?

19 **INTERIM CHIEF STEVE BELL:** That is correct.

20 **MR. FRANK AU:** So if we go to page 7, I believe,
21 that's where there is a Risk Assessment section -- Threat
22 Assessment. Are you familiar with this part of the plan?

23 **INTERIM CHIEF STEVE BELL:** Yes, I am.

24 **MR. FRANK AU:** Can we scroll down a little?

25 **INTERIM CHIEF STEVE BELL:** Am I able to read it
26 before we scroll through?

27 **MR. FRANK AU:** Yes, of course.

28 Can we go back up to the beginning of the

1 section?

2 **INTERIM CHIEF STEVE BELL:** Thank you. So we can
3 scroll down, yes.

4 **MR. FRANK AU:** Can we scroll down now?

5 **INTERIM CHIEF STEVE BELL:** Yeah, I'm good to move
6 on.

7 **MR. FRANK AU:** Okay. Next page.

8 **INTERIM CHIEF STEVE BELL:** If we can -- sorry.
9 Can I just have you scroll up one there? Thank you very much.
10 Okay, thank you.

11 **MR. FRANK AU:** Now, did you read it at around
12 that time?

13 **INTERIM CHIEF STEVE BELL:** Yes, I would've -- I
14 would have received the Threat Assessment as I was provided it,
15 and I believe it was on the 28th the copy of the Operational
16 Plan that was being put forward.

17 **MR. FRANK AU:** And what did you think of it at
18 the time?

19 **INTERIM CHIEF STEVE BELL:** So I received this
20 prior to receiving the actual Threat Assessment that had been
21 finalised, and what I did know is that there had been very good
22 levels of intelligence-sharing amongst the Planning Team. The
23 Planning Team had been ---

24 **COMMISSIONER ROULEAU:** Excuse me a minute. Are
25 you ---

26 **MR. BRENDAN van NIEJENHUIS:** Sorry. No, the only
27 thing I wanted to point out is we have lost connection to the
28 database, so it's difficult for me to see the screen from there.

1 I gather some of my colleagues have also lost connection.

2 **COMMISSIONER ROULEAU:** Okay, we have a ---

3 **MS. ANNE TARDIF:** It's the Internet that appears
4 to be down, Commissioner. I don't think it's the party
5 database, we've all lost internet connection. If that helps.

6 **COMMISSIONER ROULEAU:** So internet connection is
7 gone for everyone, but not for me?

8 (LAUGHTER)

9 **COMMISSIONER ROULEAU:** Maybe there's something to
10 be read into that.

11 Just take a moment, and the technicians are
12 dealing with it. Because obviously, those who don't have
13 perfect sight may not be seeing the monitors.

14 Can you tell me when it's back up? Thank you
15 very much.

16 (TECHNICAL ISSUE - SHORT PAUSE)

17 **COMMISSIONER ROULEAU:** Do you want me to take a
18 break to -- while you fix it? Okay, we'll take a 10-minute
19 break and come back. Sorry about that.

20 **INTERIM CHIEF STEVE BELL:** No, that's fine.
21 Thank you, sir.

22 **THE REGISTRAR:** The Commission is in recess for
23 10-minutes. La Commission est levée pour 10 minutes.

24 --- Upon recessing at 10:05 a.m.

25 --- Upon resuming at 10:15 a.m.

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

28 --- INTERIM CHIEF STEVE BELL, Resumed.

1 **COMMISSIONER ROULEAU:** Okay. I understand the
2 technical glitch has been corrected, with our apologies.

3 **MR. FRANK AU:** Thank you, Commissioner.

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

5 **MR. FRANK AU:** Interim Chief, if I could take you
6 back to the initial plan of the 28th of January, at page 7,
7 where the Threat Assessment is found. I think you were in the
8 process of going through the assessment.

9 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.
10 I -- I'm going to ask you to repeat if there was a question in
11 there. I believe I had an answer, but I want to make sure I'm
12 answering the correct question.

13 **MR. FRANK AU:** Well, that's a very good question.
14 I actually don't remember what I'd asked. But let's start with
15 -- so have you reviewed, are you -- have you completed your
16 review of this section?

17 **INTERIM CHIEF STEVE BELL:** Yes, I have.

18 **MR. FRANK AU:** Okay. So I'd like to know, first
19 of all, whether you agree with this assessment?

20 **INTERIM CHIEF STEVE BELL:** So at the time, I
21 think it's very important to identify how this assessment would
22 have been created. We did create an overall Threat Assessment,
23 which is extremely important, but this assessment would've also
24 been influenced directly by the connection that existed between
25 our Intelligence Unit and the Planning Team. So -- and much of
26 that information would've been gathered through the ongoing
27 Hendon reports.

28 So the ongoing Hendon reports, and the analysis

1 of that, and more, formulated the overall Threat Assessment,
2 that would've helped to support this, but there was also
3 on-the-ground regular dialogue about the incoming information
4 that was contained or not contained, as we've had discussions
5 about in -- to help formulate this threat assessment.

6 **MR. FRANK AU:** If I understand you correctly,
7 your team, the Intelligence Unit, was those gathering
8 information based on the Hendon reports, but also trying to
9 gather information from other sources to corroborate those
10 intelligence reports, is that right?

11 **INTERIM CHIEF STEVE BELL:** Well, that -- yes.
12 And that was one of the big challenges that also made this
13 unprecedented is that there was information -- there was
14 intelligence through Hendon but there was information in an
15 unprecedented and almost inundating way that was coming in, and
16 as it was building through the week until this threat assessment
17 was completed.

18 Our members worked constantly with the members of
19 the -- fellow members of the Intelligence Group, and by this
20 time, on the 28th, there was already a Joint Intelligence Group
21 that had been established that was embedded within the planning
22 cell to try and take the -- all of this information that was
23 coming in and assess it and then disseminate it to try and get a
24 picture of what was going to occur, at this point within hours.

25 **MR. FRANK AU:** And looking at this threat
26 assessment and in the context of the 28th of January, what you
27 knew, what your team knew at the time, do you consider this an
28 accurate reflection of the reality, to the best that anyone in

1 your team can know?

2 **INTERIM CHIEF STEVE BELL:** So I -- at the time I
3 wouldn't have known this because I hadn't had the opportunity to
4 review and look through all the Hendon reports, but I think it
5 is a very accurate assessment. I think there is one area that's
6 missing that we didn't highlight enough because I don't believe
7 we had enough information to substantiate the level of risk that
8 it created, and that's specifically around the fact that there
9 may be some members of the convoy who would stay on for a longer
10 period of time around the 28th, 29th, and 30th that we were
11 planning for. So in retrospect, having identified all of this,
12 that should -- the potential that that could occur should have
13 been something that was included in this.

14 **MR. FRANK AU:** So that's the one thing, in your
15 view -- excuse me; that's the one thing in your view that was
16 perhaps missing from the assessment is the risk of a prolonged
17 occupation, if we can call it that?

18 **INTERIM CHIEF STEVE BELL:** That's correct.

19 **MR. FRANK AU:** Now, let me take you to some of
20 the other information that you said might have been available as
21 well at that time.

22 So now you talked about Hendon report. Maybe
23 before we go to the other sources, let's talk a little bit more
24 about Hendon. You became aware of it during the week of the
25 20th, but you also told us that you didn't read -- you didn't go
26 back and read all the Hendon reports. I want to get a sense of
27 what you did read and what's your best recollection as to which
28 Hendon reports you did read at the time.

1 **INTERIM CHIEF STEVE BELL:** Well, I would have --
2 I would have -- I received and then would have read them on an
3 ongoing basis, as well as receiving all -- like I said, we were
4 inundated with other information. So we were receiving lots of
5 information at that point and as I received it, I was trying to
6 ensure, within my role, that we were funnelling it to the right
7 area so it could be properly assessed. So if I got information,
8 and I regularly did, whether it be from concerned community
9 members, Councillors, all sorts of different sources, I would
10 ensure that that information was funnelled through our Joint
11 Intelligence Group for assessment and analysis and action.

12 **MR. FRANK AU:** Which was the first Hendon report
13 that you read?

14 **INTERIM CHIEF STEVE BELL:** So the first Hendon
15 report that I received and read was the 27th.

16 **MR. FRANK AU:** And so I think you said that from
17 then on you read every Hendon reports afterwards on an ongoing
18 basis.

19 **INTERIM CHIEF STEVE BELL:** Absolutely.

20 **MR. FRANK AU:** Did you ask for the earlier Hendon
21 reports?

22 **INTERIM CHIEF STEVE BELL:** No, I didn't because
23 at that point I knew that they had been shared between the
24 Intelligence Unit, who had done the assessments necessary, and
25 the Planning Unit, who needed to have that information in order
26 to conduct their planning.

27 **MR. FRANK AU:** Right. So since you did read the
28 27th report, let's go to the 27th report and see what it says.

1 I can find ---

2 **INTERIM CHIEF STEVE BELL:** So just for
3 clarification, ---

4 **MR. FRANK AU:** Yes.

5 **INTERIM CHIEF STEVE BELL:** --- and I'm sorry, I
6 have since reviewed all of the Hendon reports.

7 **MR. FRANK AU:** Okay, yeah. But since we're
8 interested in finding out what was known to you at the time,
9 let's start with the 27th.

10 (SHORT PAUSE)

11 **MR. FRANK AU:** I believe it is OPP00001331.

12 (SHORT PAUSE)

13 **MR. FRANK AU:** If we go to page 4 of this report,
14 go down.

15 Okay, so do you see the paragraph that says:

16 "It is highly unlikely that heavy
17 machinery would be transported in the
18 convoy if there was no intent to use
19 it, or if some individuals in the
20 convoy did not anticipate that it would
21 be needed. Such equipment could be
22 used to facilitate or secure access to
23 strategic operational positions in
24 Ottawa. The presence of this equipment
25 in the convoy may indicate that some
26 convoy participants intend to reinforce
27 positions for long-term occupation in
28 Ottawa; to block access to strategic

1 locations; to damage property; to
2 render roadways impassable; or to
3 intimidate the public, government, and
4 law enforcement."

5 So this is the -- part of the January 27th Hendon
6 report that you read, right?

7 **INTERIM CHIEF STEVE BELL:** That's correct.

8 **MR. FRANK AU:** So do you agree that the presence
9 of the heavy machinery supported what the report called,
10 "Positions for long-term occupation"?

11 **INTERIM CHIEF STEVE BELL:** So while I do agree
12 that the report states that, I think the subsequent action is
13 very important to a context to this.

14 We identified this' this was one of the early
15 areas that I identified as a concern. So as a result of that,
16 through discussion with Supt. Patterson, Intelligence was --
17 worked with the operational branch to actually start to look at
18 this, look at the existence. By this point, this is on the 27th,
19 people are coming across and there are police resources --
20 specifically in this case, I believe, OPP -- who are with the
21 convoy participants.

22 The follow-up that we received from that was that
23 the PLT, the Police Liaison Team, who we've heard about through
24 these hearings as well, engaged with them and there was
25 understanding that that heavy equipment would not be taken into
26 the downtown core.

27 There was also understanding through the
28 information we received back that many of the pieces of

1 equipment that were seen were fluid within the convoy. It
2 appears, and as we understood, as it came across Canada, the
3 numbers fluctuated up and down on a regular, daily, almost
4 hourly basis. Some of the equipment that was seen in here was
5 people that in different locations had joined in, I would
6 imagine or speculate that it was, so that they could identify
7 that they were part of this, and didn't continue with the convoy
8 as it came across.

9 As result of this information, plans were put in
10 place to make sure that we diverted heavy equipment like this
11 from the downtown core. But discussions were had with the
12 people who had this, and from my understanding -- and it will be
13 a question better posed to Insp. Lucas, but from my
14 understanding, all of the equipment identified in here or any
15 other trailer-based equipment, never made it into the red zone
16 footprint.

17 So although this is concerning; it's something
18 that we identified, action followed up on and mitigated.

19 **MR. FRANK AU:** Now, do you agree also that there
20 was a serious intelligence gap in terms of any exit plan for
21 these protesters?

22 **INTERIM CHIEF STEVE BELL:** So I do -- if we can
23 scroll down to that area?

24 **MR. FRANK AU:** Yeah, let's go to page 6.

25 **INTERIM CHIEF STEVE BELL:** So I do understand,
26 and I know this is in black and white but there is bolding there
27 around priority intelligence gaps. So I believe this area
28 highlights some of the areas where we were concentrating on, and

1 some of the reasons for the assumptions that were made.

2 By this date, this is third or fourth, I can't be
3 sure until we pull the other ones up, where the intelligence and
4 information had clearly identified a three-day event. All of
5 the discussion was around the 28th, the 29th and the 30th. There
6 had been, through the reports, a passing reference, regular, but
7 passing reference to the notion that a small group of people, a
8 group of people undetermined, could stay for longer periods of
9 time. But predominately, the intelligence identified it as a
10 three-day event. And the top five areas in here are identified
11 in red as priority taskings.

12 **MR. FRANK AU:** M'hm.

13 **INTERIM CHIEF STEVE BELL:** The plans for
14 departing Ottawa was something that was a concern and was
15 identified, but based on the fact that it was believed to be a
16 small group was obviously not identified as a priority tasking.
17 And as part of our planning, the plans, the egress plans for the
18 demonstration to leave Ottawa, based on the fact that there was
19 the concern about how they would get out of Ottawa was built and
20 developed into our plan. It just never materialized once the
21 groups dug in and decided to stay in the city.

22 **MR. FRANK AU:** Now, there are obviously many
23 Hendon Reports. This is just one of them, and the information
24 continued to evolve, as you pointed out earlier. But Supt.
25 Morris from the OPP did testify here last week as to the
26 likelihood of a weekend event, and he said that he did not
27 recall, I quote, he did not:

28 "...recall any information which [could]

1 lead to the induction that this will only
2 be a three-day event."

3 Based on his review of the Hendon Report.

4 Do you share his view?

5 **INTERIM CHIEF STEVE BELL:** So I have ultimate
6 respect for Supt. Morris. I think he's an incredible
7 intelligence leader in his organization, in this country. But
8 when I read these reports, the specifics around the three-day
9 event are very clear as it moves ahead. There is references
10 that some small numbers would stay beyond that, but all of the
11 information being gathered, even in terms of the priorities for
12 the intelligence gathering, is specifically around that three-
13 day period.

14 **MR. FRANK AU:** Okay. Now, let me ask you, along
15 this line, about the fact that many of these truckers were
16 coming a long way from the west; right?

17 **INTERIM CHIEF STEVE BELL:** That's correct.

18 **MR. FRANK AU:** And you knew that. So for
19 example, you understood that a group of participants from the
20 western convoy was -- well, let me give you the reference. If I
21 could take you to your summary at page 6? So this is
22 WTS00000029. So if we go to the top of the page, the second
23 line:

24 "As an example, PLT reported that the
25 western Freedom Convoy lost many vehicles
26 once it crossed the Manitoba-Ontario
27 border.

28 Interim Chief Bell stated that, as the

1 Freedom Convoy drew closer, OPS knew that
2 it was projected to be large. He noted
3 that by January 29, OPS was expecting
4 3000-4000 vehicles to arrive in Ottawa."

5 Is that correct?

6 **INTERIM CHIEF STEVE BELL:** That is correct.

7 **MR. FRANK AU:** Now, given that these convoy
8 participants had driven across the country for more than a week,
9 wouldn't it make sense that they might want to stay for a little
10 longer than a weekend in Ottawa?

11 **INTERIM CHIEF STEVE BELL:** Sorry, I think that's
12 an inference we would now make, but I think it's important to
13 identify that they did drive across the country. The numbers
14 ebbed and flowed. As they moved across the country, there was
15 police agencies engaged with them on an ongoing basis. Their
16 behaviour, as it's described within the intelligence reports,
17 and reports we had back, was that they were extremely lawful,
18 that they were engaged in -- there was no anti-social behaviour
19 that they were engaged in. And that was the observations for a
20 number of days.

21 Beyond that, the organizers clearly stated on
22 many occasions, and throughout the Hendon reports, that their
23 intention was to be lawful and peaceful once they came to our
24 city.

25 So regardless of whether the number would have --
26 whether the number that would have remained would have been
27 smaller, as we anticipated it could have been, it was -- again,
28 it was the activities that occurred here that were the most

1 problematic.

2 We, in our police service, manage many, many
3 protests a year. Some of them are prolonged. Some of them are
4 protracted. We've had examples of occupations of parks, of
5 occupations of intersections that have gone on for a longer
6 period of time. But those didn't engage in the unlawful
7 activity that we saw here. That is what I believe makes this
8 circumstance different. The scope of people, the size of the
9 area that they overtook, and the activity and the trauma they
10 put our communities through. There was nothing to identify that
11 that would occur within the intelligence reports.

12 **MR. FRANK AU:** So perhaps if I could clarify, let
13 us assume that the intent was to engage in an entirely lawful
14 protest. Making that assumption, wouldn't the sheer size, the
15 number of trucks, and the intention to stay for as long as it
16 took until the mandates are lifted create a risk that it will be
17 a prolonged issue for the residents, in terms of traffic and
18 other issues that came with such a loud crowd -- large crowd in
19 the downtown area for a long time?

20 **INTERIM CHIEF STEVE BELL:** Well, I think you
21 identify the key point there. If the protests are lawful and
22 they're within a contained area that isn't impacting the
23 community, we would go through a regular process in order to
24 ensure that we are managing that area, and that we're
25 negotiating with the people for them to be able to leave the
26 area.

27 That -- what you described though was not what
28 occurred in our city. There was a larger -- a large

1 geographical area overtaken and there was extreme harm done to
2 our community through the activities of this protest that
3 determined it to be unlawful. So those are very -- for me,
4 those are very -- two very different circumstances we're talking
5 about.

6 **MR. FRANK AU:** Right. Now, you'd agree with me
7 that around that time, both for the former Chief Sloly, who you
8 report to, as well as Insp. Bryden, who reported to you through
9 Supt. Patterson, raised concerns about the threat assessment?
10 Do you recall any communication with them about the nature of
11 the threat assessment that was produced?

12 **INTERIM CHIEF STEVE BELL:** So I raised concerns
13 about the threat assessment. We had discussions about it
14 because my expectation was that it would have created more
15 direct references to the Hendon Reports and to the intelligence
16 information we were bringing in.

17 The threat assessment, as it's completed, is done
18 on a standard template. There is actually a checklist to follow
19 through as you create a threat assessment.

20 We were trying to become more mature and advanced
21 in our collection and dissemination of intelligence information.
22 What wasn't included on the checklist was direct references to
23 actual intelligence information that existed. So I was looking
24 to make sure that we had that included in that threat
25 assessment, or least references to the mechanisms that we were
26 drawing that intelligence from.

27 **MR. FRANK AU:** Now, it would appear that that
28 former chief was concerned that the threat assessment reflect

1 the actual reality, and in the days leading up to the arrival of
2 the convoy. If I could take you to some of those documents?
3 OPS00000 -- sorry, 00003073.

4 So if we go down the chain and see the -- how it
5 originated? Go to the very bottom, please. So somebody sent --
6 sorry, go up. So it appears that the former -- keep going.

7 It appears that the former chief received
8 information sent to him about some potential threat.

9 Go up.

10 And he passed that information on to you.

11 So stop here.

12 So somebody sent information to the former chief
13 directly. Somebody wrote:

14 "I lay awake tonight as I read Twitter
15 posts from the Extreme right vowing
16 attacks on Rideau Hall this weekend.
17 Some are calling for action akin to the
18 happenings in Washington on Capitol
19 Hill. I understand the right to
20 peaceful protest but I'm writing as a
21 very concerned citizen as we are not
22 hearing any reassurances from the city
23 or policing regarding the safety of
24 residents surrounding these vulnerable
25 and targeted spots."

26 So we go up now. The former Chief forwarded that
27 to you.

28 **INTERIM CHIEF STEVE BELL:** I'm sorry.

1 **MR. FRANK AU:** Yeah.

2 **INTERIM CHIEF STEVE BELL:** Can I finish reading
3 the -- just the content that was at the bottom?

4 **MR. FRANK AU:** Sure. Sorry.

5 **INTERIM CHIEF STEVE BELL:** If you can just scroll
6 down a little more, please. Okay, great. Thank you very much.

7 Thank you.

8 **MR. FRANK AU:** Is that good?

9 **INTERIM CHIEF STEVE BELL:** Yes, sorry.

10 **MR. FRANK AU:** Okay.

11 **INTERIM CHIEF STEVE BELL:** Sorry, thank you.

12 Sorry.

13 **MR. FRANK AU:** Sorry, I didn't mean to ---=

14 **INTERIM CHIEF STEVE BELL:** No.

15 **MR. FRANK AU:** --- cut off your reading.

16 If we go up now.

17 It appears that the former Chief forwarded that
18 email to you and to Deputy Chief Ferguson, and he said:

19 "The [email below] from an Ottawa
20 resident who is seeing online postings
21 from what he calls extreme right wing
22 elements calling for violence [in] the
23 event."

24 If we go further down.

25 **INTERIM CHIEF STEVE BELL:** Sorry, if you can just

26 ---

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

28 **INTERIM CHIEF STEVE BELL:** --- there is one at

1 the ---

2 **MR. FRANK AU:** All right.

3 **INTERIM CHIEF STEVE BELL:** I didn't get to
4 Number 3 yet. I'll try to read more quickly.

5 **MR. FRANK AU:** No, no, no, take your time.

6 **INTERIM CHIEF STEVE BELL:** Okay, thank you.

7 **MR. FRANK AU:** So he was outlining the concerns
8 from the citizen?

9 **INTERIM CHIEF STEVE BELL:** Yeah.

10 **MR. FRANK AU:** And then he went on to say:

11 "Yet our briefing note as of last night
12 says there is no intelligence to
13 indicate that this demo straying will
14 be violent. Please review all
15 available info/intel/incidents and
16 ensure we have the most accurate threat
17 assessment and the most appropriate
18 operations plan for the event."

19 And he sent that before your briefing scheduled
20 at nine. So you agree with me that the former Chief was taking
21 an active interest as you got closer to the event and he wanted
22 to ensure that the threat assessment reflects the most accurate
23 information the intelligence could provide; right?

24 **INTERIM CHIEF STEVE BELL:** Can we scroll up on
25 the date? I'm just looking at the date on there. This is ---

26 **MR. FRANK AU:** Yes. I believe this is the 26th.

27 **INTERIM CHIEF STEVE BELL:** -- the 26th. The
28 26th. No. So in answer to your question, absolutely we were

1 all taking an active interest, and I think it's important to
2 note here that the information received by the Chief was
3 funnelled to our Intelligence Unit and our Joint Intelligence
4 Unit for assessment.

5 The Hendon reports on these days, on the 26th,
6 would reflect that there was no anticipated violence to occur.
7 So we were continually briefing on the violence picture and
8 making sure that all of this information was funnelled in to our
9 Intelligence Unit and then into our Planning Team.

10 It makes specific reference to activities or
11 actions that could occur at Rideau Hall. We did look into that.
12 It raises a national security issue, and I can tell you that
13 there was national security representatives, including CSIS and
14 the RCMP, in our Joint Intelligence Group. So again, this was
15 information that was taken in, assessed, evaluated, put towards
16 our threat assessment, and ultimately this didn't bore -- bear
17 out to be accurate. There was no threats made against Rideau
18 Hall.

19 **MR. FRANK AU:** And the former Chief was also
20 concerned about the language and content in the Threat
21 Assessment. If I could take you to the next document.

22 OPS00003748.

23 So you see that this is an email dated the 28th
24 of January. It was directed to Deputy Chief Ferguson, but you
25 were copied on it. The former Chief said:

26 "Thank you for sending this DRAFT
27 Operational Plan -..."

28 I assume this is the 28th plan that we've just

1 seen:

2 "...it is well developed considering
3 how fast moving and fluid the situation
4 has been.

5 I provided you with feedback on this
6 DRAFT report at our 945am meeting in
7 your office; review and improve the
8 language and content in the Threat
9 Assessment, explicit expansion of
10 operational scope to include parallel
11 demonstrations/risk beyond [the]
12 Freedom Convoy, explicit adherence to
13 uniform/conduct policy for all
14 participating members."

15 Do you know if that was done?

16 **INTERIM CHIEF STEVE BELL:** So I -- I'm -- I don't
17 know directly because this was directed to Deputy
18 Chief Ferguson, who would have put it back through her chain of
19 command to her Planning Team, and the planning -- the normal
20 process would be the Planning Team and Intelligence would look
21 to identify the areas of gap that the Chief felt existed.

22 **MR. FRANK AU:** All right. Let me take you to the
23 note of Acting Superintendent Bryden on the 28th.

24 This is OPS00014555. Can we do down? Sorry, I -
25 - oh, sorry, I didn't give you the page number. Page 9, please.
26 So TA issues. Is that the Threat Assessment
27 issue?

28 **INTERIM CHIEF STEVE BELL:** I would believe so.

1 **MR. FRANK AU:** So the notes of Inspector Bryden
2 said:

3 "Narrative around convoy, but need more
4 info on activists."

5 If we go further down.

6 **INTERIM CHIEF STEVE BELL:** Sorry, I can -- sorry,
7 if I can -- I haven't ---

8 **MR. FRANK AU:** Yes, I'm sorry.

9 **INTERIM CHIEF STEVE BELL:** --- finished reading
10 my notes.

11 **MR. FRANK AU:** I'll let you read it.

12 **INTERIM CHIEF STEVE BELL:** Thank you.

13 **MR. FRANK AU:** The bullet I'm interested in is
14 the one the starts with:

15 "[P]lan is de-mobilize the convoy on
16 Sunday but current [Threat Assessment]
17 does not support that operational move;
18 current [Threat Assessment] says low or
19 no threat."

20 Do you know what that means?

21 **INTERIM CHIEF STEVE BELL:** So if you can -- and
22 I'm going to apologise, but if you can let me know what date
23 that these notes are taken?

24 **MR. FRANK AU:** I believe it's the 28th.

25 Can we go up to check the date?

26 28th.

27 **INTERIM CHIEF STEVE BELL:** Friday, the 28th. So
28 I think it would be...

1 If we can go back down to the notations so I can
2 see what I'm speaking to. Just a little farther down.

3 So I'm not -- I'm not sure that is in a meeting
4 that I am involved in, so I'm not sure specifically what he
5 would be speaking to specifically there, and I would say that we
6 would need to cross-reference with the Hendon reports and
7 whether there was any reinforcement around heightening our
8 concern that the convoy could be longer than the three days.

9 **MR. FRANK AU:** Right. Now ---

10 **INTERIM CHIEF STEVE BELL:** So I'm not -- I'm not
11 in that meeting.

12 **MR. FRANK AU:** Yeah. No, but -- it's fair
13 enough. But he seems to referring to the Threat Assessment.
14 And his notation here that it says no and low threat when we
15 interviewed Inspector Bryden, he confirmed that that was the
16 view at the time, that the threat was low to no risk. Do you
17 agree with that assessment?

18 **INTERIM CHIEF STEVE BELL:** So do I agree with the
19 assessment that it made ---

20 **MR. FRANK AU:** That it was low risk.

21 **INTERIM CHIEF STEVE BELL:** --- that they made on
22 that day?

23 **MR. FRANK AU:** On the ---

24 **INTERIM CHIEF STEVE BELL:** Sorry, I ---

25 **MR. FRANK AU:** Do you believe that as of the 28th
26 of January?

27 **INTERIM CHIEF STEVE BELL:** That there is a low
28 threat of violence? Then yes, I would agree there is a low

1 threat of violence at that point, as has been identified within
2 the Hendon reports.

3 **MR. FRANK AU:** All right, so you interpret the
4 low to no threat as specifically referring to the risk of
5 violence?

6 **INTERIM CHIEF STEVE BELL:** That specifically, the
7 threat index, I believe the Hendon reports were giving on that
8 day.

9 **MR. FRANK AU:** Not to the risk of a prolonged
10 occupation?

11 **INTERIM CHIEF STEVE BELL:** No, I don't believe
12 that they were speaking to a prolonged occupation because as I
13 indicated, based on our experience, which was limited, and our
14 assessment, there was a low risk of the convoy in large numbers
15 staying beyond the weekend.

16 But I think that's another area that's very
17 important to highlight. Superintendent Morris identified that
18 this group grew and tried to mobilise over the fall, and
19 actually never did mobilise. They galvanised for the ultimate
20 convoy that occurred. In normal circumstances with
21 intelligence, one of the things that you rely on in your
22 assessment of it is experience. This group had not existed
23 before. Nobody had any experience in terms of what they were
24 going to do and how they were going to position themselves. And
25 I'll give you an example of where experience is important to us.
26 We have a yearly demonstration at one of our embassies that has
27 gone on for a number of years. We infrequently have high levels
28 of intelligence around any activity in that area, yet we

1 continually create a large deployment footprint between
2 ourselves and the RCMP because we have the experience that it --
3 that violence has occurred there and there is the potential for
4 violence occurring. The same could be said about the Panda Game
5 Homecoming. There is little intelligence that comes out, yet we
6 create deployment plans around experience. Nobody had ever
7 experienced this group coming into an area. Ottawa on the 28th
8 of January was the first experience in that.

9 So I do know that following this there was --
10 there has been extensive changes internally, and people have
11 seen a definitive change in our response based on our
12 experience, but across the country, police leaders identified
13 that they now had a scope of what their experience could
14 anticipate it to be with this group. Before they arrived on the
15 28th, we had no experience, and all of the experience as they
16 moved across was that they were lawful, and that they indicated
17 they were coming to lawfully protest in Ottawa. That experience
18 package changed for us on the 28th.

19 **MR. FRANK AU:** M'hm. And I suppose one of the
20 challenges you faced at the time was the presence of conflicting
21 information. I -- we put to Deputy Ferguson last week the
22 information that we heard from Hotel Association that people
23 were booking stays of upward of 30 days, and I believe she
24 mentioned there were some information to the contrary.

25 So let me take you to one email, one chain of
26 email. OPS00014930. First of all, do you know of which I'm
27 speaking, the Hotel Association was in touch with the City of
28 Ottawa, and I believe that information was transferred to the

1 OPS. And so on the 25th of January, there was information that
2 there are all these people who may be staying for over than --
3 for more than 30 days. And then on the 26th, we have this email
4 from -- now, Steve Ball, do you know who Steve Ball is?

5 **INTERIM CHIEF STEVE BELL:** Yes, I do. He's one
6 letter off of my name, but he is the CEO or the Executive
7 Director of the Ottawa Hotel Association.

8 **MR. FRANK AU:** Right. So if we go down a little
9 bit? So it appears that this is -- do you know who Mathieu
10 Gravel is?

11 **INTERIM CHIEF STEVE BELL:** Yes, Mathieu Gravel is
12 a member of the mayor's office staff.

13 **MR. FRANK AU:** So this is an exchange of email
14 between them about the information they had received earlier,
15 and now if we scroll back up?

16 **INTERIM CHIEF STEVE BELL:** Sorry, can I read the
17 bottom first?

18 **MR. FRANK AU:** Oh, I'm sorry, I keep doing that.
19 Please take your time. Where do you -- how far do you want us
20 to go down?

21 **INTERIM CHIEF STEVE BELL:** If we could go to the
22 bottom?

23 **MR. FRANK AU:** Certainly.

24 **INTERIM CHIEF STEVE BELL:** It won't take me very
25 long.

26 **MR. FRANK AU:** No, no, no. Can we go down to the
27 very bottom, please?

28 **INTERIM CHIEF STEVE BELL:** Okay. We can scroll

1 up.

2 Thank you. You can scroll up.

3 Okay. Good to move up.

4 Okay. Okay. Thank you.

5 **MR. FRANK AU:** So I just want to draw your
6 attention to this part at 9:08 p.m.

7 "I'll get a sense of how long they are
8 planning to be here by how long they [I
9 guess it should be book] rooms. So far
10 it's only for a few days."

11 So is that one example of information not being
12 entirely clear?

13 **INTERIM CHIEF STEVE BELL:** So it's an extremely
14 good example of that. And I can tell you we did receive this
15 information from Mr. Ball through Mr. Gravel. I believe it went
16 into our Emergency Operations Centre, where it was put into the
17 Intelligence Group to follow up. As a result, a member of our
18 Police Liaison Team contacted Mr. Ball, and what initially was
19 identified as a large tract of people who were going to be in
20 the city for many, many days was narrowed down to being, no,
21 it's a smaller group of people who have booked a three-day stay.
22 So one of the -- the challenging thing for us is this was
23 information that helped contribute to our view that it was going
24 to be a -- largely a three-day protest.

25 **MR. FRANK AU:** Right. Now so everyone's trying
26 to figure out to the best they can what's going to happen, and
27 this Commission has heard from Ms. Carrier, for instance, a week
28 or so ago. I've referenced this when I examined Deputy Chief

1 Ferguson last week, so I'll put that to you again, because Ms.
2 Carrier, who was a businesswoman, a layperson with no access to
3 any police intelligence, just based on her observation, you
4 know, she said -- if I could find the transcript. She said,

5 "To me personally, it was clear that
6 the 70-kilometre train of trucks that
7 crossed the country was not coming in
8 for a small protest in a day. And to
9 me, that Sunday night was the proof
10 that, you know, somebody somewhere had
11 underestimated or not listened to the
12 anger, frustration that a large, at
13 [this] point, you know, large number of
14 people felt. They were coming to the
15 City of Ottawa as the representatives
16 of what they thought and they were
17 going to stay there. They were going
18 to stay there until they were heard."

19 So entirely apart from Intelligence reports and
20 so on, there was this common-sense inference that some people
21 draw, that people are not going to drive all the way from the
22 west with all of these, you know, emotions that the Intelligence
23 reports also refers to, to only stay for a full weekend. So in
24 terms of contingency planning, what role did Intelligence have
25 to inform that contingency planning?

26 **INTERIM CHIEF STEVE BELL:** So I think
27 Intelligence would have played an important role, and to try and
28 highlight the risks that they knew at the time. And I believe

1 that that was done. It became more possible, as was identified,
2 that a small group of people could continue beyond the weekend,
3 but then mainly it was being planned around a weekend protest.
4 All of the activities that we took, including this one with the
5 Hotel Association, led us to believe that that's what it was.
6 The intelligence, as we read it, talks about a large protest,
7 but the numbers that are necessary for planning didn't start to
8 come in until the day before and that -- please don't hear that
9 as a fault of anyone. It was just very difficult because of how
10 fluid and dynamic the situation was for us to be able to gather,
11 through our partners, real-time intelligence. So Intelligence
12 continually stayed on, continually fed the planning team of what
13 they knew at the time with the best information.

14 As you described it though, it was a fluid week.
15 It was a rollercoaster that week in terms of information coming
16 out and refining down. And ultimately, the numbers, the size of
17 it weren't fully refined until the 29th and the 30th when it was
18 already upon us.

19 And I'll go back to it again because I don't
20 think it can be understated. The real impact of this protest
21 was the community harm that was created. That was what the
22 problem and the consequence to our community was through the
23 activities of these protesters. There wasn't any information
24 that identified that. And that, for me, is what created the
25 need, the emerging need for us to make sure that we have the
26 action plans in place as we saw that emerge. Our community were
27 dramatically exposed to violent activity over that period of
28 time.

1 **MR. FRANK AU:** Now this may be open to debate,
2 but one may argue that the combination of the large number of
3 people in trucks with the expression of an intent to stay for
4 some time until the mandates are lifted logically lead to, you
5 know, this risk of social trauma, if large number are going to
6 stay here for a long time; do you agree?

7 **INTERIM CHIEF STEVE BELL:** So and I think that
8 goes to exactly what I talked about, about experience. The
9 other piece you need to add in there is experience with the
10 group that you're gathering the intelligence on to actually
11 assess it and then to see how they are engaging in activities.
12 The experience we had until this point was they were -- we were
13 exactly right. They were people moving across the country
14 determined to be heard, but they were peaceful, and they
15 indicated that their intention was to be peaceful when they got
16 here. That isn't what materialized and that isn't what caused
17 the consequence to our city. People protesting in an area
18 lawfully is something we can manage and handle. People creating
19 an occupation that traumatizes our community was something that
20 no community had ever seen, is -- was unprecedented, and was the
21 situation we're facing when we began to get the experience of
22 these people.

23 **MR. FRANK AU:** Now we expect that Superintendent
24 Bernier, who is testifying tomorrow, may say that there was a
25 bizarre disconnect between the intelligence and the planning.
26 What's your perspective on that?

27 **INTERIM CHIEF STEVE BELL:** So I'm -- I would need
28 to know exactly when he's -- at what point he's speaking of.

1 Because what I do know is as the Planning Team was doing their
2 assessments and as the Planning Team was building their plans,
3 that the Intelligence and the Planning Team were very tightly
4 connected. I've seen and observed several emails over my
5 preparation for this that indicate that at every point that one
6 of the planners is looking to develop a plan, they're
7 referencing intelligence. And that's -- as a leader in this
8 organization, is exactly what I would expect to happen.

9 **MR. FRANK AU:** Okay. So let's go to his
10 interview summary, so that we have more context. WTS000006 --
11 sorry, 00000030, page 4.

12 So we go down. Oh, sorry, it was earlier. Could
13 we go up again? The second paragraph. So page 4, second
14 paragraph.

15 " Superintendent Bernier also shared his
16 concerns about [the] Freedom Convoy
17 with his supervisor, Superintendent
18 Drummond, on [the 27th of] January
19 [...]. He told Superintendent
20 Drummond that there seemed to be [...]
21 bizarre disconnect between the
22 intelligence contained in the Project
23 Hendon reports and OPS's preparations."

24 Do you agree with that?

25 **INTERIM CHIEF STEVE BELL:** So those issues were
26 never highlighted to me. I don't know what would form
27 Superintendent Bernier's opinion on this, but those issues were
28 never raised. And I would hope at that point they would have

1 been raised if somebody felt that there was such a disconnect.

2 **MR. FRANK AU:** But the question I guess I put to
3 you is not whether they were raised, but whether you saw a
4 similar disconnect between the information contained in those
5 reports and the way the OPS was preparing for the arrival of the
6 convoy.

7 **INTERIM CHIEF STEVE BELL:** No, I didn't, because
8 I think what you could observe, and it'll be very important to
9 flush out through our Planning Team, is that the information was
10 fluid, that we continued to develop more, receive more
11 information that became more refined as we moved ahead. That
12 information was shared with planning. I believe that's why the
13 planning process was as fluid as it was as well. This was a
14 circumstance that was changing by the day, by the hour, with
15 information coming in. And Intelligence was bringing it in and
16 assessing it and Planning was trying to respond to it. And then
17 it wasn't finalized until the convoy actually arrived in our
18 city.

19 **MR. FRANK AU:** Now as you know, this Commission
20 is ultimately about learning from the past to find out what
21 happened in order to improve what we can do in the future. So
22 as the Deputy Chief responsible ultimately for the Intelligence
23 Unit, what are your thoughts on what could have done -- what
24 could have been done differently or better in order for the OPS
25 or other police services to respond better to an event like this
26 in the future?

27 **INTERIM CHIEF STEVE BELL:** So first I'd like to
28 start with thank you very much. I'm very happy that that's one

1 of the areas the Commission's looking at, because I think there
2 are many lessons for us to all learn through this. Some of
3 those lessons, I can tell you, we've already learned and put
4 into practice.

5 In terms of Intelligence, I know that one of the
6 things that we've developed is better capacity and capability
7 around open-source information. What was borne out of this
8 situation was a unit that's been created within our organization
9 specifically dedicated at collecting open-source information and
10 sharing it into Intelligence. I think their -- you know,
11 opportunity around Intelligence is to ensure that Intelligence,
12 Open-source and Police Liaison Team information is more readily
13 shared, so that it can be cross-referenced. We've seen that
14 develop within our organization.

15 I also think, and one of the things we've been
16 able to do is we read the intelligence differently now. We've
17 had multiple subsequent events in this city where we've used our
18 experience to leverage our operational planning. One of those
19 was Rolling Thunder. And when you look at the intelligence,
20 there was the identification that it may not have been a large
21 risk event for us, but we used our experience to apply it
22 towards that intelligence and created a deployment model that
23 actually ultimately did, I believe, prevent a subsequent
24 occupation to our streets.

25 So I think from an Intelligence perspective, the
26 coordination and cooperation and it has always been good between
27 ourselves and our partners, I think this identified that we need
28 to expand that and that we need to broaden the sources of

1 information that we're bringing in and properly leverage them in
2 our operational planning with the experience we have.

3 **MR. FRANK AU:** All right. Now let's leave
4 intelligence for a minute, but still, I want to ask you about
5 planning. If I could take you to your interview summary, which
6 is WTS000029. Could we go to page 4? Page 4. I'm looking for
7 the part where you said that the OPS's approach to the protest
8 at the time of the Freedom Convoy did not consider community
9 impact.

10 **COMMISSIONER ROULEAU:** The paragraph right at the
11 top.

12 **MR. FRANK AU:** Okay. Sorry.

13 **COMMISSIONER ROULEAU:** Here. "Interim Chief Bell
14 saw it as OPS" ---

15 **MR. FRANK AU:** That's right.

16 "Interim Chief Bell saw it as OP's role
17 to respect lawful protests. He noted
18 that OPS was experienced dealing with
19 lawful protests on national and
20 international issues and ensuring
21 public safety at these protests. He
22 commented that OPS's approach to
23 protests at the time of the Freedom
24 Convoy did not however consider the
25 community impact of demonstrations."

26 We go down a bit.

27 Since the Convoy, [you] not only
28 consider[...] public safety and [...]

1 Charter of Rights and Freedoms [and so
2 on], but also the impact on the
3 community."

4 That -- those two, part of what you just told us.
5 Now at the time though, you sought a legal opinion on what
6 lawful authority was open to the OPS to respond to the arrival
7 of the convoy; right?

8 **INTERIM CHIEF STEVE BELL:** That's correct. I
9 requested that legal opinion following one of our morning calls,
10 or a Command Team meeting, as one of the requests that was going
11 to be -- we needed to fulfil in order to make sure we understood
12 our legal grounds.

13 **MR. FRANK AU:** Do you remember when you sought
14 that opinion?

15 **INTERIM CHIEF STEVE BELL:** I don't remember the
16 specific date.

17 **MR. FRANK AU:** Okay, let's see if your notes help
18 refresh your memory.

19 OPS00014525.

20 So it says here, January 27th, and you have a
21 note:

22 "Convoy Plan. Will develop legal
23 opinion on how we will be able to end
24 the convoy."

25 Does that help refresh your memory?

26 **INTERIM CHIEF STEVE BELL:** Yes, it does.

27 **MR. FRANK AU:** Okay. So on the 27th, you sought
28 the legal opinion. Do you remember if you got an opinion back?

1 **INTERIM CHIEF STEVE BELL:** Yes, I believe I
2 received a legal opinion on the 28th.

3 **MR. FRANK AU:** The next day.

4 **INTERIM CHIEF STEVE BELL:** The next day.

5 **MR. FRANK AU:** So let's go to that now.

6 **INTERIM CHIEF STEVE BELL:** Can we scroll down on
7 my notes just to make sure I'm not missing anything? That's it.
8 Thank you.

9 **MR. FRANK AU:** Okay.

10 So if could go to the next document, OPS00003692.
11 Is this the opinion you received?

12 **INTERIM CHIEF STEVE BELL:** Yes, it is.

13 **MR. FRANK AU:** Did you read it at the time?

14 **INTERIM CHIEF STEVE BELL:** Yes, I did.

15 **MR. FRANK AU:** Sorry?

16 **INTERIM CHIEF STEVE BELL:** Yes -- sorry, yes, I
17 did.

18 **MR. FRANK AU:** Okay. And did you circulate this
19 opinion to anyone else?

20 **MR. FRANK AU:** Yes, because it was requested at
21 one of our morning calls I would've shared it with the entire
22 Command Team, I believe. But I don't have independent
23 recollection that I did forward it on.

24 **MR. FRANK AU:** Okay. But you believe you did?

25 **INTERIM CHIEF STEVE BELL:** I believe I did. We -
26 - I collected it on behalf of the executive team, so I would've
27 shared it with the executive team.

28 **MR. FRANK AU:** And just to be clear, the -- by

1 executive team, you meant?

2 **INTERIM CHIEF STEVE BELL:** So it would have been
3 -- so anyone who was present. So it would've been with legal
4 counsel who would've done this; Deputy Chief Ferguson;
5 CAO Dunker; Chief Sloly; Chief Executive Officer, Kevin
6 Malloney; and others. I just don't have recollection of who I
7 forwarded it to.

8 **MR. FRANK AU:** Okay. So let's take a look at
9 this opinion.

10 Staying on page 1, if we scroll down. The
11 paragraph that starts with, "While the convoy", if we could go
12 up. Yeah, that's good:

13 "While the convoy has not yet reached
14 the City of Ottawa, various
15 considerations will need to be assessed
16 and reassessed to determine the
17 appropriate response, including:
18 the balancing of competing *Charter*
19 rights; impacts to public enjoyment and
20 the right to mobility; impacts to
21 health and safety; impacts on
22 obstructing emergency vehicles; and
23 impacts to public safety generally."

24 So I want to ask you, in preparing for response,
25 how did you and your executive team consider these bullets,
26 including the impacts to public enjoyment and the right to
27 mobility, and the last point, impacts to public safety
28 generally?

1 **INTERIM CHIEF STEVE BELL:** So I think that
2 would've been done by an ongoing assessment that was being
3 conducted by the Planning Team and Intelligence moving ahead.

4 Those areas were specifically impacted, as I
5 indicated, and we only realised that once the convoy arrived.
6 The anticipation of the community trauma and violence to our
7 community that was going -- did occur, wasn't anticipated
8 because nobody saw that coming. Nobody knew that that was going
9 to be the tactic that the mob that got here was going to
10 actually engage in.

11 So that is something that we look at. We look at
12 public safety, we look at *Charter* of rights and freedoms, and
13 all of these index, but we had never taken the view of making
14 sure that the community and the surrounding areas we were as
15 responsive to their needs.

16 We take that into account more than ever now, and
17 that's what you've seen as we have responded to Rolling Thunder,
18 responded to Canada Day, to make sure that we interpret our
19 intelligence with our experience, but also make sure that we
20 identify potential hazards or concerns that could occur within
21 the community and put that absolutely front and centre in our
22 planning.

23 The reason I highlight that is the one thing that
24 I hear consistently after the removal of the occupation, and
25 very rightfully, is that we didn't put enough emphasis as a
26 police service on our community and the impact that it caused to
27 them in the very early days, that they felt that we didn't focus
28 on the harm that was being done to them. While we have always

1 had that in the planning, I think we need to be overt in it and
2 say, "Community, these are -- this is your city, these are your
3 streets. We will conduct ourselves in order to protect you
4 within this community and protect you within those streets."

5 So I think the emphasis that I am playing is that
6 we need to always have *Charter* rights and freedoms on our mind,
7 we always need to have community safety, but we need to make
8 sure that we bring the community impact to the front of
9 everything we do because it was the area that was most violated
10 during this event.

11 **MR. FRANK AU:** Now, the opinion talked about the
12 balancing of competing *Charter* rights, and perhaps many of the
13 residents felt that there was an imbalance. And one of the
14 central question that arose from the planning perspective is
15 about the ability of preventing the trucks from entering the
16 downtown core in the first place. So I want to ask you what was
17 your understanding of the lawful authority for the OPS to
18 prevent the trucks from going downtown and park there that first
19 weekend?

20 **INTERIM CHIEF STEVE BELL:** So I believe that we
21 do have the ability, and I believe we've exercised it several
22 times since then, to prevent the vehicles from going down. A
23 truck isn't a protected entity under the *Charter* of rights and
24 freedoms, people are.

25 That is something we had not exercised prior as
26 an organisation. When we had vehicle born demonstrations,
27 protests, or events in what is the downtown core we had always
28 allowed them because our experience was they had come and they

1 had left and we had managed them. And that was a regular
2 occurrence for us, and that happened many, many times, usually
3 many, many times a year. So although the *Charter* doesn't
4 protect the vehicles, I do know that our experience had been
5 that we would allow those type of vehicles.

6 I think there's another side to it as well that's
7 very important. Particularly as we became closer to the date,
8 we saw the volume of vehicles that were going. They were coming
9 to Ottawa. They were very clear about that, they were coming to
10 Ottawa. So the ability for us to protect and preserve public
11 safety would mean that we would want them to go into a
12 designated area so that we could better control it.

13 We didn't, again, didn't anticipate the
14 activities. We didn't anticipate the size or scope or number of
15 people who stayed because do have to remember most people did
16 leave on Sunday night. So the ability for us to manage the
17 protest and demonstration in a core, as opposed to people coming
18 and have a blocked off downtown core and leaving their trucks on
19 the 417, or trucks dispersed around many different areas, it was
20 going to be more manageable for us in a centralised area.

21 **MR. FRANK AU:** All right. Now, we asked the same
22 question or a very similar question of Mr. Sloly, the former
23 Chief, and I want to show you his answer and ask you if you
24 agree with him.

25 Can we go to the document WTS00000040, and if you
26 could go to page 15, please. The second paragraph:

27 "Chief Sloly was advised that based on
28 the known intelligence reports, OPS did

1 not have the legal authority to deny
2 the Freedom Convoy access to downtown
3 Ottawa simply because some people
4 disagreed with the views of some
5 participants. He understood that OPS
6 did have authority to close roads and
7 restrict traffic if there were public
8 safety concerns, but closures and
9 restrictions had to be commensurate to
10 actual threats or reasonably
11 predictable threats. *Highway Traffic*
12 *Act* or by-law violations alone would
13 not be sufficient to justify
14 restricting access to the City for all
15 protestors."

16 Do you share his view?

17 **INTERIM CHIEF STEVE BELL:** So I'm -- I think it's
18 important -- there's a lot packed in there. So I think it's
19 important that ---

20 **MR. FRANK AU:** Take your time ---

21 **INTERIM CHIEF STEVE BELL:** --- we go through it.

22 **MR. FRANK AU:** --- to reflect upon it.

23 **INTERIM CHIEF STEVE BELL:** So I would say -- I
24 would absolutely agree, based on the intelligence we had, we
25 didn't have legal authority to deny the protestors from the
26 protest. All of the activity had been lawful and peaceful and
27 there was no indication of anything contrary to that.

28 **MR. FRANK AU:** Let me ask you this. In the

1 subsequent events, Rolling Thunder and so on, did you have
2 different intelligence assessment to suggest a more violent
3 event or higher risk in other aspects?

4 **INTERIM CHIEF STEVE BELL:** No. We had
5 experience. We had experience in exactly what had occurred. We
6 had seen and learned from what had occurred during the Freedom
7 Convoy and we had worked with our City partners and policing
8 partners to identify different mechanisms to actually restrict
9 access to an area.

10 **MR. FRANK AU:** So in other words, it's not the
11 nature of the anticipated protest that changed the planning,
12 it's the experience of having been through what Ottawa went
13 through in January and February that caused a different planning
14 approach?

15 **INTERIM CHIEF STEVE BELL:** Absolutely. And I
16 think that that experience that I talk about is something that
17 you saw across the country as people planned and responded to
18 similar incidents.

19 Toronto Police Service and the City of Toronto
20 had a much more successful intervention in a protest in
21 subsequent weekends to what we had initially. And Chief Ramer
22 was being clear in identifying it. Part of that was because of
23 the experience that they saw occur in Ottawa, that they
24 identified different threats in different ways and built a plan
25 around the experience that they've seen us -- they saw us
26 endure.

27 **MR. FRANK AU:** Would you agree then that the only
28 thing that's changed is the appreciation of the potential risk?

1 **INTERIM CHIEF STEVE BELL:** No, I don't think that
2 that's accurate. I think what's changed is we have an
3 understanding of what these groups are capable of when they come
4 together. We have an understanding of what could occur as these
5 groups coalesce around a cause in an area.

6 And that's -- Rolling Thunder, I would propose
7 that had we not had the experience we had, we wouldn't have
8 planned in the way we did. We wouldn't have had the public
9 order deployment. We wouldn't have had the exclusionary zone.
10 And in that case, the Friday evening that it occurred, we would
11 have had a truck that attempted to occupy an intersection, that
12 was followed quickly by other vehicles, set up and be successful
13 for a period of time in, again, taking over an area of our city.
14 That's the appreciation that we have of what is possible when
15 these groups come together. That's the experience that I'm
16 talking about that we are now applying to all of the
17 intelligence.

18 **MR. FRANK AU:** So if I understand you correctly,
19 you said what's different is the new understanding of what could
20 occur; right? Those are your words?

21 **INTERIM CHIEF STEVE BELL:** Yes, those are my
22 words.

23 **MR. FRANK AU:** How is that different from
24 appreciation of the potential risk?

25 **INTERIM CHIEF STEVE BELL:** Your words are
26 probably just more eloquent than mine.

27 **MR. FRANK AU:** Okay. We'll go with your words.
28 Now, I do want to ask you this. Taking you back

1 to the legal opinion, which is OPS00003692. If we go to page 4?
2 Go down. That's right. The paragraph that starts with
3 "therefore".

4 "Therefore, while the case law indicates
5 that those who wish to protest have a -
6 *Charter*-protected right in doing so, it is
7 not without limits. These limits, as the
8 courts have recognized, prevent threats of
9 violence, acts of violence, and unlawful
10 conduct. Moreover, these limits also
11 prevent demonstrators from obstructing
12 travel on roadways. It is worth nothing,
13 however, that there has been at least one
14 decision where it was found that a
15 blockade for a very brief period only
16 constituted a minor inconvenience and was
17 therefore permissible."

18 So what this memo is saying here is that there
19 are limits to the *Charter* and part of the consideration apart
20 from potential threats of violence is the prospect of the
21 demonstrators obstructing travel on roadways. That was your
22 understanding too; right?

23 **INTERIM CHIEF STEVE BELL:** Yes, it was.

24 **MR. FRANK AU:** And when you have a large crowd of
25 protestors and their trucks being brought to the downtown core
26 with no exit strategy, why is that not a suitable consideration
27 for road closures in order to achieve some of the bullet points
28 we saw earlier in this memo?

1 **INTERIM CHIEF STEVE BELL:** Sorry, and I think
2 this goes back to how we have and how we had addressed these
3 types of protests in the past.

4 We live in Ottawa. We're at the seat of
5 Parliament. Protesting is something that -- lawful protesting
6 is something that our community accepts, and I believe our
7 community appreciates. And they have an expectation on us to be
8 able to appropriately manage and facilitate those protests.

9 So for a large demonstration to come into the
10 downtown core, in and around the seat of Parliament, and protest
11 for a number of days would not be abnormal in this city, even
12 with the traffic disruptions that would occur. What was
13 abnormal in this situation was the volume of vehicles that came
14 and the area that they actually occupied.

15 What was particularly -- and I've said it and I
16 will say it again. What was particularly different in this
17 event was the interactions of the protestors between themselves
18 and the community. We had never seen that before. That was
19 unprecedented.

20 **MR. FRANK AU:** Okay. Commissioner, I am about to
21 embark on a new area. I don't know if this would be an
22 appropriate time for a break?

23 **COMMISSIONER ROULEAU:** Okay. So we'll take the
24 morning break. We'll take 15 minutes ---

25 **MR. FRANK AU:** Thank you very much.

26 **COMMISSIONER ROULEAU:** --- and come back I guess
27 a little after twenty-to. Thanks.

28 **THE REGISTRAR:** The Commission in recess for 15

1 minutes. La Commission est levée pour 15 minutes.

2 --- Upon recessing at 11:25 a.m.

3 --- Upon resuming at 11:39 a.m.

4 **--- INTERIM CHIEF STEVE BELL, Resumed:**

5 **--- EXAMINATION BY MR. FRANK AU, (cont'd):**

6 **THE REGISTRAR:** Order. À l'ordre.

7 The Commission is reconvened. La Commission
8 reprend.

9 **MR. FRANK AU:** Good morning again.

10 **INTERIM CHIEF STEVE BELL:** Good morning.

11 **MR. FRANK AU:** So we -- before the break, we were
12 talking about intelligence and other aspects of the arrival
13 planning. I'd like to take you now to the events after the
14 convoy has arrived. And during our interview, you explained to
15 us that the events after the convoy arrived could be broken down
16 into different phases. So I'd like to take you to those
17 different phases. And perhaps you can first explain to us what
18 those are.

19 And if may be helpful if we go to your interview
20 summary first.

21 **INTERIM CHIEF STEVE BELL:** For sure.

22 **MR. FRANK AU:** So can we call up WTS00000029,
23 please? And this would be found at page 9.

24 So Interim Chief, you told us that broadly
25 speaking, the events after the convoy arrived could be broken
26 down into three phases. The first, roughly from January 28th,
27 which was a Friday, to February 4th, another Friday.

28 Now, you separated the weekends from the weekdays

1 because you said the weekends are very different.

2 First of all, why are the weekends so different
3 from the weekdays?

4 **INTERIM CHIEF STEVE BELL:** So what we found
5 during the course of the occupation was the week -- during the
6 week time, it was the people that were here. We would see those
7 numbers swell Friday night, usually Saturday during the day,
8 into Sunday, and then disperse into Sunday and we would go into
9 another week allotment.

10 The people that travelled to Ottawa, not in
11 trucks, but people travelled on foot attended the area during
12 the weekends really seemed to swell and rise. And the week was
13 more a stagnant -- stagnant is probably not the right word, a
14 period where it was the people that were dug in, and sitting
15 there, and remaining.

16 **MR. FRANK AU:** M'hm. So phase one, from January
17 28th to roughly February the 4th, I believe you call that a period
18 of orientation or adaptation after the convoy's arrival. Tell
19 us what you meant?

20 **INTERIM CHIEF STEVE BELL:** So during that period,
21 several key things occur. So on the 28th, the convoy arrives.
22 We are anticipating a three-day event with the potential of a
23 smaller group of people staying. And there's massive numbers.

24 So through the weekend, and I wouldn't be the one
25 to best speak about it, but through the weekend, the event is
26 managed.

27 Sunday night, so I believe that's the 30th, we
28 then anticipate most people leaving. Many people left, but we

1 still had a very large red zone, that we identified it, with
2 lots of trucks, with anti-social behaviours that are targeting
3 our community. So we start to then move into the Monday, where
4 we're seeing an entrenched group who are actively demonstrating,
5 protesting, and targeting our community.

6 During that phase -- so on the 30th, as we're
7 looking at going into Monday, demobilization planning, as it's
8 called, is being identified by Deputy Chief Ferguson. So
9 there's direction that's being put out by Deputy Ferguson.

10 So always a potential of them -- some staying.
11 We have a very large footprint now. What is our -- what are our
12 potentials to actually remove people from this area if we need
13 to go there? So that's tasked out on the 30th.

14 So during that week, we're starting to orient
15 ourselves. So I wasn't present at it, but on the 1st of
16 February, so 31st is Monday, 1st of February is Tuesday, there's a
17 meeting that occurs between Deputy Chief Ferguson, Chief Sloly,
18 and the large Public Order Unit commander table to start looking
19 at options for a tactical resolution to this.

20 So that group then is tasked out with coming up
21 with options that could be used.

22 That Public Order team then brings back options
23 to Chief Sloly, myself, Deputy Chief Ferguson, and other senior
24 leaders to identify the three options that they had identified
25 on the 4th of -- on the 4th of February. So that would be -- I
26 believe that's the Friday.

27 From that optioning -- optioning solutions that
28 have come out, there's three that are identified. The command

1 team has the discussion with them as we go through, weigh all
2 the benefits of each of them. and ultimately, an approach is
3 then identified on the 4th. So that takes us through the first
4 week.

5 So the orientation is figuring out what's going
6 on within the environment, making sure, trying to get the
7 resources that we require, or assign the resources that we
8 require to hold the red zone in a safe manner, try and manage
9 public safety issues in the way that we can with the limited
10 capacity we have, as well as then start to develop planning, or
11 at least identify strategic concepts around how we're going to
12 approach this moving ahead.

13 **MR. FRANK AU:** Right. Now I have more questions
14 for you about this first phase, but before we get into that, I'd
15 like you to tell the Commissioner, first of all, what the other
16 phases are? So the second phase, I believe it is from February
17 the 7th, which is a Monday, to February the 11th. Is that a
18 Friday? I believe it is.

19 **INTERIM CHIEF STEVE BELL:** I'm sorry, I don't
20 know. This is a block of time to me, the days. I'm not sure of
21 what that day is.

22 **MR. FRANK AU:** Okay. But in any event, from the
23 7th to the 11th; right?

24 **INTERIM CHIEF STEVE BELL:** I believe the 7th, if
25 the 4th is ---

26 **MR. FRANK AU:** So the 7th was the Monday and the -
27 --

28 **INTERIM CHIEF STEVE BELL:** Then the 11th would be

1 ---

2 **MR. FRANK AU:** The Friday.

3 **INTERIM CHIEF STEVE BELL:** --- a Friday. Yes.

4 So during that period is the time that we're
5 looking at doing -- it was -- the strategic concept that was
6 developed and approved was to look at taking off bite sized or
7 chunk sized pieces of the demonstration to decrease its
8 footprint to ultimately resolve it. Keep taking bites out of it
9 until it's actually fully resolved. That week was orientation
10 around developing targeting risks, for lack of a better word,
11 identifying of how it would be approached in developing smaller
12 operational plans to do operations to try and limit or shrink
13 the footprint.

14 **MR. FRANK AU:** So that's the period when -- you
15 called it the period of ad hoc responses; right?

16 **INTERIM CHIEF STEVE BELL:** That's correct.

17 **MR. FRANK AU:** And then we move to the third
18 phase, which starts on February the 14th, which is a Monday, and
19 carries on to the end of that week, the 18th. And I think you
20 described that as the week when there was a focus on the
21 development of a long-term plan to end the protest or
22 occupation; right?

23 **INTERIM CHIEF STEVE BELL:** Yes. So because we've
24 only counted weeks, I think I would move that date of when the
25 long-term planning started back a bit. I think it was the 11th
26 or the 12th.

27 **MR. FRANK AU:** Right. These dates aren't exact,
28 but it gives a general sense of how events progressed.

1 So going back now to the first phase, now, you've
2 told us in our interview in the summer that that was a time, you
3 described it as, I believe, let me look for the reference. You
4 said the "OPS was exceptionally unprepared" for and you -- and
5 that you realized that after that first weekend.

6 Do you still agree with that description that you
7 gave before?

8 **INTERIM CHIEF STEVE BELL:** Yeah, I believe that
9 we were unprepared for what transpired.

10 **MR. FRANK AU:** In the sense that you weren't
11 prepared for what would eventually turn into an occupation?

12 **INTERIM CHIEF STEVE BELL:** That's correct.

13 **MR. FRANK AU:** Now, so I want to take you to some
14 documents and see if we can explore further what happened during
15 that period. Superintendent Abrams, from the OPP, testified
16 last week that he had a conversation with you on, I believe the
17 31st of January, that would be the Monday after the first
18 weekend, and you told him that the OPS is now looking for a full
19 week sustainability plan. Do you recall that conversation?

20 **INTERIM CHIEF STEVE BELL:** Yes, I do.

21 **MR. FRANK AU:** Tell us more about that
22 conversation.

23 **INTERIM CHIEF STEVE BELL:** So as we transitioned
24 from the Sunday night of the 30th into the Monday morning of the
25 31st, the reality of what we were facing was much more clear.
26 Although there continued to be dates through Intelligence that
27 we'd received that identified there might be an actual date
28 where the group would pick up and leave, we identified that that

1 may or may not come to fruition, and we needed to start to
2 engage in our planning, engage in the planning to ultimately
3 remove the occupation.

4 So one of the things that we did at the very
5 early outset in a Command Team meeting, I think it was actually
6 at our morning call or at a specific briefing around the convoy,
7 I can't remember which one it was, but we established for the
8 purposes of planning what would be a long window of what we
9 could potentially be looking at for a sustainability
10 perspective. It's an important premise for us in order to look
11 at the window that we are going to need to plan for. This is
12 mainly not to identify when it's going to end, to identify what
13 is the potential that we may need from a staffing perspective
14 from a resource perspective so that we can actually look at
15 planning how we manage our members and other resources coming
16 in.

17 So although we had -- we didn't know what the
18 length of it would be at that time, we identified on the long
19 end a four-week planning period for sustainability so that we
20 know -- we would know we had the resources in place that we
21 needed when we needed them.

22 **MR. FRANK AU:** And you and Superintendent Abrams
23 had ongoing discussions as the events progressed about the
24 different challenges facing the OPP and the OPS; correct?

25 **INTERIM CHIEF STEVE BELL:** Yes. So one of the
26 things that we agreed to, because there was so many tasks at
27 that time, there was a lot going on, that I would support
28 Deputy Ferguson by being the conduit to the OPP to either ask

1 questions at a strategic level or get input or questions from
2 them. And that's the role that I played, and that's the context
3 that I had my conversations with Superintendent Abrams.

4 **MR. FRANK AU:** Right. Now, if I could take you
5 to Superintendent Abrams's summary of the events around that
6 time, perhaps you can tell us if you agree with his description.

7 Could we go to WTS00000013, please? Page 5.

8 So:

9 "On February [the 4th], Superintendent
10 Abrams had what he characterized as a
11 formal conversation with Deputy
12 Chief Bell about OPS's lack of a plan
13 and unified command structure. He
14 explained that by unified command
15 structure, he meant that OPS needed to
16 be unified within itself because it was
17 not at the time. He told Deputy
18 Chief Bell what his OPP officers had
19 relayed to him: that OPS was
20 disorganized and poorly coordinated.
21 He also told Deputy Chief Bell that
22 OPS's maintenance of multiple command
23 centres at the 245 Greenbank Road OPS
24 office where OPS's MIC..."

25 That would be Major Incident Commander?

26 **INTERIM CHIEF STEVE BELL:** M'hm.

27 **MR. FRANK AU:**

28 "...Superintendent Patterson, was

1 based, the OPS headquarters on
2 474 Elgin Road, and at the NCRCC in
3 Orleans where OPS's Incident Commander
4 was based, were contributing to these
5 problems. Deputy Chief Bell agreed
6 that OPS needed to formalize operations
7 and told Superintendent Abrams that OPS
8 was trying to develop a plan and a
9 unified command. In characterizing the
10 conversation, Superintendent Abrams
11 explained that it was an uncomfortable
12 situation but he felt compelled to
13 raise his concerns and offer advice."

14 Now, there is a lot here, so let's unpack it.
15 First of all, he mentioned that there are multiple command
16 centres. And I believe there are at least three locations
17 there. Is that what happened at the time, that there were
18 multiple command centres within the OPS?

19 **INTERIM CHIEF STEVE BELL:** So there was different
20 areas where work was being generated out of or coordinated, but
21 the NCRCC, the National Capital Region Command Centre, was the
22 dedicated command centre for this event. The Major Incident
23 Commander, Superintendent Patterson, did originate -- did
24 originally work out of his office at 245, but I believe he
25 regularly attended the NCRCC. I'm not sure, we'd have to verify
26 that through Inspector Lucas.

27 There also was -- was there another one there?

28 **MR. FRANK AU:** The headquarters on ---

1 **INTERIM CHIEF STEVE BELL:** Based out of 474.

2 **MR. FRANK AU:** --- Elgin Road.

3 **INTERIM CHIEF STEVE BELL:** 474 was where the
4 executive command was. So the NCRCC was our command centre.
5 That's where all Operations were resourced out of that. That's
6 where our Joint Intelligence Group was, that's where our
7 Incident Commander was. There was meetings that occurred in
8 different areas. There was different locations that did need to
9 feed information into the NCRCC, but ultimately, the NCRCC was
10 the area where Operations were controlled from. From --
11 established from before the convoy arrived, and only demobilized
12 many days after it had been dismantled.

13 **MR. FRANK AU:** If the NCRCC was where all the
14 actions were, where the Command Post was, do you know why
15 Superintendent Patterson was operating, initially at least, from
16 a different location?

17 **INTERIM CHIEF STEVE BELL:** I can't comment on
18 that. I don't know.

19 **MR. FRANK AU:** Okay. Superintendent Abrams also
20 pointed out that there was a lack of a plan and unified command
21 structure. Do you agree with those concerns?

22 **INTERIM CHIEF STEVE BELL:** So we had -- we
23 would've had a command structure that was based out of -- a
24 unified command that was based out of the NCRCC. The Ontario
25 Provincial Police, the Ottawa Police Service, the RCMP, PPS,
26 Parliamentary Protective Services were all co-located in that
27 area, so there was the unification of all of those resources
28 there.

1 From a strategic level of command, no I would
2 absolutely agree with Superintendent Abrams's assessment that we
3 needed a better more integrated strategic level of command. One
4 of the learnings for me from this is even though it was assigned
5 to me I don't -- it wasn't necessarily more helpful for
6 Superintendent Abrams, from a strategic command within the
7 Operation perspective, to come to me instead of managing
8 directly through Deputy Chief Ferguson.

9 So those are some of the issues we identified and
10 continued to rectify, particularly as we moved towards our
11 Integrated Planning Team and our unified command.

12 **MR. FRANK AU:** Right. Did Superintendent Abrams
13 not also raise some issues with you about the difficulty for the
14 OPP officers to integrate in the sense that the OPS, in his
15 view, had failed to provide deployment instructions to his
16 officers?

17 **INTERIM CHIEF STEVE BELL:** So Superintendent
18 Abrams identified several different issues that were relayed to
19 the Incident Command, and I know one of the issues in the early
20 days was the tasking of a number of Ontario Provincial Police
21 officers who -- actually the lack of tasking of a number of
22 Ontario Provincial Police officers who had attended to assist.
23 That was relayed to Deputy Chief Ferguson, and my understanding,
24 it would have been my expectation, that she would've moved that
25 down to the Incident Commander, Inspector Lucas, who would've
26 rectified it with his partner at that time, the OPP Incident
27 Commander, who he was sitting across the table from at the
28 NCRCC.

1 "On February 3, Superintendent Abrams
2 was advised that OPS [Instructor]
3 Michel Marin had informed the OPS
4 planners and the OPP planners assisting
5 them to scrap the 3-scenario planning
6 because Chief Sloly wanted a new,
7 different plan, and that Inspector
8 Marin's intervention had left the
9 planners confused as to what they
10 should be doing. Superintendent Abrams
11 contacted Deputy Chief Bell, who
12 informed him that Inspector [I don't
13 know if that's 'Marin' or] Marin lacked
14 authority to issue planning directions
15 and that the planners should be
16 reporting to OPS Superintendent Jamie
17 Dunlop, who was leading planning even
18 though Superintendent Patterson was
19 serving as the OPS MIC."

20 Does that help refresh your memory?

21 **INTERIM CHIEF STEVE BELL:** Yes, it does. Thank
22 you very much.

23 **MR. FRANK AU:** Tell us what was the nature of the
24 problem, or perceived problem?

25 **INTERIM CHIEF STEVE BELL:** So -- and this
26 highlights where some of the challenges. I wasn't involved in
27 any of the tasking that was going on around, as not the Major
28 Incident Commander.

1 So my understanding of what occurred here is --
2 and I do recall Supt. Abrams calling me and saying that Insp.
3 Marin had come in and given a direction that was contrary to
4 what we had expected to come out of this planning table. That's
5 why it then directed him to Supt. Dunlop, who was assisting in
6 that area and would be the person who would be able to provide
7 direction as being involved directly in our morning briefings,
8 in terms of how we were moving ahead. I don't know what
9 occurred to have Insp. Marin engage in that way with that
10 direction, but I did highlight to Supt. Abrams that if there was
11 any questions in that planning area or in that public order
12 area, that it was Supt. Dunlop who was best equipped to answer
13 them, and he would be the only one that could give directions in
14 that area.

15 **MR. FRANK AU:** All right. Now, let's move on,
16 then, to the second phase; as you've described it, the phase of
17 *ad hoc* responses.

18 This would have begun on around the 5th, although
19 you separated the weekends from the weekdays, so probably the
20 7th, right?

21 So I want to ask you about a number of events
22 that occurred during this period and get your perspective on
23 whether they might be problematic, from your point of view.

24 First of all, on the 4th of February, I think this
25 came from our interview with you, but on the 4th of February, the
26 OPS made an announcement about a search and contain plan. Do
27 you recall that?

28 **INTERIM CHIEF STEVE BELL:** Yes, I do.

1 **MR. FRANK AU:** Now, if we carry on:

2 "Superintendent Abrams called Interim
3 Chief Bell and informed him that OPS
4 had not consulted OPP. On February 5
5 during a 10:00 a.m. briefing
6 meeting..."

7 No, no, no, stay where we are:

8 "On February 5 during a 10:00 a.m.
9 briefing meeting that Interim Chief
10 Bell attended, Chief Sloly directed OPS
11 officers attending the meeting to close
12 off-ramps and bridges."

13 Now, first of all, is that accurate?

14 **INTERIM CHIEF STEVE BELL:** Yes, it is.

15 **MR. FRANK AU:** "Chief Sloly directed OPS officers
16 attending the meeting to close off-
17 ramps and bridges. Interim Chief Bell
18 stated that his understanding was that
19 OPP, not OPS was responsible for
20 closing off-ramps, and that OPS lacked
21 authority to close interprovincial
22 bridges."

23 Could you explain the authority to do any of
24 those things to us, please?

25 **INTERIM CHIEF STEVE BELL:** So the ability to
26 close off-ramps is normally attributed to the OPP, the Ontario
27 Provincial Police, because they are the police of jurisdiction
28 responsible -- the police responsible for the 400-Series

1 highways through Ottawa. So Ottawa police would not normally
2 engage in -- in exigent circumstances it could occur, but we
3 would not normally engage in closing off-ramps at the top of the
4 ramp because it was an OPP responsibility.

5 We do have the ability to close ramps on the
6 street side, but that creates traffic problems and issues. So
7 we could close them but not normally.

8 Interprovincial bridges are a different
9 circumstance. Interprovincial bridges are much more challenging
10 to close, particularly in a preventative way. In exigent
11 circumstances, as things are occurring, they may be closed; and
12 the first weekend, the second weekend, and even in the third
13 weekend, you saw that happen when the threshold for us to do
14 that was met by the operational commanders. But to pre-
15 emptively close an interprovincial bridge would take the
16 intervention of the -- I believe it's the Minister of
17 Transportation to be able to allow us, on a preventative
18 measure, to close those bridges.

19 **MR. FRANK AU:** So if I understand the sequence,
20 the press conference happened on the 4th, right?

21 **INTERIM CHIEF STEVE BELL:** That's correct.

22 **MR. FRANK AU:** And then the directions to do
23 these things, to close off-ramps and bridges and so on came on
24 the 5th, the day after?

25 **INTERIM CHIEF STEVE BELL:** That's correct.

26 **MR. FRANK AU:** Now, ---

27 **INTERIM CHIEF STEVE BELL:** But they're -- so on
28 the 5th, and I think it's an important context to set, the 5th is

1 a Saturday. The 5th is where we're starting to see large number
2 of ingress of people into our community. The intelligence and
3 the information we have around convoys is starting to come in
4 again. So this is, I believe -- I believe that this is the
5 Chief responding to the increased threat that we feel we may be
6 under as we move ahead.

7 **MR. FRANK AU:** That's part of why you
8 distinguished the weekends from the weekdays.

9 **INTERIM CHIEF STEVE BELL:** Yeah, they were very
10 different periods of time from an operational perspective.

11 **MR. FRANK AU:** Right. Now, with respect to this
12 incident, the 4th and the 5th, the proposed actions and so on, did
13 you have any concern about the way things unfolded?

14 **INTERIM CHIEF STEVE BELL:** So I did on the 4th --
15 no, I believe the statements that were made were very
16 appropriate. We will consider everything as we move ahead.

17 On the 5th, my only concern would be to -- as the
18 Chief of Police to provide direction like that on an operational
19 matter as the Chief of Police. That's something that I believe
20 should be considered, contemplated at an operational level, not
21 a strategic level, and that would have been my concern in that
22 area.

23 **MR. FRANK AU:** And why would it be a problem for
24 a strategic-level leader be directing operations? What is the
25 concern underlying this rule that the operational commander
26 should be doing these things instead of the strategic commander?

27 **INTERIM CHIEF STEVE BELL:** The Incident Command
28 System has levels within it for very distinct reasons. That's

1 so that you can actually accomplish the operation that you want
2 to with the most clarity, the most understanding, and the most
3 safely way possible. The strategic level needs to actually
4 identify what is the approach that's going to be used, what is
5 the general outcomes that we are looking for. The operational
6 needs to then look at how -- what are the resources, how are we
7 actually going to make that happen. The tactical level then
8 needs to execute on those plans.

9 When somebody engaged at a strategic level began
10 -- begins to give tactical or operational level commands, it
11 creates a lack of clarity in terms of everyone's role within the
12 structure. That lack of clarity then creates questions around
13 what do I do, what is my responsibility within this, do I have
14 to escalate and ask a question of. So the necessity to have
15 that role clarity through it, I believe, is very important, and
16 you have to play your roles through it, because when you don't,
17 you create a lack of understanding, which can impact the
18 operations.

19 **MR. FRANK AU:** Now to what extent is it clear or
20 ambiguous what action constitutes a strategic direction or
21 operation -- operational direction?

22 **INTERIM CHIEF STEVE BELL:** Sorry, can you re ---

23 **MR. FRANK AU:** So I'm just trying to understand,
24 as a layperson having never worked within an Incident Command,
25 like, what kind of directions would be considered a strategic
26 direction and what direction might be considered an operational
27 or tactical direction?

28 **INTERIM CHIEF STEVE BELL:** So this is one of the

1 key areas that I believe that we needed to look at when I became
2 Interim Chief in terms of how we continue to progress around
3 this area. In this case, a strategic-level decision could be I
4 don't want the convoys in the downtown area. Go and work how we
5 actually keep those trucks out of the downtown area. An
6 operational-level decision, in my perspective, is close the ramp
7 so convoys don't come into the downtown area.

8 But I think it's also important to note, there is
9 no rigorous system that identifies exactly where each of those
10 thresholds land. And if there is a rigorous system, there is
11 four different accepted systems within Canada that could be used
12 in this area. So it's an area that I believe is something that
13 probably hampered us somewhat in this with the lack of clarity.
14 No fault attributed to anyone, just there was not clear clarity
15 across the services, across ourselves in terms of what
16 constituted each of those decisions. So I believe that that
17 clarity needs to be struck and needs to exist, and that's one of
18 the things that, in the early days of me taking over the
19 operation as Interim Chief, that I spent a considerable amount
20 of time doing. So the people that I was working with, Deputy
21 Chief Ferguson, Superintendent Bernier had a really clear
22 understanding of what I felt was a strategic role and what I
23 felt was an operational level decision.

24 **MR. FRANK AU:** M'hm. Now in this paragraph that
25 we just read, it would appear from what Superintendent Abrams
26 said that the OPP was not consulted before the announcement was
27 made on the 4th, because he heard it from the news. And since
28 you explained that the OPP would have been responsible for the

1 highway off-ramps and so on, would it have been important to
2 consult the OPP before the announcement was made?

3 **INTERIM CHIEF STEVE BELL:** So if the announcement
4 was we will be closing ramps, I would say, yes, it would be
5 extremely important. If the announcement was we will consider
6 that, I would say not as much, and only because the OPP at this
7 point is integrated within our NCRCC, our Command Centre, and
8 those would be operational-level decisions that would be made.
9 There would be tactical responses developed within that area to
10 be able to respond to the issues.

11 **MR. FRANK AU:** M'hm. So this is the weekend of
12 the 5th and the 6th, and if we go to the following weekend, you
13 know, I could take you to your summary at page 20. I suppose
14 the OPS was anticipating another search for another weekend, and
15 ---

16 **INTERIM CHIEF STEVE BELL:** So -- I'm sorry.

17 **MR. FRANK AU:** No, go ahead.

18 **INTERIM CHIEF STEVE BELL:** Well, what I think --
19 what I know was occurring, not what I think, what I know was
20 occurring here was, there was intelligence and tracking of a
21 convoy that existed I believe within Quebec that was being
22 followed towards Ottawa. That's -- that is what -- that would
23 have been the early morning intelligence briefing in terms of
24 what was to occur. This is the Saturday as well. This is the
25 final -- well, the second final Saturday. So we are continuing
26 to build, monitor, maintain the area, but we are tracking a
27 convoy at this point.

28 **MR. FRANK AU:** So in the middle of the first

1 paragraph,

2 "During the briefing, Chief Sloly
3 directed that OPS close interprovincial
4 bridges and highway off-ramps into
5 Ottawa until Monday, February the
6 14th. Chief Sloly indicated that OPS
7 needed to act because of the municipal
8 and provincial state[...] of
9 emergency."

10 So there appears to be a perceived need to close
11 these off-ramps and bridges again, and he's directing, it
12 appears from this paragraph. Is that what happened?

13 **INTERIM CHIEF STEVE BELL:** That's correct, yes.

14 **MR. FRANK AU:** So if we go to the next paragraph?

15 "Interim Chief Bell engaged in back-
16 and-forth discussions with Chief Sloly
17 about whether OPS had authority to
18 close interprovincial bridges and
19 highway off-ramps, including at a 12:17
20 p.m. meeting that OPS general counsel
21 Christiane Huneault attended."

22 First of all, wasn't this discussion -- didn't
23 you already have this discussion with the former Chief the
24 weekend before about the authority to do all this?

25 **INTERIM CHIEF STEVE BELL:** No, I hadn't added the
26 weekend.

27 **MR. FRANK AU:** I see. Okay. So, anyway, you
28 have these discussions with him on the 12th, I believe, and then

1 in the middle of the second paragraph,

2 "Interim Chief Bell explained that
3 while planning and operations would
4 ordinarily have been Acting Deputy
5 Chief Ferguson's responsibility, he was
6 relieving Acting Deputy Chief Ferguson
7 that day so that she could rest.
8 Ultimately, Chief Sloly agreed that OPS
9 lacked authority to close the bridges
10 and off-ramps and rescinded his
11 direction."

12 So, first of all, this is the weekend that Deputy
13 Chief Ferguson took two days off. We heard about that. Is that
14 right?

15 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.

16 **MR. FRANK AU:** So during her absence, you stepped
17 in to look after her responsibility, and that's why you were
18 engaging in these discussions; right?

19 **INTERIM CHIEF STEVE BELL:** Yeah.

20 **MR. FRANK AU:** Because normally, this is part of
21 the planning.

22 **INTERIM CHIEF STEVE BELL:** That's correct. This
23 would have been under Deputy Chief Ferguson's purview.

24 **MR. FRANK AU:** Right. The next paragraph,
25 "During these discussions, Interim
26 Chief Bell informed Chief Sloly that
27 Superintendent Bernier had developed a
28 traffic mitigation plan to divert

1 arriving convoys away from the downtown
2 core instead of closing off-ramps and
3 bridges."

4 So first of all, we heard about directions to
5 close off-ramps and bridges. Did you have the same concern
6 expressed earlier the weekend before about a strategic-level
7 leader providing operational-level directions?

8 **INTERIM CHIEF STEVE BELL:** Yes, I did.

9 **MR. FRANK AU:** But in this case, we have a
10 different incident commander or event commander who already
11 developed a traffic mitigation plan; right?

12 **INTERIM CHIEF STEVE BELL:** That is correct.

13 **MR. FRANK AU:** So we start reading from the
14 middle of the third paragraph:

15 "Chief Sloly told Interim Chief Bell that
16 he needed more details on Superintendent
17 Bernier's plan so he could decide whether
18 to approve it."

19 Now, do you have any concern about the former
20 chief expressing the need to approve the event commander's plan?

21 **INTERIM CHIEF STEVE BELL:** So it is not typical
22 in incident command structures. The strategic-level doesn't
23 approve operational-level demands.

24 **MR. FRANK AU:**

25 "After some back and forth, OPS
26 implemented the traffic mitigation..."

27 Can we go up? No, sorry, go down.

28 "...traffic mitigation plan, which kept

1 convoy from entering the downtown core.
2 Interim Chief Bell's notes record that,
3 during the 12:17 p.m. meeting, Chief Sloly
4 told him that Chief Sloly 'would assess
5 the plan & if not satisfied would take
6 appropriate action[s].' Interim Chief
7 Bell explained that Chief Sloly was
8 asserting his authority to approve or
9 reject the traffic mitigation plan that
10 Superintendent Bernier was developing, as
11 well as to hold Interim Chief Bell
12 accountable if that plan did not meet the
13 thresholds that Chief Sloly believed it
14 needed to meet."

15 What did you mean by that? Holding you
16 accountable?

17 **INTERIM CHIEF STEVE BELL:** So I don't know, but
18 he did indicate to me that I would be held accountable for the
19 success of that plan. I don't know specifically what that would
20 mean, but those were the words used by Chief Sloly.

21 **MR. FRANK AU:** Okay. Did that cause you concern?

22 **INTERIM CHIEF STEVE BELL:** No, I think there's --
23 sorry, I believe there's a level of accountability in every
24 level within the organization. I actually believe I would be
25 accountable for delivery of that. And I was confident in the
26 plan.

27 **MR. FRANK AU:** So you were accountable because
28 you are now stepping into the shoes of Deputy Chief Ferguson,

1 who was the strategic commander; right?

2 **INTERIM CHIEF STEVE BELL:** That's correct.

3 **MR. FRANK AU:** And so when Supt. Bernier was
4 implementing that traffic mitigation plan as the commander, you
5 were the one then providing strategic oversight?

6 **INTERIM CHIEF STEVE BELL:** That's correct.

7 **MR. FRANK AU:** And that's why you would have been
8 accountable if anything went wrong?

9 **INTERIM CHIEF STEVE BELL:** Well we -- ultimately
10 the Chief is accountable for everything.

11 **MR. FRANK AU:** Right.

12 **INTERIM CHIEF STEVE BELL:** That's part of the
13 responsibilities of being a chief of police. The delivery of
14 this day and the diversion of this convoy would have, from a
15 strategic level, come to me, and from an operational level, come
16 to Supt. Bernier, who developed a very effective plan and had
17 teams that executed those plans very well, that kept them out of
18 our downtown core.

19 **MR. FRANK AU:** So was that an example of you
20 trying to protect the autonomy of the operational commander?

21 **INTERIM CHIEF STEVE BELL:** Yes. I would believe
22 yes, because I strongly believe in the autonomy of the
23 operational commander.

24 **MR. FRANK AU:** The -- and I believe the -- at the
25 end of the day, the strategic intent was clear here. Keep
26 convoys out of the area. Supt. Bernier and his team took that
27 away and developed a very strong plan to manage that. Members
28 of our organization and other organizations executed that plan

1 very well that ultimately did result in those convoys not
2 attending. That is how strategic, operational, and tactical
3 level decision makings are intended to work.

4 **MR. FRANK AU:** M'hm. Now I want to turn your
5 attention to another aspect that happened during the convoy
6 events.

7 If we could go to your summary at page 13? If we
8 go down a little? That's right.

9 So the last paragraph:

10 "During the interview, Interim Chief Bell
11 stated that there were different
12 perspectives within OPS on the role of PLT
13 during the Freedom Convoy."

14 And we've heard a little about this, different
15 perspectives within the OPS on the role that the PLT should
16 play. Can you tell us more about your perspective and the other
17 perspective on PLT?

18 **INTERIM CHIEF STEVE BELL:** So I can tell you
19 about my perspective.

20 **MR. FRANK AU:** Tell us both.

21 **INTERIM CHIEF STEVE BELL:** I don't know that I
22 know what the other perspective is, but from my perspective, PLT
23 is an essentially important part in the development of plans,
24 the pre-engagement with demonstrators, and then ultimately with
25 the engagement of them as you move ahead.

26 PLT, the Police Liaison Team, does an amazing job
27 of trying to build rapport with demonstrators and protestors.
28 And it goes -- we utilize it now beyond that, in order to be

1 able to have clear lines of communication, but even more so,
2 have a good set of understanding of expectations of the
3 protestors and expectations of what the protestors are
4 anticipating to do when they're in their area. So they're very
5 effective in the pre-planning phase and in the early development
6 phase.

7 They're also extremely effective in the
8 demobilization portion, because effective PLT utilization can
9 actually result in -- usually through small sets of concessions,
10 through finding common ground with demonstrators and protestors
11 in order for them to be able to successfully and peacefully
12 negotiate an end to a demonstration.

13 This specific demonstration posed exceptionally
14 challenging for our PLT members from the perspective that there
15 was so many different people, so many different organizers, so
16 many different groups. Those leaders, organizers, and groups
17 changed on a regular basis, and many of them had very different
18 agendas. There probably could not have been a more complex and
19 challenging environment for our PLT members to work in. And I
20 can tell you they came into work every single day with the
21 absolute best intention to get this resolved peacefully.

22 **MR. FRANK AU:** Now, the reason I asked you for
23 your perspective and the other perspective is because when you
24 spoke to us in August, I believe, and as captured in this
25 paragraph, you explain that there were different perspectives
26 within the OPS. So you've just explained to us the perspective
27 that you adopt, as well as Chief Ferguson -- Deputy Chief
28 Ferguson. But as this paragraph explains in the middle, it

1 says:

2 "In contrast, Chief Sloly and
3 Superintendent Patterson wanted to obtain
4 quick wins. Unless PLT could convince
5 protestors to leave, they saw no room to
6 negotiate and preferred utilizing
7 enforcement. Interim Chief Bell explained
8 that, because of these different
9 perspectives, there was often no agreement
10 on how much negotiation should occur
11 before OPS launched an enforcement
12 operation."

13 Now, does that paragraph -- does this paragraph
14 accurately describe the tension within the OPS?

15 **INTERIM CHIEF STEVE BELL:** Yes. In relation to
16 utilization of PLT.

17 **MR. FRANK AU:** That's right. That's right.

18 **INTERIM CHIEF STEVE BELL:** Yes.

19 **MR. FRANK AU:** Now, do you recall that on
20 February the 6th, or around the 6th of February, that you had a
21 conversation with Supt. Abrams from the OPP and he said that the
22 OPS needed to give more PLT autonomy to the PLT team and that
23 the OPS command was not doing that? Do you remember having that
24 discussion with him?

25 **INTERIM CHIEF STEVE BELL:** I do recall on that
26 occasion having discussions with Supt. Abrams about ---

27 **MR. FRANK AU:** Can you tell us more?

28 **INTERIM CHIEF STEVE BELL:** So I think you've

1 summarized it very well. The Ontario Provincial Police has an
2 extremely well developed, well used, well balanced Police
3 Liaison Team. We model our program around them. And they, in a
4 much earlier way, in a much more active way, would have liked --
5 I believe would have liked to see engagement of PLT throughout
6 this. And I think what you're seeing there is some of Supt.
7 Abrams' concern over what he perceived to be a lack of
8 utilization of our PLT resources.

9 **MR. FRANK AU:** Right. Okay. So we're still
10 within this second phase, this second phase of ad hoc responses.
11 We've heard from different witnesses about a meeting on February
12 the 9th. This is the -- after the arrival of the Integrated
13 Planning Group in Ottawa. Chief Pardy and his team came to meet
14 with the OPS Command Team, and there were two meetings on the
15 8th and the 9th. I want to ask you about the meeting on the
16 9th.

17 But before the Integrated Planning Group met with
18 your team, you were involved in a morning meeting with the Chief
19 and Deputy Chief Ferguson; right?

20 **INTERIM CHIEF STEVE BELL:** That's correct.

21 **MR. FRANK AU:** And I want to take you to page 17
22 of your summary about your recollection of that meeting.

23 So the first paragraph:

24 "After the briefing ended, Chief Sloly
25 met with Interim Chief Bell, Acting
26 Deputy Chief Ferguson, and OPS Chief
27 Administrative Officer Blair Dunker at
28 9:15 a.m. During this meeting,

1 Chief Sloly told the attendees that the
2 Integrated Planning Team had come to
3 judge OPS, to take control or command
4 of the situation, and that they would
5 base decisions on whether to send RCMP
6 and OPP resources on whether [the] OPS
7 had plans. Chief Sloly expressed the
8 view that OPP and RCMP were not [t]here
9 to help and were taking directions from
10 their political masters."

11 Does that accord with your recollection of what
12 happened that morning?

13 **INTERIM CHIEF STEVE BELL:** Yes, it does.

14 **MR. FRANK AU:** What do you understand to be the
15 reason that the former Chief expressed those concerns?

16 **INTERIM CHIEF STEVE BELL:** So I don't know what
17 the reasons would be. I don't know what Chief Sloly's
18 experience would've been with the OPP or the RCMP. It was
19 surprising to me because up to that point, all during through
20 this and continuing on, I've had the ability to work with both
21 the Ontario Provincial Police and the Royal Canadian Mounted
22 Police, and they have been exceptional partners and they were
23 exceptional partners to us through this.

24 **MR. FRANK AU:** Now, in terms of the timing, so
25 this is February the 9th, and we've heard that a day or two days
26 earlier, in the Ottawa City Council, there was a motion, I can't
27 remember who was the councillor who brought forward the motion,
28 but effectively to ask the RCMP to take over. Are you aware of

1 a motion?

2 **INTERIM CHIEF STEVE BELL:** So through this there
3 was many motions. I think you're specifically speaking about a
4 motion on February 7th that was forwarded by Councillor McKenney
5 in relation to asking the RCMP to engage in -- take over
6 policing of the Parliamentary Precinct. So I am aware of that
7 motion.

8 **MR. FRANK AU:** Now, you were there that morning
9 when the former Chief expressed these comments. Did you
10 understand his comments to have anything to connect with the
11 events before, such as the motion in the Council?

12 **INTERIM CHIEF STEVE BELL:** So again, as I
13 indicated, I don't know what motivated these comments by
14 Chief Sloly. What I do know is that in relation to that motion
15 we had identified that it actually wasn't grounded in law.

16 The Ottawa Police Service is the police of
17 jurisdiction in the City of Ottawa, so in all of the City of
18 Ottawa, including the Parliamentary Precinct. So we had
19 provided a letter to the City to indicate that, and -- so it
20 wasn't grounded in law that motion. I don't know whether it
21 contributed to these comments, that's a question better suited
22 for Chief Sloly, but I do know that the motion as it was put
23 forward wasn't grounded in law.

24 **MR. FRANK AU:** Now, you mentioned that you did
25 not share the same concerns as expressed by the former Chief,
26 and in the next paragraph, you explain why. Now, I don't want
27 to take too much time reading through your summary so I'm going
28 to take you now to the afternoon meeting with the Integrated

1 Planning Group.

2 And if we could go to a different document,
3 OPS00014454.

4 I understand these to be minutes taken by the
5 scribe at that meeting.

6 If we could go to page 131, please.

7 **INTERIM CHIEF STEVE BELL:** So can I just ask for
8 a point of reference on where these notes are from and who was
9 taking them?

10 **MR. FRANK AU:** I believe these are scribes taking
11 notes for the former Chief; right?

12 **MR. DAVID MIGICOVSKY:** If I can assist my friend.
13 Those are not scribe notes.

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

15 **MR. DAVID MIGICOVSKY:** Those are notes of
16 Christiane Huneault ---

17 **MR. FRANK AU:** Oh ---

18 **MR. DAVID MIGICOVSKY:** --- who was general
19 counsel. So they are ---

20 **MR. FRANK AU:** --- so these are notes taken by
21 Ms. Huneault ---

22 **MR. DAVID MIGICOVSKY:** Yes.

23 **MR. FRANK AU:** --- the general counsel for OPS?

24 **MR. DAVID MIGICOVSKY:** Yes. So they are not
25 scribe notes ---

26 **MR. FRANK AU:** Thank you.

27 **MR. DAVID MIGICOVSKY:** --- they are ---

28 **MR. FRANK AU:** Thanks for clarifying.

1 **MR. DAVID MIGICOVSKY:** --- counsel's notes.

2 **MR. FRANK AU:** Counsel's notes.

3 So let me try to look for the reference.

4 Can we go down the page?

5 **INTERIM CHIEF STEVE BELL:** Mr. Au, is it possible
6 to reference the date that we're speaking of from the notes?

7 **MR. FRANK AU:** Yes. I'm not sure ---

8 **INTERIM CHIEF STEVE BELL:** So I believe you said
9 it was the 8th?

10 **MR. FRANK AU:** Moment's indulgence.

11 Okay, so I need 131, not 130, please. Keep going
12 down. Oh. Sorry, can we go up again? That's right.

13 Okay. So do you see the comment:

14 "Chief - 'last night was amateur hour.
15 Hard for us to make our logistics
16 there. We need to look professional.
17 Our job is here, our logistics are
18 here. They will be embedded in our
19 plan and we are not embedded in their
20 plan.'"

21 Do you remember that being said?

22 **INTERIM CHIEF STEVE BELL:** Can I ask you to move
23 up so I can refresh my memory more fully?

24 **MR. FRANK AU:** Yeah. So I think you're right, we
25 need to know a bit of the context.

26 So can we go up to find the time that may help
27 determine. Okay, sorry. Yeah, down a bit.

28 **INTERIM CHIEF STEVE BELL:** Sorry, can I just read

1 that portion?

2 Can you move back up a little please, thank you.

3 **MR. FRANK AU:** So it appears that this is a
4 meeting that started at around noon.

5 **INTERIM CHIEF STEVE BELL:** Okay.

6 **MR. FRANK AU:** Right?

7 And then if we go down a bit.

8 You see the comment from Trish Ferguson, "I want
9 us to limit politics!" We have heard from her that those were
10 discussions at the meeting itself?

11 **INTERIM CHIEF STEVE BELL:** I recall this meeting,
12 yeah.

13 **MR. FRANK AU:** The Chief said:

14 "Last week we didn't have an incident
15 command. Everyone was running around
16 with confusion. Now we know our roles
17 as of noon."

18 Can we go down:

19 Some of us did our jobs last week in
20 what our teams needed. We need to stay
21 focused and stick to the plan."

22 "Trish - 'they are here to help - [not]
23 sure why we are forcing them to arrive
24 here.'"

25 I believe that was a reference to their attending
26 at the Headquarter location?

27 **INTERIM CHIEF STEVE BELL:** That's correct.

28 **MR. FRANK AU:** So getting back to the question I

1 wanted to ask you. What did you understand the former Chief to
2 mean when he said, "our job is here, our logistics are here,
3 they will be embedded in our plan, and we are not embedded in
4 their plan"? What's our plan and what's their plan?

5 **INTERIM CHIEF STEVE BELL:** What I understood him
6 to mean is that we would maintain command and control of the
7 situation, and that any plans that would be developed would be
8 developed by us or with us at the head of the table.

9 **MR. FRANK AU:** And did you understand why that
10 was important to the Former Chief?

11 **INTERIM CHIEF STEVE BELL:** No, I did not.

12 **MR. FRANK AU:** Did you share that concern that
13 the team, the Integrated Planning Group, should be embedded in
14 the OPS plan rather than the other way around?

15 **INTERIM CHIEF STEVE BELL:** No, I wouldn't share
16 that concern.

17 **MR. FRANK AU:** Okay. Now, if I go back to your
18 summary -- so switch back to the summary, please, WTS00000029.
19 We go to page 17. You see the paragraph at the very bottom, the
20 very last line, you describe this meeting as "contentious and
21 heated" ---

22 **INTERIM CHIEF STEVE BELL:** I ---

23 **MR. FRANK AU:** --- the very last line.

24 **INTERIM CHIEF STEVE BELL:** I believe you're
25 talking about a different meeting. The meeting we were just
26 last talking about was on -- in the morning. This is a
27 different meeting, I believe.

28 **MR. FRANK AU:** No, sorry, I thought there was a

1 meeting within ---

2 **INTERIM CHIEF STEVE BELL:** So we had three ---

3 **MR. FRANK AU:** --- the OPS team.

4 **INTERIM CHIEF STEVE BELL:** I'm sorry.

5 **MR. FRANK AU:** Sorry, I'll let you explain.

6 **INTERIM CHIEF STEVE BELL:** So there was a pre-

7 meeting ---

8 **MR. FRANK AU:** Yeah.

9 **INTERIM CHIEF STEVE BELL:** --- before we went
10 down and met with the Integrated Planning Team.

11 **MR. FRANK AU:** Right.

12 **INTERIM CHIEF STEVE BELL:** The notes that you had
13 just taken me to were notes that referenced that meeting that
14 Deputy Chief Ferguson, myself -- I don't recall who else was
15 there -- from the notes, had with Chief Sloly prior ---

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

17 **INTERIM CHIEF STEVE BELL:** --- to all of us
18 attending the Integrated Planning meeting -- Integrated Planning
19 Team meeting.

20 **MR. FRANK AU:** So before the meeting with the
21 Integrated Planning Group, there was a discussion to ensure that
22 the plan was to meet with them and ensure that they will be
23 embedded in the OPS plan?

24 **INTERIM CHIEF STEVE BELL:** That was the comments.

25 **MR. FRANK AU:** And then the OPS Command Team met
26 with the Integrated Planning Group and now here, in this
27 paragraph that we read, you're describing that meeting with the
28 Integrated Planning Group as "contentious and heated", right?

1 **INTERIM CHIEF STEVE BELL:** That's correct.

2 **MR. FRANK AU:** Now, I understand that we also put
3 to Chief Pardy of the OPP, who was present during this 12:10
4 p.m. meeting, about the discussions that was had during this
5 meeting, including asking -- the OPS asking the Integrated
6 Planning Group whether they were willing to be embedded into the
7 OPS plan and he responded yes, they were willing to do that.
8 But tell us why you observed this meeting to be "contentious and
9 heated".

10 **INTERIM CHIEF STEVE BELL:** Well, the -- Chief
11 Sloly, as this meeting went on, expressed reservations about the
12 reasons for which the OPP were present. He identified that he
13 had concerns with them that -- on a -- about a couple of things.
14 One of them was about the recording of numbers of OPP members
15 that had been provided to us, and another one was whether they
16 were here to help or to assess and potentially overtake us, was
17 my impression. It was -- it was a contentious meeting that did
18 not, I don't believe, form a good-start first meeting in what I
19 believe needed to be a strong partnership.

20 **MR. FRANK AU:** I see. Now, after this meeting
21 with the integrated planning group, there was a kind of debrief
22 within the OPS command team, right; do you remember that?

23 **INTERIM CHIEF STEVE BELL:** If you can bring a set
24 of notes up, I believe I would be able ---

25 **MR. FRANK AU:** Okay. I'll try. So this time, we
26 go to OPS00014454. So this is again notes taken by Ms.
27 Huneault, the OPS General Counsel. And I want to take you to --
28 let me find the right page. Let's try 139. Do you see

1 references to "OPS debrief from meeting with OPP/RCMP"?

2 **INTERIM CHIEF STEVE BELL:** At 18:40?

3 **MR. FRANK AU:** Yes.

4 **INTERIM CHIEF STEVE BELL:** Yes, I do.

5 **MR. FRANK AU:** And there's a comment attributed
6 to the Chief:

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

11 There's a portion redacted but if we keep going,
12 Chief said:

13 "No, they aren't part of the command.
14 Just a pie-in-the-sky idea by him,
15 nothing concrete/promises was made."

16 So I want to ask you about just what was
17 discussed at this debrief because we know that during the
18 meeting there was a request that the Integrated Team be embedded
19 under the OPS structure, and they agreed. But after the meeting
20 was over, at this debrief, the Chief said, as far as he's
21 concerned, "Keep going. Nothing has changed."

22 **INTERIM CHIEF STEVE BELL:** Do we have -- can we
23 scroll up, please, because I just want to ---

24 **MR. FRANK AU:** Yeah, just scroll up.

25 **INTERIM CHIEF STEVE BELL:** So I'm -- I don't
26 believe that I'm at this meeting.

27 **MR. FRANK AU:** Sorry?

28 **INTERIM CHIEF STEVE BELL:** I don't believe that

1 I'm at this meeting.

2 **MR. FRANK AU:** You're not at the debrief?

3 **INTERIM CHIEF STEVE BELL:** I don't -- I don't
4 believe so. I don't recall it, and I don't believe that it's in
5 my notes, so I don't believe that I did attend this meeting.
6 This is on the 9th.

7 **MR. FRANK AU:** That's right.

8 **INTERIM CHIEF STEVE BELL:** Yes, so I don't
9 believe that I was at the debrief meeting.

10 **MR. FRANK AU:** Okay.

11 **INTERIM CHIEF STEVE BELL:** Is there any notations
12 that indicates I was there?

13 **MR. FRANK AU:** I'm sorry?

14 **INTERIM CHIEF STEVE BELL:** Is there any notations
15 that indicates I was there?

16 **MR. FRANK AU:** Well, this is what we have.

17 **INTERIM CHIEF STEVE BELL:** I just don't ---

18 **MR. FRANK AU:** It doesn't specify who was present
19 at this debrief. I suppose it was an assumption my part that
20 because you were there during the meeting that you were part of
21 the debrief.

22 **INTERIM CHIEF STEVE BELL:** My apologies, I don't
23 believe I was there.

24 **MR. FRANK AU:** That's fine. That's fine. Now, I
25 understand also that, Interim Chief Bell, you were involved as
26 part of the negotiation -- well, not as a negotiator but you
27 facilitated the negotiation between the City and the protestors.

28 **INTERIM CHIEF STEVE BELL:** So I was involved in

1 facilitating contact ---

2 **MR. FRANK AU:** That's right.

3 **INTERIM CHIEF STEVE BELL:** --- so that the
4 negotiations could occur.

5 **MR. FRANK AU:** So I want to take you back to the
6 beginning of those events and ask you when -- what date were you
7 first involved in that process?

8 **INTERIM CHIEF STEVE BELL:** So I believe that I
9 first became involved in the process on February the 8th, I
10 believe. And I'm not 100 percent. I don't know if you have a
11 document that references the specific date. I do under -- I do
12 recall the sequence of events but I'm not sure of the specific
13 date. I believe it's the 8th.

14 **MR. FRANK AU:** Okay. Well, tell us your best
15 recollection as to what happened when.

16 **INTERIM CHIEF STEVE BELL:** So I was contact by
17 Supt. Patterson who identified that he was looking for a contact
18 between the Police Liaison Team and someone in the City to have
19 discussion with a group of protestors. So I questioned him as
20 to what -- "What level are you looking for? Is it -- are you
21 looking for somebody to help arrange getting Porta-potties or
22 are you looking for somebody at a higher level?" So we got some
23 clarification around exactly what the request was and it was
24 determined that it was somebody in a senior-level position,
25 either from the City or -- politically from the City or from the
26 City bureaucracy, i.e., the mayor or Steve Kanellakos, and that
27 they were asking me to make bridge contact with them.

28 I contacted Mr. Kanellakos and arranged for

1 members of our PLT to attend and have a discussion with him.
2 And then, ultimately, I created that bridge and I believe they
3 directly contacted after that.

4 **MR. FRANK AU:** So those were the initial events
5 on or around -- well, you asked if we could refresh -- help
6 refresh your memory by taking you to your notes so let's go to
7 OPS0000 -- actually, sorry, 00014524. And I'm looking for
8 February 7th but I'm not entirely sure what the page number is.

9 So could we call up that document, please? Yes.
10 It's OPS00014525.

11 So my understanding is that -- can we scroll down
12 to February 7, page 25?

13 I believe it's in the evening. Keep going. All
14 right. Maybe let's try another way. There's another -- I'll
15 take you to an email, OPS00008464. Now, if we go down to the
16 very bottom?

17 So this chain began as a request from Mark
18 Patterson to John Ferguson.

19 First of all, who is John Ferguson?

20 **INTERIM CHIEF STEVE BELL:** John Ferguson is a
21 Staff Sergeant within our organization, and during this period,
22 he was assigned to be responsible and head up our police liaison
23 team.

24 **MR. FRANK AU:** So it started as a request from
25 Superintendent Patterson to Staff Sergeant Ferguson, and then if
26 we can go up and follow the chain?

27 **INTERIM CHIEF STEVE BELL:** Sorry, can I take an
28 opportunity to read that? Thank you. Okay.

1 **MR. FRANK AU:** Okay? Go up. So this when you
2 are added to the chain.

3 So does this help refresh your memory as to the
4 date?

5 **INTERIM CHIEF STEVE BELL:** Yes, absolutely,
6 February 7th. My apologies. I said the 8th. It is actually
7 the 7th.

8 **MR. FRANK AU:** Okay. And the events are
9 essentially as you relayed?

10 **INTERIM CHIEF STEVE BELL:** Can we keep going up?
11 Go down a bit, please? Sorry, can I see the rest of that? Go
12 down. Yeah. Thank you. Thank you.

13 **MR. FRANK AU:** Now, go back up.

14 **INTERIM CHIEF STEVE BELL:** Okay.

15 **MR. FRANK AU:** And that's the top?

16 **INTERIM CHIEF STEVE BELL:** Yeah. So it does
17 explain. It does.

18 **MR. FRANK AU:** So it came from Mark Patterson, as
19 you said, on the 7th, and then you facilitated contact, and that
20 happened on the 8th, right?

21 **INTERIM CHIEF STEVE BELL:** So my contact with the
22 City happened on the 8th. I'm -- I don't recall what date the
23 meeting actually occurred.

24 **MR. FRANK AU:** Right. So that was your first
25 involvement. And then you had more involvement later; was it
26 not the case, a few days later?

27 **INTERIM CHIEF STEVE BELL:** So you'll need to be
28 more specific. I had involvement every day in this.

1 **MR. FRANK AU:** So I understand that on the 13th
2 of February -- if we could go to your notes now -- it's
3 OPS00014525. Let's go to page 64 of your notes. Yes, page 64.

4 **INTERIM CHIEF STEVE BELL:** So can you move up
5 please, just so I can see the date that we're discussing?

6 **MR. FRANK AU:** I believe the date is February 13.

7 **INTERIM CHIEF STEVE BELL:** Sure. Okay. February
8 13th?

9 **MR. FRANK AU:** Yeah.

10 **INTERIM CHIEF STEVE BELL:** Okay.

11 **MR. FRANK AU:** So let's go to 12:00 p.m.

12 **INTERIM CHIEF STEVE BELL:** M'hm.

13 **MR. FRANK AU:** So it appears that there was a
14 briefing and in which you were told of a deal to move the
15 trucks. Do you recall that?

16 **INTERIM CHIEF STEVE BELL:** Yes, I do.

17 **MR. FRANK AU:** What can you tell us about that?

18 **INTERIM CHIEF STEVE BELL:** If you can go down so
19 that I can refresh my memory, I'll -- if you can go down more,
20 please? Go down, please. Okay. Keep going. Keep going,
21 please. Okay.

22 **MR. FRANK AU:** Now, I want to ask you -- so in
23 the previous page, page 65, there were some concerns noted
24 around the logistics of moving trucks and that crowd filling --
25 of crowd filling the neighbourhood roads and so on, right?

26 **INTERIM CHIEF STEVE BELL:** So it wasn't crowd
27 filling, it was concerns that if we displaced a truck from Kent
28 Street, say, and put it in -- down into -- onto Wellington, that

1 another truck would then occupy behind them on Kent Street.
2 Those were some of the early concerns that were identified.

3 **MR. FRANK AU:** So what was your role at this
4 meeting?

5 **INTERIM CHIEF STEVE BELL:** I was there listening.
6 I was just -- we were just being briefed as part of the
7 executive command. This is on the 13th, so I believe Deputy
8 Chief Ferguson is again -- has responsibility of convoy
9 operations, so I'm just one of the executive team who's
10 listening and receiving this information to identify what
11 actions we need to take.

12 **MR. FRANK AU:** Now, by this time, Deputy Chief
13 Ferguson would have been back, right?

14 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.

15 **MR. FRANK AU:** And so how did you become involved
16 in this?

17 **INTERIM CHIEF STEVE BELL:** So I believe if we go
18 up, it was an overall command level briefing. So if you can go
19 up and I'll identify the people there. Yes. So a little
20 higher, please? Yeah. So Chief wasn't -- he called the
21 meeting; that's why he's not identified. John Steinbachs,
22 Christiane Huneault, Kathy Burns and Vicky Nelson's are scribes,
23 Steve Box, who's the Chief of Staff for Mr. Kanellakos, Mr.
24 Kanellakos.

25 So it's a command level briefing for us. I would
26 have -- I didn't identify Deputy Chief Ferguson, but I do
27 believe she was present at this meeting as well.

28 **MR. FRANK AU:** So we understand that there will

1 be evidence that later that day -- is it Inspector or
2 Superintendent Drummond?

3 **INTERIM CHIEF STEVE BELL:** Superintendent.

4 **MR. FRANK AU:** Superintendent Drummond met with
5 the City and protestors to work out some of the details of the
6 deal. To what extent were you aware of those details?

7 **INTERIM CHIEF STEVE BELL:** So Superintendent
8 Drummond was assigned to be the liaison back to the police,
9 because we would need to facilitate the movement of those
10 vehicles. So he was assigned by -- well, I believe it was
11 Deputy Chief Ferguson who assigned him to do that, so that was
12 my understanding of his responsibility.

13 **MR. FRANK AU:** So that was the first time we saw
14 on this date that you were involved in any discussions. Can you
15 tell us what came of this and what was your role, if any, in the
16 subsequent events?

17 **INTERIM CHIEF STEVE BELL:** So I didn't -- I was
18 continually briefed. I didn't have a specific role. At this
19 point, we had ensured that -- the chief had ensured that Deputy
20 Chief Ferguson was the single point of contact for the convoy
21 operations and I was responsible for things that included our
22 enterprise project management change projects so I wouldn't have
23 had any direct role in it other than being present and helping
24 to support whatever was needed of me.

25 **MR. FRANK AU:** Now, let's go to your summary.

26 **COMMISSIONER ROUSSEAU:** We're near the time for
27 the lunch break, so just if you could be sensitive to when's a
28 good time.

1 **MR. FRANK AU:** Well, it may be a good time now
2 and we can come back and finish it.

3 **COMMISSIONER ROUSSEAU:** If it's convenient.

4 **MR. FRANK AU:** Yes, it is.

5 **COMMISSIONER ROUSSEAU:** Okay. So we'll take the
6 lunch break for an hour.

7 **THE REGISTRAR:** The Commission is in recess for
8 one hour. La commission est lever pour une heure.

9 --- Upon recessing at 1:00 p.m.

10 -- Upon resuming at 2:12 p.m.

11 **THE REGISTRAR:** Order. À l'ordre.

12 The Commission is reconvened. La commission
13 reprend.

14 **COMMISSIONER ROULEAU:** Welcome back. There's a
15 bit of an internet problem. It's not here. It's the service
16 provider, which means that we don't control it. We're working
17 on trying to get it joined.

18 We have two choices. We can continue and all of
19 our functions continue, the webcast and the access to the
20 document, but you will not have access on your laptops.

21 You may be able to tether to your phones, but
22 that's an issue. So the question is whether we should or should
23 not proceed on that basis. We can delay.

24 I'm looking for a consensus or a response.

25 I obviously don't mind because it doesn't affect
26 me, so that's what I'm canvassing.

27 If you could -- I'm told you have to introduce
28 yourselves because they're having trouble in the transcripts

1 when there's an objection.

2 **MR. BRENDAN MILLER:** Oh, and there's no
3 objection, sir. Brendan Miller for Freedom Corp.

4 I can advise that other internet connection
5 works. It's LACguestsACinvites fully works. It's not just the
6 one that we typically use.

7 **COMMISSIONER ROULEAU:** Obviously there's a lot of
8 organization in the convoy organizers.

9 So if that resolves everyone -- to everyone's
10 satisfaction.

11 **MR. PAUL CHAMP:** Yeah. Paul Champ. I can
12 confirm that one's working.

13 **COMMISSIONER ROULEAU:** So there you go. Thank
14 you for that.

15 **--- INTERIM CHIEF STEVE BELL, Resumed**

16 **--- EXAMINATION IN-CHIEF BY MR. FRANK AU (cont'd):**

17 **MR. FRANK AU:** Good afternoon, Interim Chief.

18 **INTERIM CHIEF STEVE BELL:** Good afternoon.

19 **MR. FRANK AU:** So just before the lunch break, I
20 took you to the events of February the 12th, I believe -- 13th.
21 And I took you to your notes. Perhaps we could go there again,
22 OPS00014525.

23 So you may remember that I asked you about this
24 meeting you had at 12 o'clock.

25 **INTERIM CHIEF STEVE BELL:** Yes, I do.

26 **MR. FRANK AU:** And it was a meeting in which you
27 and your command teams discuss this deal that the city was
28 entering into with the protestors; right?

1 **INTERIM CHIEF STEVE BELL:** That's correct.

2 Is it possible to get the notes up? The notes
3 are up. The page reference is not there yet.

4 **MR. FRANK AU:** Oh, I apologize. It's page 64.

5 **INTERIM CHIEF STEVE BELL:** Thank you.

6 That's correct.

7 **MR. FRANK AU:** And I think you mentioned that you
8 were there in a listening capacity.

9 **INTERIM CHIEF STEVE BELL:** No. What I indicated
10 and what I would recall is I was there as a member of the
11 Executive Command Team.

12 **MR. FRANK AU:** Right.

13 **INTERIM CHIEF STEVE BELL:** The primary
14 responsibility was with Deputy Chief Ferguson, but myself, I
15 would have been there to help support in any way that was
16 necessary.

17 **MR. FRANK AU:** Right. Now, given that it was on
18 the 13th of February and we've heard some evidence that that was
19 the date when the Integrated Planning Group was very close to
20 finalizing a plan with the Superintendent Bernier, who was the
21 Incident Commander at that time; right?

22 Are you aware of that?

23 **INTERIM CHIEF STEVE BELL:** No, I'm not aware of
24 that.

25 **MR. FRANK AU:** You're not aware that they were
26 working towards an integrated plan.

27 **INTERIM CHIEF STEVE BELL:** Absolutely I'm aware
28 of that, but you identified that they had -- were about to

1 finalize a plan, and I'm -- I was not aware of that.

2 **MR. FRANK AU:** I see.

3 So I guess one of my questions is whether at this
4 meeting at 12 o'clock when people were expressing concerns --
5 and we've seen some concerns noted in the minutes earlier --
6 whether anyone brought -- raised any concerns about how this
7 deal might affect the plan being worked on by the larger group,
8 the integrated planning group?

9 Any concerns raised about that?

10 **INTERIM CHIEF STEVE BELL:** I don't recall that
11 because I don't actually recall myself specifically being aware
12 that by this point they were almost completed the integrated
13 plan.

14 **MR. FRANK AU:** Okay. And to the extent that
15 anyone raised any concerns -- and again, if we perhaps scroll
16 down a little.

17 You remember that you read through this and there
18 were some concerns noted; right?

19 **INTERIM CHIEF STEVE BELL:** Correct.

20 **MR. FRANK AU:** Did you share those concerns
21 raised by others?

22 **INTERIM CHIEF STEVE BELL:** I'm sorry. I don't
23 understand. Did I share them with who?

24 **MR. FRANK AU:** No, no. I mean to the extent
25 there were concerns expressed, did you agree with those
26 concerns?

27 **INTERIM CHIEF STEVE BELL:** Oh, did I share --
28 sorry. I misunderstood your question. My apologies.

1 Can we move down in the notes a bit, please?

2 So I believe they are thinking -- I believe
3 they're legitimate concerns that needed to be identified and
4 raised in terms of how we would move ahead.

5 **MR. FRANK AU:** Yeah, so if we scroll up a little,
6 for example, "Feds are moving into stage of engagement." What
7 does that mean?

8 **INTERIM CHIEF STEVE BELL:** I think one of the
9 discussion points that we were having at this meeting is that
10 the federal government was coming to the point -- somebody had
11 made the comment, not myself, but that the federal government
12 was coming to a point that they were looking to engage in what
13 was happening in Ottawa.

14 **MR. FRANK AU:** Okay. And if we go down?
15 "Concern of logistics on how to move trucks." What was that
16 about?

17 **INTERIM CHIEF STEVE BELL:** So the logistics
18 specifically would be how do you organize ourselves to move the
19 trucks? Which trucks are going to move? Where are they going?
20 Just the overall logistics of the movement of the vehicles from
21 one place to another.

22 **MR. FRANK AU:** Now you may not have been aware of
23 the details of the progress of the Integrated Plan, but you were
24 stepping in on the 11th and the 12th for Deputy Ferguson, and in
25 that capacity, you were involved with the planning part; right?

26 **INTERIM CHIEF STEVE BELL:** Absolutely, in terms
27 of how the work that -- I understood that the work was
28 coalescing between the Integrated Planning Team, but I didn't

1 have any indication of how far along they were with establishing
2 a unified command and a unified Planning Team, or how far along
3 they were in actually completing the plan.

4 **MR. FRANK AU:** Would it have been important to
5 understand how this deal fit in with the overall plan? We've
6 heard from Chief Pardy about the importance of ingredients, you
7 know, fitting into the overall plan.

8 **INTERIM CHIEF STEVE BELL:** And I would agree with
9 Chief Superintendent Pardy that it is important that these two
10 activities mesh together.

11 **MR. FRANK AU:** But you don't recall any
12 discussions at this meeting about those concerns being
13 expressed?

14 **INTERIM CHIEF STEVE BELL:** No, I don't.

15 **MR. FRANK AU:** Okay. Now we know that on the
16 14th, the next day -- oh, by the way, maybe if I could take you
17 to your summary, so, again, this is -- I think Mr. Clerk will
18 know the number better than I now. So I want to take you to
19 your summary at page 23, because this may also help refresh your
20 memory. Page 23? So if we go down a little.

21 So even though the meeting we just talked about
22 was on the 13th, you learn about this plan to move forward with a
23 kind of deal between the protesters and the City on the 12th.

24 "On February 12[th], Chief Sloly told
25 Interim Chief Bell that the City was
26 involved in discussions with the Convoy
27 leaders to have movement with the
28 current situation and that the

1 information was highly confidential."

2 Does that help refresh your memory?

3 **INTERIM CHIEF STEVE BELL:** Absolutely. And I
4 think we did cover off the content of that meeting earlier on
5 the 12th.

6 **MR. FRANK AU:** Right. So you were aware of the
7 situation on the 12th, and then on the 13th in the morning --
8 sorry, at around 12, we saw what we talked about.

9 Now when did you notify Superintendent Bernier
10 for the first time that these negotiations were going on?

11 **INTERIM CHIEF STEVE BELL:** So I believe that -- I
12 don't believe that I was the one that notified him. At the
13 meeting on the 12th, as I indicated, we were told through the
14 City and through the Chief that these negotiations were highly
15 confidential and that they shouldn't be shared. So I don't
16 believe it was shared until the 13th with Superintendent Bernier.

17 **MR. FRANK AU:** Right. Now I understand the
18 sensitive nature of these discussions, but wouldn't you agree
19 that if anyone needed to know, it would have been the one
20 responsible and had the authority for the overall plan; right?
21 And that would have been Superintendent Bernier at that time.

22 **INTERIM CHIEF STEVE BELL:** I would absolutely
23 agree that we could have handled that notification better and it
24 should have been done earlier.

25 **MR. FRANK AU:** So when you became aware as the
26 Strategic Commander on the 12th that this was going on, it would
27 have been preferrable that Superintendent Bernier be notified at
28 that time?

1 **INTERIM CHIEF STEVE BELL:** Yeah, I would agree
2 with that.

3 **MR. FRANK AU:** Now that didn't happen, and he
4 found out later. Are you aware that Superintendent Bernier
5 expressed concerns about this negotiation?

6 **INTERIM CHIEF STEVE BELL:** Not directly from
7 Superintendent Bernier, I don't believe, but I believe that
8 Superintendent Drummond did indicate that to me in conversations
9 we would have had.

10 **MR. FRANK AU:** Right. Now if I could take you to
11 the interview summary of Superintendent Bernier, and the number
12 would be OPS000000 and the last 2 digits would be either 30 or
13 40.

14 I'm told the new internet is slow.

15 Could we try 30 and see if -- I have one in 2
16 chance of guessing right.

17 Oh, yes, WTS. So if we could go to page 17? So
18 we see under the paragraph "Impact of Negotiations with the
19 City",

20 "On February [the] 13, Superintendent
21 Bernier learned that Mayor Jim Watson
22 planned to meet with protestors to
23 negotiate an agreement whereby some
24 protestors would remove their vehicles
25 from side streets and relocate to
26 Wellington [Street]. Neither the City
27 nor the OPS executive had informed
28 Superintendent Bernier of the

1 negotiation. Superintendent Bernier
2 was concerned. He told Inspector
3 Springer that OPS should stay clear of
4 the negotiation because political
5 influence and political negotiation
6 could adversely impact the police
7 operation that OPS was preparing. He
8 was also concerned that not all protest
9 leaders would agree to move their
10 trucks to Wellington [Steet]. [So]
11 that not all protestors would comply
12 with that agreement. He shared those
13 concerns with the IECT..."

14 Do you know what that is?

15 **INTERIM CHIEF STEVE BELL:** Yes, I do.

16 **MR. FRANK AU:** What is it?

17 **INTERIM CHIEF STEVE BELL:** It's the Integrate
18 Command Team. It's the Integrated -- I -- so, apparently, I
19 don't know. I know what it represents. It's a combined table
20 of many different disciplines that come together to do
21 collaborative and comprehensive planning around ---

22 **MR. FRANK AU:** Right.

23 **INTERIM CHIEF STEVE BELL:** --- Integrated Event
24 Command Table.

25 **MR. FRANK AU:** Right. So Superintendent Bernier
26 passed on those concerns to that group and to,

27 "...Superintendent Drummond and [he]
28 told [...] Drummond not to get

1 involved. However, Chief Sloly ordered
2 Superintendent Drummond to attend the
3 negotiation as OPS's representative.
4 Superintendent Drummond understood
5 Chief Sloly to be directing that OPS
6 attend the meeting and provide
7 logistical support to the City in the
8 negotiation."

9 Those concerns that were expressed, do they ring
10 a bell?

11 **INTERIM CHIEF STEVE BELL:** Absolutely, yes, they
12 do.

13 **MR. FRANK AU:** Do you share that concern?

14 **INTERIM CHIEF STEVE BELL:** The concern of
15 Superintendent Bernier?

16 **MR. FRANK AU:** That's right.

17 **INTERIM CHIEF STEVE BELL:** No, I don't.

18 **MR. FRANK AU:** Why not?

19 **INTERIM CHIEF STEVE BELL:** This is because -- as
20 we talked about, everyone has a role to play within the Command
21 Structure. There's strategic-level decisions, there's
22 operational and tactical-level decisions. I think this, in my
23 perspective, is clearly a strategic-level decision that needs to
24 be implemented. There's a superintendent who's been asked to go
25 to a meeting. That is by the Chief. I think it's very
26 appropriate that that person attended. The strategic-level
27 decision here for me is whether we support or not the
28 negotiations, and that was made by Chief Sloly, so I believe

1 it's Superintendent Bernier's responsibility to identify his
2 concerns, raise those concerns, but then when this level of
3 decision is made, look how we operationally and tactically
4 implement that plan.

5 **MR. FRANK AU:** Now perhaps you can help me
6 understand in terms of understanding what is strategic and what
7 is operational and what is tactical. Wouldn't it be equally
8 arguable that negotiation is one component of operations?

9 **INTERIM CHIEF STEVE BELL:** Absolutely.

10 **MR. FRANK AU:** And so why is it a strategic
11 decision?

12 **INTERIM CHIEF STEVE BELL:** So this was a
13 strategic decision to be involved in this negotiation. And I
14 think it's more clear as you play it out. So the strategic-
15 level decision here is to be involved in this negotiation to
16 create the logistical circumstances for the trucks to be able to
17 move. It then moves to operations. As this unfolded,
18 operational commanders identified challenges in it and it's my
19 understanding that based on their decision-making at the
20 operational level, it stopped. That is the appropriate
21 mechanism to follow through a properly integrated command team.

22 **MR. FRANK AU:** So what happened after the 13th
23 was, on the 14th, the movement of the trucks began, and we expect
24 that there will be evidence that the movement started at around
25 1:00 p.m. And then the movement of the trucks ended sometime
26 that day and did not resume. Do you know why the OPS stopped
27 facilitating the movement of the trucks from the residential
28 areas to Wellington St. on the 14th?

1 **INTERIM CHIEF STEVE BELL:** No, I do not.

2 **MR. FRANK AU:** Were you ever made aware of
3 concerns expressed by the PPS, the Parliamentary Protective
4 Service, about this relocation of vehicles?

5 **INTERIM CHIEF STEVE BELL:** Not at the time but I
6 am aware of them now.

7 **MR. FRANK AU:** If we move forward to the next
8 day, the 15th, and if I can take you to Document No. OPS00014455
9 -- now, these are the notes of Supt. Drummond. If we go to page
10 59, and let's go to 11:20 a.m. Now, you see the reference:

11 "Call from Steve Bell. Direction --
12 continue to provide safe..."

13 Could you -- do -- I'm not sure I can read that:

14 "...safe passage for truck to Wellington
15 as per the City agreement with Freedom
16 Convoy."

17 So he's suggesting here that he received a
18 direction from you to continue to provide safe passage. Do you
19 recall giving that direction to Supt. Drummond?

20 **INTERIM CHIEF STEVE BELL:** Yes, I do.

21 **MR. FRANK AU:** Tell us about the circumstances,
22 why you gave this direction.

23 **INTERIM CHIEF STEVE BELL:** So I believe this is
24 in relation to -- this is in relation to conversations Supt.
25 Drummond and I would have had, or had been having, during the
26 day for him to arrange the logistical movement of this agreement
27 that had been reached. He had raised -- he had identified with
28 me that there was concerns from Supt. Bernier specifically

1 around, as I recall it, the political nature of this
2 negotiation. So this is the point at which I advised Supt.
3 Drummond, "You know, I understand there are concerns. Continue
4 to operationally move ahead with it."

5 And I think there's important context to this
6 agreement that we lose the story if we don't actually talk about
7 it. So this is on the 14th that these notes are, correct?

8 **MR. FRANK AU:** The 15th.

9 **INTERIM CHIEF STEVE BELL:** This is the 15th?

10 **MR. FRANK AU:** Yes.

11 **INTERIM CHIEF STEVE BELL:** So the 12th and the 13th
12 are the weekend. The 11th, 12th, and 13th are the weekend. I
13 remember that weekend having extreme concerns for the safety of
14 our members, for the safety of our community based on the
15 volatility and escalation in violence in direct confrontational
16 interactions with our members as it relates to them trying to
17 manage the area or conduct any enforcement in it. It was
18 concerning. The situation at this point was becoming
19 exceptionally more volatile and you could see it escalate almost
20 on an hour-by-hour basis.

21 One of the components that, for me, contributed
22 to wanting to be involved in something like this is negotiations
23 tend to take the temperature of the situation down. That is
24 exactly, in my opinion, what occurred in this circumstance. I
25 will absolutely concede we didn't notify Supt. Bernier early
26 enough, will absolutely say that when it operationally became,
27 you know, unfeasible to do it, Supt. Bernier made the call and
28 that this stopped. But I -- you have to remember the time and

1 place were in and this was becoming -- what was a dangerous city
2 before, this was compounding it.

3 So the fact that we were able to be engaged in a
4 level of negotiation to take the temperature down, I believe,
5 gave us breathing room through the next week for us to be able
6 to successfully mount and execute our operation.

7 **MR. FRANK AU:** Now, we heard from Chief Pardy
8 who, as you know, was leading the Integrated Planning Group in
9 Ottawa. We heard from Chief Pardy that he -- the group, the
10 Integrated Planning Group, expressed concern on the 14th when
11 they heard about these negotiations because, in fact, it raised
12 concern for them that the -- that the unified command, or
13 integrated command, was not truly integrated or unified because
14 they were concerned that the OPS was still doing its own thing
15 and not being part of the integrated plan. What do you say to
16 those concerns?

17 **INTERIM CHIEF STEVE BELL:** So those concerns
18 weren't shared with me so I don't know the specifics of the
19 context of what Chief Supt. Pardy would have indicated.

20 **MR. FRANK AU:** But you told us earlier about the
21 need for autonomy of the operational commander, and that would
22 be Supt. Bernier now, working in concert with the Integrated
23 Planning Group. If there were to be changes in strategic
24 direction, wouldn't it have been important to convey those
25 directions -- change of directions to the group so they could
26 adjust and adapt their plan rather than having a plan and then
27 being told that something now -- different -- altogether
28 different now is happening?

1 **INTERIM CHIEF STEVE BELL:** So as I indicated
2 earlier, yes, I agree with you at. There's many lessons we've
3 learned through them. How we integrate with the incident
4 commander around something like this is one of those lessons.
5 Supt. Bernier and the Integrated Planning Team should have been
6 made aware more early of this decision -- as soon as practical
7 or possible of this decision. That didn't occur and I believe
8 that was an error.

9 **MR. FRANK AU:** No, so, on the 15th, when you gave
10 this direction to Drummond to continue to provide safe passage,
11 the fact that you need to direct something to continue implies
12 that something was stopped. Did you not inquire as to the
13 reason for why it stopped before you directed the continuance?

14 **INTERIM CHIEF STEVE BELL:** I don't recall but
15 what I can say is yes, I would have. We would have had a
16 conversation with it because it's important that I hear their
17 perspective. So I don't recall that discussion but it would
18 have occurred.

19 **MR. FRANK AU:** And your direction to continue to
20 provide safe passage, was that coming from you or was there any
21 input from anyone else?

22 **INTERIM CHIEF STEVE BELL:** So is this on the 15th
23 or on the ---

24 **MR. FRANK AU:** The 15th.

25 **INTERIM CHIEF STEVE BELL:** This is on the 15th?

26 **MR. FRANK AU:** Yes.

27 **INTERIM CHIEF STEVE BELL:** I don't recall.

28 **MR. FRANK AU:** Do you recall any discussions with

1 any officials at the City?

2 **INTERIM CHIEF STEVE BELL:** On this day?

3 **MR. FRANK AU:** On this day or the day before.

4 **INTERIM CHIEF STEVE BELL:** I don't recall. If
5 you have a notation on it, maybe you can help refresh my memory.

6 **MR. FRANK AU:** We expect that Supt. Drummond may
7 say that he was under the impression that this could have come
8 from the City.

9 **INTERIM CHIEF STEVE BELL:** I don't recall that.

10 **MR. FRANK AU:** Okay, fair enough.

11 **INTERIM CHIEF STEVE BELL:** And I think it's
12 important to note Supt. Drummond, at that point, would be
13 speaking directly with the City as he was the logistical liaison
14 involved with the City.

15 **MR. FRANK AU:** Right. Now, in my remaining time,
16 which is not very much, there are a couple of small things I
17 want to cover off. First of all, we've heard from some of the
18 parties raising the issue as to why ticketing, as a tactic or a
19 strategy, wasn't employed more as a way to deter the protestors
20 from continuing in their illegal activities. Now, ticketing is
21 a bylaw function but we also understand from the evidence that
22 the City Bylaw officers were listening to the OPS as the lead
23 agency for what would or would not be appropriate under the OPS
24 Incident Command. So what can you tell us about this strategy
25 involving ticketing?

26 **INTERIM CHIEF STEVE BELL:** So because that was on
27 the planning and operations side, I wouldn't have been in any
28 direction that would have been provided to Bylaw. That would

1 have come through the incident command -- sorry, the NCRCC, so
2 would probably be a question better directed to Insp. Lucas.

3 **MR. FRANK AU:** So I understand it's not part of
4 your responsibility but, as a member of the executive, did you
5 have any situational awareness of why certain things were done
6 or not done? And in this case, I'm interested particularly
7 about ticketing.

8 **INTERIM CHIEF STEVE BELL:** So, more broadly thank
9 ticketing, I can tell you that there was officer-safety concerns
10 due to the number of resources we had in many of the different
11 enforcement strategies that we were looking to engage in. I
12 would put the ticketing in with that as well. So there was --
13 we were very clear with our members, due to the volatility of
14 the situation within the occupation, "Make sure you take into
15 account your officer safety if you are engaging in any proactive
16 enforcement efforts."

17 **MR. FRANK AU:** All right. Next area -- well,
18 actually, back to one of the areas that we had covered -- I
19 believe you mentioned earlier when I asked you about
20 intelligence that the OPS planning decision was based on
21 intelligence you're familiar with that would suggest that it
22 would be a two-day or a three-day event.

23 Are you able to assist us with any specific
24 document that would lead you to believe that it was a two-or-
25 three-day event?

26 **INTERIM CHIEF STEVE BELL:** Absolutely. So if you
27 go to the Hendon Reports, I believe beginning on the 22nd or
28 23rd all the way through to the 29th or -- 29th, I believe,

1 there is references to, in the intelligence gaps, the 28th,
2 29th, and 30th as key dates that they're referencing in relation
3 to the demonstration.

4 **MR. FRANK AU:** Now, my understanding from reading
5 those reports when they talked about intelligence gap -- and by
6 the way, you can correct me if I'm wrong -- but intelligence
7 gaps just means we don't know about it, right?

8 **INTERIM CHIEF STEVE BELL:** So I would read
9 intelligence gaps to mean we don't know and we need to put some
10 effort here to collect this information.

11 **MR. FRANK AU:** Right. So I remember, for
12 instance, reading the January 25th Hendon Report and it talks
13 about intelligence gaps for those three dates, 29th, 30th, or
14 31st -- the 28th to the 30th, right -- that I got the impression
15 that what it was talking about was we don't really know much
16 about what's going to happen on these dates, rather than that
17 these are the only dates we can expect the event will last.

18 Do you agree?

19 **INTERIM CHIEF STEVE BELL:** So can you be --
20 sorry, can you ask the question again?

21 **MR. FRANK AU:** Right. So when you're pointing to
22 these dates in the intelligence reports, I'm asking if -- I'm
23 asking for your opinion, since you're the expert in this area --
24 when they talk about an intelligence gap or let's say these
25 three dates, 28 to the 30th, what do we understand from the
26 intelligence gap? Is it that we don't really know much about
27 what going on for these dates, or can we conclude from the fact
28 that there's an intelligence gap for these dates that the event

1 will not last beyond these three dates?

2 **INTERIM CHIEF STEVE BELL:** So I think in your
3 question that you hit the crux of one of the challenges we
4 faced, impression. So there was a lot of opportunity to have
5 subjective interpretation on it. I think we've done a much
6 better job as an intelligence community to come together and be
7 more clear through conversations in terms of what we feel these
8 different statements mean.

9 For me, it's important, as we move ahead, that we
10 -- you and I don't need to formulate an impression on what it
11 is, that we actually have a clear common understanding of what -
12 - how and what that intelligence means so that we can actually
13 have a clear common understanding of how we're moving ahead with
14 it.

15 As I read those reports, my impression was that
16 they were largely scaled to around a three-day event with the
17 potential and possibility that there could be people, a small
18 group of people stay longer than that.

19 **MR. FRANK AU:** All right. Now, we also spoke
20 earlier about planning and who might have had the experience to
21 help the OPS at that time. But don't you agree that
22 Superintendent Bernier actually had a great deal of experience
23 that he could offer, but he wasn't really asked to assist at
24 that time, the early -- during the early stages of the convoy
25 events?

26 **INTERIM CHIEF STEVE BELL:** So again, that's going
27 to be a -- that would be a question better suited for Deputy
28 Chief Ferguson in terms of how Superintendent Bernier was

1 utilized. It is my understanding is that he was -- he did play
2 a role in early days and played an increasing role as the convoy
3 went through, because as I recall, when we did -- when he was
4 finally assigned as Event Commander and Incident Commander --
5 Major Incident Commander, my apologies -- he had to take some
6 time off because he had been working so hard in his other
7 responsibilities. I just don't recall what they are, so that
8 would indicate to me that he was being utilized.

9 **MR. FRANK AU:** All right. I'm not entirely sure
10 how much time I have left, but I have one area left.

11 So if I could take you to the witness summary
12 again, and this time, we go to page 26.

13 Now, I want to ask you about the impact of
14 emergency declarations.

15 So first of all, we know that the City declared
16 emergency on the 6th. In your view, did that declaration of
17 emergency have any impact on the way the police operated?

18 **INTERIM CHIEF STEVE BELL:** So did it have any
19 direct -- the declaration of the emergency -- declaration of the
20 state of emergency for Ottawa had no direct operational impact.
21 But I do believe that it did, is it actually escalated the
22 understanding or demonstrated the escalated understanding to the
23 community that we understood -- the City understood the
24 circumstances that we were in. We couldn't -- as the state of
25 emergency is structured within the City, there are very few
26 powers that would assist us in our police operations, because we
27 didn't have any large procurement needs.

28 **MR. FRANK AU:** What about the declaration of

1 emergency by the province?

2 **INTERIM CHIEF STEVE BELL:** I would say absolutely
3 that -- and when I talk about the benefits of it, I talk about
4 it from a unified command perspective, because I know that the
5 EMCPA was mainly utilized around traffic and mainly utilized by
6 our OPP partners as they developed their part of the -- as they
7 developed the highway part of the plan, moving ahead.

8 **MR. FRANK AU:** Okay. And then if we scroll up --
9 or sorry, scroll down. So finally, any impact of the federal
10 declaration of the emergency on the 14th of February?

11 **INTERIM CHIEF STEVE BELL:** Yeah. I believe
12 there's probably four key areas that benefitted us.

13 The first one is around allowing us to streamline
14 the swearing in of members coming in to the City from other
15 provinces. It is -- it's a challenging, sometimes cumbersome
16 process that has multiple stages to it, so the ability to not go
17 through that process with many different checkpoints in it
18 allowed us to more streamline and effectively create operational
19 bodies with members coming in.

20 Second area would be around tow trucks. So the
21 tow trucks, real or perceived, was always a challenge for us. I
22 do understand that in the planning, the integrated planning team
23 had identified a number of tow trucks to come, but they hadn't
24 yet begun. I think the *Emergency Act* took away any of those
25 barriers.

26 The third area would be around the financial
27 investigations, mainly conducted by the RCMP.

28 And for me, the main benefit that it provided to

1 us was it created a very stable, solid, logistic -- a legal
2 framework for us to be able to operate within to ultimately
3 carry out our takedown. It allowed for us to very clearly
4 articulate to our frontline officers what their powers were and
5 what the legislative framework that those were based around so
6 that they could understand what to do and how to execute it.

7 **MR. FRANK AU:** I'm sorry, I thought you said
8 there were four areas.

9 **INTERIM CHIEF STEVE BELL:** That was four.

10 **MR. FRANK AU:** Oh, that was the fourth? Okay.
11 And the time is up, so thank you very much,
12 Interim Chief. Those are my questions.

13 **INTERIM CHIEF STEVE BELL:** Thank you very much,
14 Mr. Au.

15 **COMMISSIONER ROULEAU:** Thank you. If I could
16 call on the counsel for former Chief Sloly, please?

17 **--- CROSS-EXAMINATION BY MR. TOM CURRY:**

18 **MR. TOM CURRY:** Thank you.
19 Chief Bell, I'm Tom Curry for former Chief Sloly.

20 **INTERIM CHIEF STEVE BELL:** Good afternoon, Mr.
21 Curry.

22 **MR. TOM CURRY:** Just a couple -- if I can get
23 your help for the Commissioner on a few things today?

24 Just going back, if I could, to the pre-convoy
25 period, so prior to the convoy issues, and just a couple of
26 questions about the Ottawa Police Service, we have had some
27 other evidence about the circumstances of the Service and the
28 strain on resources prior to the convoy's arrival. Did you also

1 experience that?

2 **INTERIM CHIEF STEVE BELL:** Most definitely. I
3 think it's -- it was very real for us that through 2021, we
4 hadn't had any new hires come in for attrition or for years of
5 past growth that we hadn't achieved. So we -- as we came in to
6 2022, we were in a deficit position in terms of resources.

7 So even before we had something that was taxing
8 and overwhelming, we were deficit in terms of resources.

9 **MR. TOM CURRY:** In addition to that, and perhaps
10 it's subsumed in what you described, but we understood that you
11 had lost some experienced personnel to retirement?

12 **INTERIM CHIEF STEVE BELL:** So absolutely. We had
13 -- I've heard testimony as the Commission has gone on around the
14 excellence that Ottawa Police have had in planning. And I truly
15 believe that. We managed large demonstrations, large protests,
16 over a number of years with our partners and we were seen as one
17 of the best at it in the country.

18 There was a lot of expertise built within our
19 organization. Most of that expertise had been lost to
20 retirement, but beyond that, we had a two-year -- we had a two-
21 and-a-half-year window of pandemic where there was no major
22 planning that was occurring. And beyond no major planning,
23 there was no major exercise of planning by our members to be
24 able to practice what we do. So we had a less experienced team
25 and a less experienced organization as this unprecedented
26 massive event came at us.

27 **MR. TOM CURRY:** Was there also, prior to the
28 convoy, an incident in the City of Ottawa, or in and around the

1 City of Ottawa, that concerned a large industrial area and an
2 explosion or fire called Merivale?

3 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.
4 So there was an industrial area in Merivale, which is in
5 southwest end of our city, where there had been a large
6 explosion. A number of people had died through it. And as a
7 result of that, we'd been involved with our partners in the fire
8 department to be involved in incident management of that event.

9 **MR. TOM CURRY:** Now, I raise that because there
10 were -- during the time that you -- that -- the senior command
11 in the service during the time of the convoy was Chief Sloly, as
12 you described, Acting Deputy Ferguson, and yourself.

13 You had worked successfully on other incidents
14 and under incident management systems, including at Merivale?
15 Is that fair?

16 **INTERIM CHIEF STEVE BELL:** That's correct. I
17 would also add to the senior command, CAO Blair Dunker. She's
18 also part of our ---

19 **MR. TOM CURRY:** Thank you. And the -- there were
20 as I understand it, no issues prior to the episode that we'll
21 come to talk about in terms of the convoy, no issues in the way
22 the police service was functioning at the senior command level
23 in relation to incident command? Is that fair?

24 **INTERIM CHIEF STEVE BELL:** I believe that's fair.

25 **MR. TOM CURRY:** And as between -- in terms of you
26 and Chief Sloly, you had a good productive working relationship
27 with him and with Acting Deputy Ferguson?

28 **INTERIM CHIEF STEVE BELL:** We've had a

1 professional relationship. Absolutely.

2 **MR. TOM CURRY:** You told the Commissioner that
3 there were command meetings amongst that group that you just
4 described every morning, including during the convoy?

5 **INTERIM CHIEF STEVE BELL:** Yes. Those meetings
6 came into effect -- they would have been in effect for probably
7 two years at that point.

8 **MR. TOM CURRY:** And during the time of the
9 convoy, it's no exaggeration to say that at the Ottawa Police
10 Service, that it was truly all hands on deck?

11 **INTERIM CHIEF STEVE BELL:** That is absolutely not
12 an understatement.

13 **MR. TOM CURRY:** Leaves and time off were
14 cancelled?

15 **INTERIM CHIEF STEVE BELL:** That's correct.

16 **MR. TOM CURRY:** Shifts were extended?

17 **INTERIM CHIEF STEVE BELL:** Yes, but I think so
18 the way the question is based is around the command team, and I
19 think it's very important to extend it well beyond that. We had
20 members of our organization working long hours in very extreme
21 weather and doing an exceptionally professional job. So I would
22 never want to leave the perception that it was an exclusive
23 hardship for any one group like the command team. Our
24 membership was out there every day trying to resolve this.

25 **MR. TOM CURRY:** And that's what I -- I should
26 have been clearer. That's what I meant. Beyond the command
27 team, leaves, as I understand it, whether they be holidays, or
28 for any other reason, perhaps other than illness, were cancelled

1 for your members across the entire service? Everyone was
2 required to stay on duty?

3 **INTERIM CHIEF STEVE BELL:** Absolutely.

4 **MR. TOM CURRY:** And when we speak about shifts
5 being extended, with the Ottawa Police Association, the service
6 reached an accommodation to provide the resources that it needed
7 to get through this protest?

8 **INTERIM CHIEF STEVE BELL:** Yeah, we reached an
9 agreement to lengthen the shifts and reduce the number of
10 platoons that we had in order to be able to make more resources
11 available throughout the day.

12 **MR. TOM CURRY:** Understood. As you have told the
13 Commissioner, I anticipate that your colleague Chief Sloly will
14 say that this protest represented a paradigm shift in the way
15 protest is understood, in the sense that you've described, the
16 use of -- you've described the leverage -- leveraging the
17 community for the protestors.

18 **INTERIM CHIEF STEVE BELL:** Yeah.

19 **MR. TOM CURRY:** Do you agree?

20 **INTERIM CHIEF STEVE BELL:** Well absolutely. And
21 that's what I was trying to articulate this morning. Absolutely
22 it was a paradigm shift that we saw in terms of protesting in
23 our city and across the country.

24 **MR. TOM CURRY:** And therefore, in your opinion, a
25 national security threat?

26 **INTERIM CHIEF STEVE BELL:** I don't think I'm in a
27 position to identify whether it's a national security threat or
28 not. I can absolutely say it was a paradigm shift in how

1 protests were conducted, how members in those illegal
2 occupations engaged with our community. But there's specific
3 intelligence that would be brought in that would be identified
4 as national security threat or not. And that was monitored and
5 managed throughout the protest.

6 **MR. TOM CURRY:** In terms of intelligence, you
7 told my friend Mr. Au that there were -- within the intelligence
8 directorate, there were members of your team who did receive the
9 Hendon Reports. You were not on that list at that time, but
10 your colleagues were including them among the other pieces of
11 intelligence that they used?

12 **INTERIM CHIEF STEVE BELL:** Oh, absolutely. Right
13 from the first Hendon Report that was integrated and sent to our
14 intelligence Unit and our Planning Team.

15 So the information that was contained in there
16 was known to our organization and I believe disseminated
17 properly.

18 **MR. TOM CURRY:** And it was -- it came in through
19 your directorate and the idea was to make certain that -- try to
20 make certain, to the extent that it could be -- to the best
21 extent it could be done, to send into Acting Deputy Ferguson's
22 planning efforts?

23 **INTERIM CHIEF STEVE BELL:** Well it was actually,
24 as we look at the tracking, it was simultaneously sent into both
25 areas.

26 **MR. TOM CURRY:** Could I please just have your
27 help looking at that plan that was dated, I believe, January
28 29th?

1 So this is, for the Registrar, OPS000003531.
2 Other witnesses have seen this and you've -- I think you told
3 us, while it's coming up, that you saw it, but at the time, it
4 was presented?

5 Thank you. Now could we look, please -- just
6 scroll down, if we could.

7 I want to get your help. First of all, the plan
8 approvals are there, but just go through to the threat
9 assessment. I think you've told us that there were -- to the
10 best of your team's knowledge, this was expected to be a weekend
11 event with the possibility, as you've told us, that some people
12 may hold on afterwards. But the number of those people was not
13 considered to represent a material threat that required that
14 something be done differently with this protest? Is that fair?

15 **INTERIM CHIEF STEVE BELL:** So yes, I believe
16 that's accurate. We had the intelligence and information to
17 form out that this would happen over a weekend and there was the
18 possibility that a small group of people beyond -- may stay in
19 the city beyond that.

20 **MR. TOM CURRY:** And there is a -- there was an
21 egress plan, I think, or an egress section.

22 I think that's my bound one there. Maybe my
23 colleague could just pass that along and I'll get you the exact
24 page.

25 But meanwhile, Ms. Registrar, we can scroll down.
26 It's -- you'll see the heading. Sorry about that. There it is.

27 What I want to show you -- thanks so much. What
28 I want to show you is section 3.2, please.

1 It's under the heading "Event Stages". You'll
2 see -- do you see that? And just -- I'll let you just a have a
3 look at it, but I want to -- You'll see it's three stages
4 ingress demonstrations. The purpose of the event for
5 participants to express their lawful opinions and so on?

6 **INTERIM CHIEF STEVE BELL:** M'hm.

7 **MR. TOM CURRY:** And then three, Egress:

8 "It is expected participants will leave
9 the city at different times depending
10 on their personal intents. The egress
11 period could continue for an extended
12 period and this stage will continually
13 be assessed and reassessed to determine
14 the appropriate supports that are
15 required to manage."

16 Does that refresh your recollection that it was
17 thought that it's a large group of people, they are not all
18 going to go at the same time, they'll go over a period of time,
19 and we will assess that as it unfolds?

20 **INTERIM CHIEF STEVE BELL:** So yes, that's
21 accurate that the -- how the plan was developed.

22 **MR. TOM CURRY:** And then finally, just if I could
23 ask you to look with us at 3.6.5. Do you see contingency
24 staffing for a prolonged event:

25 "Due to the unknow[n] nature of this
26 event. Staff[ing] will be revised..."

27 This may be a typo there, but:

28 "...mid. Should the operational period

1 be extended. Staffing plans would
2 include resources in the following
3 order;..."

4 And they are set out there.

5 So there was, again, some thought given to the
6 possibility that this event may be prolonged and additional
7 staffing needs could arise. Is that fair?

8 **INTERIM CHIEF STEVE BELL:** Yes, that's fair,
9 based on this section.

10 **MR. TOM CURRY:** Now so far as you knew from your
11 contact with Superintendent Abrams, and you told us about the
12 role that he played and that you played, so far as you knew from
13 him, that you were not -- you should not be doing anything
14 differently than you were doing. Is that fair?

15 **INTERIM CHIEF STEVE BELL:** No, there was no --
16 well. So I think he raised a couple of concerns as it went
17 along, concerns about deployment of OPP members, concerns -- a
18 number of concerns that we went through this morning. But in
19 terms of -- are you speaking specifically in terms of the plan?

20 **MR. TOM CURRY:** Yes, he raised no concern about
21 the plan.

22 **INTERIM CHIEF STEVE BELL:** No, I didn't receive
23 any concerns from him.

24 **MR. TOM CURRY:** And the -- in terms of the role
25 that Superintendent Abrams had, he was the Strategic Operations
26 lead, OPP, and he asked you to be in effect a conduit of
27 information to Acting Deputy Ferguson.

28 **INTERIM CHIEF STEVE BELL:** Well, I don't think he

1 asked. I think we identified between the Command Team that I
2 would play that role, so that Superintendent Abrams would
3 contact me, and then I would then have either -- try and resolve
4 the issue or have conversations with Deputy Chief Ferguson.

5 **MR. TOM CURRY:** Right. At the time that the
6 convoy participants began to enter the City of Ottawa, you
7 believed, and fair to say that OPS Command believed that they
8 were dealing with people who intended to protest lawfully?

9 **INTERIM CHIEF STEVE BELL:** That's correct.

10 **MR. TOM CURRY:** And that the resources that OPS
11 had available to it would be adequate to meet the needs of the
12 community to protect the community, and of course, to allow the
13 protesters to protest safely. Is that fair?

14 **INTERIM CHIEF STEVE BELL:** That's correct.

15 **MR. TOM CURRY:** Now, the -- beyond the OPP and
16 Superintendent Abrams, would I be right that there was no
17 intelligence brought to your attention from any source that
18 alerted you to the scope or the scale or the duration or the
19 degree of disobedience and criminal behaviour that you
20 experienced?

21 **INTERIM CHIEF STEVE BELL:** Absolutely.

22 **MR. TOM CURRY:** Now of course, the -- had any
23 intelligence come to your attention in the days, even the few
24 days prior to the convoy commencing, I think you told my friend,
25 Mr. Au, you would have faced a significant challenge with the
26 resources that the OPS had available?

27 **INTERIM CHIEF STEVE BELL:** That's correct. And
28 like I said this morning, and I would want to reiterate it, what

1 we didn't see in any of the intelligence, what was never brought
2 to our attention, was the actual activity that the protesters
3 were going to become engaged in. All the way across Canada,
4 through almost every policing jurisdiction in Canada, they were
5 monitored, travelled with, and always lawful and always acting
6 in pro social behaviour, so there was no indications to us about
7 the activity that was going to happen.

8 **MR. TOM CURRY:** Right. The number of commercial
9 vehicles, trucks in particular, that came to the city would have
10 presented a significant challenge in terms of logistics as to
11 where they could be diverted without cooperation from the
12 operators. Is that fair?

13 **INTERIM CHIEF STEVE BELL:** So what I would -- and
14 I've contemplated this. I believe that it would have taken the
15 scale of operation that we would've had with the number of
16 resources and the detailed planning to remove the protesters
17 that we did over the weekend of the -- late February to divert
18 them ---

19 **MR. TOM CURRY:** Right.

20 **INTERIM CHIEF STEVE BELL:** --- from coming into
21 the area. So it would've been a massive undertaking, it
22 would've been on scale with what we had to execute at the end of
23 February.

24 **MR. TOM CURRY:** That's what I wondered. And you
25 could provide the Commissioner with assistance in this respect.
26 Put another way, had the protesters adopted the perspective and
27 defiance, I'll use that word, that they demonstrated in refusing
28 to leave when requested to do so in the -- towards the end of

1 January, then the 1,800 plus, I suppose it was maybe closer to
2 1,900, service personnel would have been required to manage them
3 prior to their arrival in the downtown core of Ottawa?

4 **INTERIM CHIEF STEVE BELL:** I would fully agree
5 with that.

6 **MR. TOM CURRY:** And indeed, would you go further
7 to say that some of the extraordinary powers that were used as -
8 - available to be used as a tool would also have been required
9 in the event that they resisted cooperating with direction or
10 lawful orders?

11 **INTERIM CHIEF STEVE BELL:** That's difficult to
12 say because that's not a plan we ever contemplated. So we
13 didn't actually get to the planning perspective of that, but it
14 would've been a massive undertaking with massive planning
15 requirements and massive resource requirements to undertake
16 keeping them out of the downtown core.

17 **MR. TOM CURRY:** Fair to say that there was no
18 time to have drawn the plans that you're talking about or to
19 have made the resource requests of the OPP, RCMP, and other
20 municipal police forces in the short time that you had available
21 prior to the protest arrival in Ottawa?

22 **INTERIM CHIEF STEVE BELL:** So I would say that
23 there is probably -- there is always time to do planning. We
24 would've been under tight restraints. It would've have been
25 very challenging, and I don't believe we would've had the level
26 of detail or specificity. I think the big challenge would've
27 been trying to access resources without having the level of
28 plans that we know we should have to be able to bring resources.

1 **MR. TOM CURRY:** Right. And one of the things the
2 Commissioner has heard is that there is a -- perhaps a fair
3 question about whether resource requests should proceed ahead of
4 plans or plans should be in place before resource requests. In
5 this case, do you agree that once the protesters arrived and you
6 saw what you were dealing with, as you've described it, that the
7 most urgent thing that this city required was resources?

8 **INTERIM CHIEF STEVE BELL:** So I think there's a
9 balance to that question. I think you absolutely need the plans
10 to be able to drive the specific resourcing requests that you're
11 going to have, the type of specific skills that you're going to
12 require. But the other side of it is you also have a
13 responsibility as a leader in an organisation to make other
14 organisations aware that this request may or is coming,
15 regardless of the specific skills you need. So I think it is
16 actually a parallel track that you can travel down.

17 **MR. TOM CURRY:** And so in the case of
18 Chief Sloly, you support the idea that he was making requests of
19 his policing -- your and his policing partners for the, in this
20 case 1,800 personnel, that were reasonably expected to be
21 required to deal with the protesters?

22 **INTERIM CHIEF STEVE BELL:** I think it was
23 reasonable for Chief Sloly to place all of the other chiefs, and
24 ultimately at the end of the day chiefs across Canada, on notice
25 that we were going to need a large number of resources.

26 **MR. TOM CURRY:** And in terms of that, I
27 appreciate you were present with others at a meeting where Chief
28 Sloly requested the team to assemble the information that would

1 allow that number to be known. Turned out to be 1,800.

2 Do you accept that your team and the Ottawa
3 Police Service made a good-faith effort to define the resources
4 that were needed actually?

5 **INTERIM CHIEF STEVE BELL:** So absolutely. I
6 think we made the best faith effort we could. What we lacked at
7 that point was the detailed level of planning to actually
8 indicate the type of resources we needed.

9 So we were putting best efforts forward while we
10 were building -- or starting to build plans that ultimately were
11 taken over by the Integrated -- or developed by the Integrated
12 Planning Team.

13 **MR. TOM CURRY:** Right. And the numbers and
14 specific roles actually map on reasonably closely, don't they?

15 **INTERIM CHIEF STEVE BELL:** So I can't comment on
16 that because I wasn't involved in that.

17 **MR. TOM CURRY:** Fair enough.

18 Can I get your help on this? So far as you know
19 from the meeting -- and I've seen your notes. There isn't a
20 note of this, just to orient you to that.

21 You didn't make any notes that Chief Sloly said
22 give me a -- fix a number a then double it. That's not the
23 method that he chose to follow, is it?

24 **INTERIM CHIEF STEVE BELL:** I don't have a
25 recollection of that.

26 **MR. TOM CURRY:** Thank you.

27 Now, so far as -- a couple of other things, if I
28 can just again for the -- make sure I get this right.

1 I understand the Ottawa Police Service or perhaps
2 the City has an arrangement with the Government of Canada to
3 provide policing services in and around the Parliamentary
4 precinct that are beyond the Parliamentary Police Services and
5 that there is an MOU or another arrangement that -- by which the
6 Government of Canada pays the Ottawa Police Service the sum of
7 \$3 million for that -- for those policing services?

8 **INTERIM CHIEF STEVE BELL:** So the Ottawa Police
9 Service is the police of jurisdiction in the City of Ottawa, so
10 short of security details that are done within the Parliamentary
11 precinct, which the Parliamentary Protective Services is
12 responsible for, so security primary response, the police is
13 still the police of jurisdiction within that area and all of the
14 City of Ottawa.

15 So if there's a major incident, we will assist in
16 response. If there's a criminal investigation, the Ottawa
17 Police Service will be the ones that conduct that investigation.

18 So as part of the responsibilities that we as the
19 police of jurisdiction in the City of Ottawa undertake, which
20 isn't just response in Parliamentary Protective Services, which
21 is demonstrations that would impact us directly because we're
22 Canada's -- the nation's capital.

23 The need for us to be engaged with Embassies and
24 have a different level of response or different level of
25 training as it relates to diplomats in and around our area is
26 something that we've come to an agreement with the federal
27 government to compensate us \$3 million a year for extraneous
28 costs such as Canada Day or other events.

1 **MR. TOM CURRY:** Right. Understood.

2 Is that under review after the -- after this
3 event?

4 **INTERIM CHIEF STEVE BELL:** Yes, it is.

5 **MR. TOM CURRY:** A couple of things about Incident
6 Management Systems, IMS or ICS, Incident Command Systems, you
7 mentioned that that was a process that is well understood and
8 had been used in the City of Ottawa by the Ottawa Police
9 Service.

10 **INTERIM CHIEF STEVE BELL:** So the -- within the
11 City of Ottawa, they would use the provincial standard of the
12 Incident Management System. Policing traditionally uses the
13 Incident Command System.

14 There is also another gold, silver, bronze for
15 major events that has been adopted by the RCMP and been utilized
16 in some circumstances by the OPP.

17 So there is a hodgepodge. There is a bunch of
18 different doctrines. They basically fall down to -- they
19 basically boil down to a very similar set of circumstances. We
20 have strategic level control, operational level control and
21 tactical level control.

22 **MR. TOM CURRY:** And you described to the
23 Commissioner that the border zone between strategic decisions,
24 operational decisions and tactical decisions is not -- these are
25 not bright lines.

26 **INTERIM CHIEF STEVE BELL:** No. It's something
27 that I believe is really important within every area to have
28 those discussions with the Commander up and down to make sure

1 that everyone's clear on where the decision-making's made.

2 It's something that I believe is worth
3 undertaking to make sure that we can create better lines between
4 those and better understanding of the different areas.

5 **MR. TOM CURRY:** In this case, prior to this
6 convoy protest, I understand that you, Chief Sloly, Acting
7 Deputy Ferguson had functioned, I think you told us earlier, in
8 the Incident Command System effectively; right?

9 **INTERIM CHIEF STEVE BELL:** That's correct.

10 **MR. TOM CURRY:** There was no -- you didn't have
11 an experience in which someone was introducing or thought to be
12 intruding on operations or tactics from the level of strategy
13 prior to this.

14 **INTERIM CHIEF STEVE BELL:** So what I -- what I
15 would say is Chief Sloly was regularly involved in reviews and
16 revisions on operational plans. I can't recall him ever giving
17 directions around it, but he was very engaged in those lower --
18 what could be seen as lower level responsibilities.

19 **MR. TOM CURRY:** Right. And those -- his
20 involvement in those matters was not -- was not considered to be
21 problematic. Is that fair?

22 **INTERIM CHIEF STEVE BELL:** I think that's fair.

23 **MR. TOM CURRY:** And the -- for example, I
24 understand one of those might have been the Black Lives Matter
25 protests that occurred in the aftermath of the death of George
26 Floyd in custody.

27 **INTERIM CHIEF STEVE BELL:** That was a major
28 demonstration that we managed and I have no recollection of any

1 challenges within our command structure.

2 **MR. TOM CURRY:** And the -- to the extent that
3 when we came to this unprecedented protest here brought about as
4 in the -- in the convoy that Chief Sloly and probably others
5 were facing unprecedented circumstances that strained the ICS
6 system as well.

7 **INTERIM CHIEF STEVE BELL:** Yes. So unprecedented
8 circumstances, immense levels of stress, very clear expectations
9 on outcomes. And all of those together did strain the ICS
10 system and, actually, for me, identified that there needs to be
11 much better clarity, at least within the Ottawa Police Service,
12 around how that system manages.

13 That's exactly why when I took over as Interim
14 Chief I spent time making sure that everyone understood their
15 role within the ICS system.

16 **MR. TOM CURRY:** Right. And in -- is it fair to
17 say that from your long career in policing that this is unlikely
18 to have -- the circumstances here facing the Ottawa Police
19 Service and the City of Ottawa would not have been handled any
20 differently in -- by any other municipal police service?

21 **INTERIM CHIEF STEVE BELL:** I think that's
22 difficult for me to say because I don't know how other police
23 services would have handled it.

24 **MR. TOM CURRY:** Right. Okay.

25 PLT. At the time of the convoy protest, am I
26 right that there were 14 members in the Ottawa Police Service
27 PLT? And I appreciate they're part-time members that included
28 two Sergeants?

1 **INTERIM CHIEF STEVE BELL:** So I don't -- I don't
2 know about those numbers specifically.

3 **MR. TOM CURRY:** National Framework on
4 Demonstrations was a -- is a framework that, prior to the convoy
5 protests, am I right, you were not familiar with yourself?

6 **INTERIM CHIEF STEVE BELL:** So that's the CACP
7 National Framework?

8 **MR. TOM CURRY:** Yes.

9 **INTERIM CHIEF STEVE BELL:** Yes, that's -- I had
10 reviewed it, but to be -- to call myself familiar with it or
11 knowledge -- extremely knowledgeable in all the content of it
12 would be no correct.

13 **MR. TOM CURRY:** And the PLT -- the work of the
14 PLT in this case included a couple of aspects that you -- I
15 believe you did become involved and you've told us about a
16 couple of them. Can I just get your help with them?

17 The issue of the fuel stored at Coventry, you
18 recall that?

19 **INTERIM CHIEF STEVE BELL:** I do.

20 **MR. TOM CURRY:** Am I right that what the PLT team
21 had negotiated was the removal of fuel that was stored at
22 Coventry and the -- they wished to allow it to go downtown to
23 the protestors who were using that fuel to operate their
24 vehicles?

25 **INTERIM CHIEF STEVE BELL:** So I'm generally
26 familiar with what occurred there. Actually, I'm quite familiar
27 with what occurred there. But in terms of the specifics about
28 what the agreements were, it would be unfair for me to comment

1 because I don't have any direct knowledge in that area.

2 **MR. TOM CURRY:** That's fine.

3 Can I get this from you, that you spoke with
4 S/Sgt. Ferguson, who was then running PLT or on the ground in
5 respect of PLT, concerning an issue that had arisen about
6 enforcement, that Supt. Patterson took enforcement steps to
7 intercept those -- the conveyance of the fuel; do you recall
8 that?

9 **INTERIM CHIEF STEVE BELL:** Is there a notation
10 that can reference that that I can familiarize myself.

11 **MR. TOM CURRY:** Yeah, sure. So this -- this
12 easiest place for us to find this, I think, in the time that I
13 have is to look at S/Sgt. Ferguson's summary in his interview,
14 if I could show you that. It's your notes also but let me just
15 see if I can find the reference to S/Sgt. Ferguson's statement
16 if I have -- and which I don't have. I don't know what I did
17 with it. Hang on one second. I do have. Mr. Registrar,
18 forgive me for the delay -- WTS0000027, and could we go to page
19 7, please? "Coventry Road", do you see that?

20 **INTERIM CHIEF STEVE BELL:** Yes, I do, sir.

21 **MR. TOM CURRY:** Scroll down.

22 **INTERIM CHIEF STEVE BELL:** Sir, if I can just --
23 if I can just read the first paragraphs?

24 **MR. TOM CURRY:** Yeah, yeah, by all means. The
25 stuff that I'm interested is a little later so I could probably
26 spare you this part, but ---

27 **INTERIM CHIEF STEVE BELL:** Okay.

28 **MR. TOM CURRY:** --- there's a reference to your

1 conversations. If we could just scroll down, please. There it
2 is. Just try 4:40. Do you see February 6th ---

3 **INTERIM CHIEF STEVE BELL:** Yes, I do.

4 **MR. TOM CURRY:** ---

5 "Superintendent Patterson advised Staff
6 Sergeant Ferguson...would be seizing
7 fuel..."

8 And there was a conversation between Supt.
9 Patterson and S/Sgt. Ferguson?

10 **INTERIM CHIEF STEVE BELL:** I see that.

11 **MR. TOM CURRY:** Staff -- next paragraph:

12 "...attempted unsuccessfully to convince
13 others in OPS not to
14 proceed with the public order
15 Operation..."

16 **INTERIM CHIEF STEVE BELL:** M'hm.

17 **MR. TOM CURRY:** And Insp. Marin told him that the
18 fuel was not to leave. And there, at 5:10, that's what I'm
19 interested in:

20 "Staff Sergeant Ferguson contacted
21 Deputy Chief Bell and advised him that
22 the enforcement operation would
23 undermine PLT's negotiations, which had
24 been proceeding for at least two hours.
25 Staff Sergeant Ferguson informed Deputy
26 Chief Bell that protestors were
27 compliant."

28 At 5:18:

1 " Deputy Chief Bell contacted Staff
2 Sergeant Ferguson and informed him that
3 he agreed with Superintendent
4 Patterson's decision. Later that
5 evening, Staff Sergeant Ferguson
6 learned that Deputy Chief Bell
7 supported Superintendent Patterson's
8 decision because three convoy vehicles
9 had left the Coventry Road site and
10 were transporting fuel to supply
11 protestors downtown."

12 Does that assist your recollection? These -- the
13 footnotes, I think, might go to your notes or his notes but
14 there are some notes of yours I could take you to. But does
15 that assist your recollection that ---

16 **INTERIM CHIEF STEVE BELL:** I do recall. Yes, I
17 do recall this conversation.

18 **MR. TOM CURRY:** And this is an example, isn't it,
19 of PLT negotiating something that did not fit with your
20 strategic direction that fuel was not to go from Coventry Road
21 fuel depots downtown where it would presumably present and even
22 grater public safety risk; is that fair?

23 **INTERIM CHIEF STEVE BELL:** I do believe that's
24 fair. So -- but I also do believe -- so I do believe this is
25 the right in this circumstance but I also think that, as we went
26 through, and as we managed through this incident, we needed to
27 ensure that we gave PLT better direction, better guidance,
28 better structure so that they could be more effective in their

1 work. We can't create public safety hazards with it, and I
2 would assume, in this case, that PLT would not have known where
3 it was going, would not have known that it was going to be --
4 create a safety hazard like this, but we have to find a way that
5 we balance the use of PLT with enforcement efforts and this is
6 an example of where we probably weren't that effective.

7 **MR. TOM CURRY:** Although wouldn't it be an
8 example of PLT not -- if they didn't know where it was going,
9 that's its own problem.

10 **INTERIM CHIEF STEVE BELL:** Correct.

11 **MR. TOM CURRY:** Right?

12 **INTERIM CHIEF STEVE BELL:** Correct.

13 **MR. TOM CURRY:** And I think -- and there's some
14 other information I think the Commissioner might hear that they
15 did know where it was going. So if they -- if they -- when we
16 speak about or when the Commissioner hear about "PLT autonomy",
17 do you agree that the PLT could never operate completely
18 autonomously because, for example, they might come to a
19 conclusion that lies in the opposite direction of strategic
20 direction from those who have more information like, for
21 example, you, in this case; is that fair?

22 **INTERIM CHIEF STEVE BELL:** I think what this
23 highlights to me is that one of the areas that we failed was --
24 or one of the areas we were not as effective as we could be -- I
25 think "failed" too strong of a word -- is in our alignment with
26 -- of PLT within our overall operating context. This -- this
27 type of -- "confrontation" is probably too strong a word but
28 this type of disagreement around what is occurring wouldn't

1 happen, likely, I don't believe, if we had better common
2 understanding of what we were achieving and we were moving
3 ahead. So, for me, this is one of the things, in terms of
4 lesson learned, that we have to take very, very seriously, and I
5 can tell you we have taken seriously. PLT needs to be aligned
6 and integrated and help to drive the operations because they are
7 a hugely important component.

8 **MR. TOM CURRY:** No disagreement. I think Chief
9 Sloyly will say the same thing. It just -- when we come -- when
10 it comes to specific examples, just like with the strategic,
11 operational, and tactical, there are not bright lines; there has
12 to be good communication between PLT and operations; is that
13 fair?

14 **INTERIM CHIEF STEVE BELL:** There has to be good
15 communication so that a circumstance like this doesn't actually
16 ever exist.

17 **MR. TOM CURRY:** Right. There were other examples
18 I've seen in the record. I'll give you one. Do you recall a
19 circumstance in which PLT negotiators wanted to bring Porta-
20 potties, portable toilets, into the red zone or into the
21 protestors with no quid pro quo, just a sign of -- I suppose a
22 sign of good faith, and that was a decision that was not shared
23 by -- or a goal or objective that was not shared by strategic
24 command? Does that ring a bell with you, that that negotiation
25 took place?

26 **INTERIM CHIEF STEVE BELL:** So I do remember that
27 and I do remember advocating for that. And I do understand that
28 it was going to be about bringing Porta-potties in where there

1 wasn't anything immediately in return but, for me, it was about
2 part of those small gains that you could actually make so that
3 you could build relationships and, in those relationships, you
4 could look how to lower the temperature and also look for a
5 resolution. So absolutely, I do recall that.

6 **MR. TOM CURRY:** Right. And running the other way
7 was incredible community anger. You were dealing with angry
8 residents.

9 **INTERIM CHIEF STEVE BELL:** I wouldn't describe
10 them as "angry residents". I think we were dealing with
11 residents who were hurt, who were harmed, who were victimized,
12 and who wanted this to end. They were angry but that wasn't the
13 emotion that I would explain first off when we describe our
14 community during this period.

15 **MR. TOM CURRY:** Fair enough. I'll take the
16 description that you gave; they were suffering.

17 **INTERIM CHIEF STEVE BELL:** They were suffering.

18 **MR. TOM CURRY:** And you and Chief Sloly, Deputy
19 Chief Ferguson, and everyone in the service was trying to do
20 their best, in good faith, to help resolve this problem?

21 **INTERIM CHIEF STEVE BELL:** Absolutely.

22 **MR. TOM CURRY:** Now, the -- one small thing, did
23 you ever go to a BIA meeting with Chief Sloly as part of the
24 community outreach during the protest?

25 **INTERIM CHIEF STEVE BELL:** I don't believe so.

26 **MR. TOM CURRY:** Okay. Your -- you told us that,
27 in a public statement at least -- just dealing with the public
28 statements -- Chief Sloly did not promise or declare to the

1 public that he was going to close bridges, only that that was
2 something that would be considered; correct?

3 **INTERIM CHIEF STEVE BELL:** So if we're
4 referencing -- and I believe it's the February 4th statement ---

5 **MR. TOM CURRY:** Yes.

6 **INTERIM CHIEF STEVE BELL:** --- that was -- caused
7 concern to Supt. Abrams. No, it's not my recollection or upon
8 my review that those were the statements. The statement was
9 that it was something that we could use if needed.

10 **MR. TOM CURRY:** Right.

11 In the same way, can I ask you about the
12 statement that Chief Sloly made that there may not be a policing
13 solution alone to this protest. That statement, I expect the
14 Commission will hear, was made at a briefing of Council and
15 Police Services Board at which you were also in attendance. It
16 lasted many hours. Do you recall that meeting?

17 **INTERIM CHIEF STEVE BELL:** Not specifically. If
18 we could have some reference pulled up to it?

19 **MR. TOM CURRY:** It is a multiple hours long ---

20 **INTERIM CHIEF STEVE BELL:** Do you have a date,
21 sir?

22 **MR. TOM CURRY:** --- briefing. February 2.

23 **INTERIM CHIEF STEVE BELL:** The 2nd.

24 **MR. TOM CURRY:** And indeed, you and Deputy
25 Ferguson were allowed to leave to get back to work after I think
26 about the three-and-a-half-hour mark. Chief Sloly was asked to
27 remain to answer questions. But does it refresh your
28 recollection to know that at that meeting you and Deputy

1 Ferguson spoke about the steps -- and Chief Sloly, spoke about
2 the steps that were being taken to initiate enforcement
3 activity, to protect the community and stabilize the
4 circumstances that residents were experiencing?

5 **INTERIM CHIEF STEVE BELL:** So I'm going to
6 apologize, but, no, we had many -- between Board meetings and
7 Council meetings, we had many, many meetings during the period,
8 so to be able to recall specifically what occurred during one of
9 the meeting, I would need some sort of reference point.

10 **MR. TOM CURRY:** Okay. I won't -- I'll take --
11 I'll leave it there. Suffice it to say that it's a fair
12 conclusion that the policing solution that was required to be
13 implemented to deal with the convoy protest involved more
14 resources than the Ottawa Police Service had.

15 **INTERIM CHIEF STEVE BELL:** Absolutely.

16 **MR. TOM CURRY:** And additional statutory or
17 government action in the form of the emergency measures that you
18 told my friend about.

19 **INTERIM CHIEF STEVE BELL:** Absolutely.

20 **MR. TOM CURRY:** Now then a couple of things, if I
21 can quickly, and last -- maybe the last thing based on my time
22 being up, the Superintendent Abrams told us that he brought to
23 your attention a number of issues from time to time. Is it fair
24 to say that you exercised your judgment as to whether you would
25 take those issues to Chief Sloly or not? They didn't all go to
26 Chief Sloly, for example?

27 **INTERIM CHIEF STEVE BELL:** Oh, absolutely.

28 **MR. TOM CURRY:** Okay. I have no other questions

1 for you. Thank you, Chief, sir.

2 **COMMISSIONER ROULEAU:** Thank you. Next call on
3 the City of Ottawa.

4 **--- CROSS-EXAMINATION BY MS. ALYSSA TOMKINS:**

5 **MS. ALYSSA TOMKINS:** Good afternoon. Alyssa
6 Tomkins, Counsel for the City of Ottawa.

7 **INTERIM CHIEF STEVE BELL:** Good afternoon, Ms.
8 Tomkins.

9 **MS. ALYSSA TOMKINS:** Interim Chief Bell, I want
10 to start by having a quick chat about intelligence and planning.
11 And I've heard you mention a number of times today the behaviour
12 that was not anticipated was the behaviour of the protestors in
13 relation to the community, the actions vis-à-vis the community.
14 Just to clarify for the record, what are the behaviours that
15 were unanticipated?

16 **INTERIM CHIEF STEVE BELL:** So the general
17 dynamics of what our community and ourselves were experiencing
18 in that location. It included honking of horns excessively, 24
19 hours a day, 7 days a week; the idling of the vehicles; the --
20 much of the engagements that we saw between our community
21 members and members of the protest, whether it be intimidating,
22 hate or biased crime, behaviour, assaultive behaviours; the
23 feeling that people were trapped within their residence, within
24 the place that they live and couldn't move around unfettered.
25 It was almost constant conflict between the members of this
26 community and people that were occupying our streets.

27 **MS. ALYSSA TOMKINS:** Thank you so much. And on
28 the issue of the potential closure of Wellington Street, am I

1 correct that the reason Command requested a legal opinion on the
2 ability to close the streets is that they had never closed
3 Wellington Street or downtown before to protesters?

4 **INTERIM CHIEF STEVE BELL:** So you'll have to help
5 me because we sought many legal opinions through this and we
6 have sought many legal opinions since specifically around
7 Wellington Street. Are you speaking of the January 28th?

8 **MS. ALYSSA TOMKINS:** Correct. Correct. In terms
9 of why was the legal opinion obtained in this instance, and I'm
10 just asking whether it's because it was not the general practice
11 of the police to close streets to protests in Ottawa?

12 **INTERIM CHIEF STEVE BELL:** So it -- and I think
13 it's an important point of clarification. The police alone
14 don't close the streets as it relates to protests. That's a
15 cooperative -- it's actually under the City Manager's delegated
16 authority to be able to close those streets. We give
17 recommendations and help assist them. So it's unfair to
18 characterize it that it's the police that closed the streets.
19 But it was a practice that we hadn't largely engaged in prior to
20 that, so we wanted to make sure that we were getting the best
21 legal advice around what potential steps could be as we have
22 this group come in and then as we moved forward.

23 **MS. ALYSSA TOMKINS:** And I agree with your
24 characterization. What I was getting at was indeed the
25 practice. So it was not a practice that was generally engaged
26 in. Had it been engaged in the past?

27 **INTERIM CHIEF STEVE BELL:** Not to my
28 recollection.

1 **MS. ALYSSA TOMKINS:** Thank you.

2 Now my understanding is that you were present
3 when the City Solicitor David White provided a briefing on the
4 possibility of obtaining an injunction?

5 **INTERIM CHIEF STEVE BELL:** Are you able to
6 provide me a date and a reference document?

7 **MS. ALYSSA TOMKINS:** It would be January 30th. We
8 can bring up -- I was going to lead into another point, but we
9 can bring it up. OPS00004878.

10 **INTERIM CHIEF STEVE BELL:** Thank you.

11 Scroll down ---

12 **MS. ALYSSA TOMKINS:** At the very least, you
13 received this email of the Command briefing; am I correct?

14 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.

15 **MS. ALYSSA TOMKINS:** Okay. And just -- I just
16 wanted to highlight some of the concerns that Mr. White had put
17 forward. If we can go to page 2? And I just note that the
18 third bullet down he noted that "injunction normally associated
19 with labor disputes." Then two down from that, "how [the]
20 injunction will be enforced will be important to outline." Then
21 if we can scroll right down, right at the end ---

22 **INTERIM CHIEF STEVE BELL:** Sorry, can I -- was
23 there more points on there? Can ---

24 **MS. ALYSSA TOMKINS:** Well, no, I was just ---

25 **INTERIM CHIEF STEVE BELL:** --- am I able to read
26 it?

27 **MS. ALYSSA TOMKINS:** --- going to ask you to
28 confirm that these were, in fact, concerns that Mr. White

1 brought to your attention, to OPS's attention?

2 **INTERIM CHIEF STEVE BELL:** Okay. Could -- you
3 can scroll down.

4 Okay.

5 **MS. ALYSSA TOMKINS:** And the last few points I
6 wanted to highlight were that an injunction is a more assertive
7 step and that it might aggravate the situation. That's a
8 concern that you are familiar with?

9 **INTERIM CHIEF STEVE BELL:** That's a concern that
10 was raised by Mr. White, absolutely.

11 **MS. ALYSSA TOMKINS:** And that the injunction
12 might give a platform or an outlet to protesters.

13 **INTERIM CHIEF STEVE BELL:** Another concern he
14 raised, for sure.

15 **MS. ALYSSA TOMKINS:** And if we can now go to
16 document OPS I think it's 4 0s, maybe 000004927. Maybe four,
17 sorry.

18 These are scribe notes, if I'm not mistaken. Is
19 that correct?

20 **INTERIM CHIEF STEVE BELL:** If you can go to the
21 bottom, please, I'll be able to tell you. If you go -- if you
22 scroll right to the bottom, I think there should be a notation
23 there.

24 **MS. ALYSSA TOMKINS:** Oh.

25 **INTERIM CHIEF STEVE BELL:** No, you can go back to
26 the top.

27 So I'm not sure whose notes they are.

28 **MS. ALYSSA TOMKINS:** Okay. Do you remember a

1 briefing to the RCMP and the OPP? It would be a Teams meeting
2 on January 31st.

3 **INTERIM CHIEF STEVE BELL:** Can you scroll down,
4 please?

5 **MS. ALYSSA TOMKINS:** If we go to page 3, it's
6 indicated SB.

7 **INTERIM CHIEF STEVE BELL:** Yeah. Yes.

8 **MS. ALYSSA TOMKINS:** Do you think that's you?

9 **INTERIM CHIEF STEVE BELL:** That is me, yes.

10 **MS. ALYSSA TOMKINS:** Okay.

11 **INTERIM CHIEF STEVE BELL:** Thank you. That's
12 what I was looking for.

13 **MS. ALYSSA TOMKINS:** I just wanted to -- if we
14 can scroll up now to page 2?

15 Here, if we can stop here. Again, talking about
16 an injunction, so I believe BL, is that Commissioner Luckie?

17 **INTERIM CHIEF STEVE BELL:** Yes, I believe so.

18 **MS. ALYSSA TOMKINS:** And it states:

19 "Concern. If injunction, now it's an
20 official movement to another stage.
21 This will involve the whole country.
22 Anything official will spark a national
23 response." (As read)

24 Do you recall that concern being expressed by
25 Commissioner Luckie?

26 **INTERIM CHIEF STEVE BELL:** I do recall that.

27 **MS. ALYSSA TOMKINS:** And if we can scroll down a
28 bit further, we have TC. Is that Commissioner Carrique?

1 **INTERIM CHIEF STEVE BELL:** I believe that's
2 Commissioner Carrique.

3 **MS. ALYSSA TOMKINS:** And concern with injunction,
4 you would have a legal obligation to enact it, continue to
5 build, for -- I believe it's supposed to be injunction -- mass
6 arrests and then removal of.

7 And I believe there's a comment above. I
8 apologize. I missed it. The fifth bullet:

9 "BL is spot on. Must remain cautious.
10 This is local. Careful not to become
11 national or international." (As read)

12 Then if we can go down to page 3, BL again, third
13 bullet, "De-escalation, negotiation, up to legal for injunction
14 but better not to have it."

15 Do you recall Commissioner Luckie saying that?

16 **INTERIM CHIEF STEVE BELL:** I don't recall her
17 specifically saying that, but if it's in the notation, I would
18 imagine she did.

19 **MS. ALYSSA TOMKINS:** Okay. And then we'll just
20 go to another document, OPS00005194. And this is another
21 command briefing?

22 **INTERIM CHIEF STEVE BELL:** That's correct.

23 **MS. ALYSSA TOMKINS:** You received this command
24 briefing?

25 **INTERIM CHIEF STEVE BELL:** Yes. That's on --
26 sorry, this is the -- can you tell me what date this is?

27 **MS. ALYSSA TOMKINS:** This -- so it's sent
28 February 1st, but I believe that it's referring to events on

1 January 31st.

2 **INTERIM CHIEF STEVE BELL:** Thank you.

3 **MS. ALYSSA TOMKINS:** And if we can just go to
4 page 2, one bullet after -- or sorry, after the redaction, if we
5 can -- here we have what I believe to be a summary of the call
6 which confirms that both Brenda Luckie and Tom Carrique did not
7 seem to be in favour of going the injunction route, and that's
8 what the OPS took from that briefing, correct?

9 **INTERIM CHIEF STEVE BELL:** That's correct.

10 **MS. ALYSSA TOMKINS:** Now, I just want to talk you
11 to about the negotiations between the City and the protestors.
12 And if we could just bring up OPS00008418? And I'm not sure
13 whose notes these are. Are you aware?

14 **INTERIM CHIEF STEVE BELL:** Potentially. Scroll
15 to the bottom? If you go right to the bottom, I could probably
16 have -- there should be a name on them.

17 No, I'm unfamiliar whose notes these are.

18 **MS. ALYSSA TOMKINS:** Okay. Well, we'll go to
19 them and see if it refreshes your memory.

20 So on page 4, again, there's a redaction, and
21 then it says -- and this, I believe, follows the correspondence
22 that Commission counsel took you to where there was an exchange
23 from John Ferguson to Mark Patterson, and then you followed up.

24 And it states here:

25 "Redaction. One of the biggest
26 advocates, organizers, demonstrators
27 negotiating with PLT members last
28 night. Going to be meeting with Steve

1 K, with City -- wanted to meet with him
2 -- win situation -- told will be some
3 trucks that will be moved."

4 So the idea that trucks would be moving came from
5 the police, not the City; is that correct?

6 **INTERIM CHIEF STEVE BELL:** So just for my
7 clarification, these are notes of the 9th?

8 **MS. ALYSSA TOMKINS:** I believe it was the 8th.

9 **INTERIM CHIEF STEVE BELL:** The 8th, yes, I'm
10 sorry. I messed that up as far as well.

11 Yes, that's accurate.

12 **MS. ALYSSA TOMKINS:** Okay. And if we could go
13 back, I see, "Superintendent -- it says Bell -- will have update
14 in two seconds."

15 I believe that's you.

16 **INTERIM CHIEF STEVE BELL:** Yes, that's correct.

17 **MS. ALYSSA TOMKINS:** And then we get an update
18 from Superintendent Patterson, "Steve K. assigned to work with
19 PLT members to negotiate with Trans Mountain."

20 So I assume that's Mr. Kanellakos?

21 **INTERIM CHIEF STEVE BELL:** I don't believe we
22 assigned him to work with -- I believe that he indicated he ---

23 **MS. ALYSSA TOMKINS:** Agreed. I was more making a
24 little joke.

25 Okay. So then we're going to follow through. So
26 in terms of -- we'll go down to your notes and those are at
27 OPS00014525.

28 And just in the interests of time, your evidence

1 is that on the 12th, you got an update from the former Chief
2 Sloly about the City's negotiations, and it was told to you to
3 be highly confidential?

4 **INTERIM CHIEF STEVE BELL:** That's accurate.

5 **MS. ALYSSA TOMKINS:** Okay.

6 **INTERIM CHIEF STEVE BELL:** I would assume that's
7 accurate. I'd need to see my notes in order to verify that it
8 was on the 12th. I don't recall the date.

9 **MS. ALYSSA TOMKINS:** If we can go to page 52,
10 just quickly? So here we have -- this is a meeting with the
11 chief. If you want to scroll up and see that it's the 12th, we
12 can.

13 **INTERIM CHIEF STEVE BELL:** Yeah, that would be
14 appreciated.

15 **MS. ALYSSA TOMKINS:** Yeah, no problem.

16 **INTERIM CHIEF STEVE BELL:** Thank you.

17 **MS. ALYSSA TOMKINS:** Yeah. So this is the quick
18 update that you got from the chief.

19 Then if we can skip ahead to page 64, and this is
20 the meeting at noon. And I just wanted to scroll down a little
21 bit.

22 **INTERIM CHIEF STEVE BELL:** This isn't the same
23 day, I don't believe.

24 **MS. ALYSSA TOMKINS:** No, you're quite right.
25 It's the next day.

26 **INTERIM CHIEF STEVE BELL:** This is the 13th.

27 **MS. ALYSSA TOMKINS:** It is the 13th.

28 **INTERIM CHIEF STEVE BELL:** Sorry.

1 **MS. ALYSSA TOMKINS:** I apologize. This is the
2 meeting at noon on the 13th.

3 So this is -- if we can just scroll down. One
4 thing I wanted -- keep scrolling -- the comment here, "Premier
5 is very supportive of the action."

6 Do you have any recollection of who said that?

7 **INTERIM CHIEF STEVE BELL:** I don't have
8 recollection of that.

9 **MS. ALYSSA TOMKINS:** Okay. And then if we can
10 scroll down a bit more, "Two core scenarios. What is the
11 outcome of the new footprint? Are we able to take out the
12 remainders?"

13 Do you recall this being discussed?

14 **INTERIM CHIEF STEVE BELL:** Yes, I do.

15 **MS. ALYSSA TOMKINS:** Okay. And then if we can
16 just go down? This is a briefing from the chief, and is it just
17 you and the chief at that point?

18 **INTERIM CHIEF STEVE BELL:** I don't ---

19 **MS. ALYSSA TOMKINS:** It's coming from the chief,
20 though? And the chief ---

21 **INTERIM CHIEF STEVE BELL:** It's coming from the
22 chief. I don't -- there would have been other people involved
23 in this, but I don't -- didn't note who they were.

24 **MS. ALYSSA TOMKINS:** And it's clear from the
25 direction from the chief that you've noted is to maintain our
26 concept of operation, that's correct?

27 **INTERIM CHIEF STEVE BELL:** That's correct.

28 **MS. ALYSSA TOMKINS:** Okay. Now, if we can just

1 scroll down a little bit more? We have another meeting at 2:30.
2 This, you're starting to get into more of the logistics.

3 **INTERIM CHIEF STEVE BELL:** That's -- into some of
4 the activities that need to occur in order to be able to make
5 this happen.

6 **MS. ALYSSA TOMKINS:** And under number 4, there's
7 an arrow that says, "Elgin to Lyon is what is being looked at"?

8 **INTERIM CHIEF STEVE BELL:** That's correct.

9 **MS. ALYSSA TOMKINS:** And then it says, "At
10 something footprint. Can you assist?"

11 **INTERIM CHIEF STEVE BELL:** Looking -- looked at
12 or attempted an at symbol.

13 **MS. ALYSSA TOMKINS:** Okay. And then there's
14 Rideau and Sussex has been developed, but the next bullet says,
15 "Looking at how we can manage a reduction of the footprint"; is
16 that correct?

17 **INTERIM CHIEF STEVE BELL:** That is correct.

18 **MS. ALYSSA TOMKINS:** Now, there's one other
19 meeting that I didn't see in your notes, but I'm going to take
20 you to, because I think you were there. It refers to Bell.

21 So it's OPS00011039. And maybe these one are
22 scribe notes. Can we check the last page?

23 **INTERIM CHIEF STEVE BELL:** No, that's -- I've --
24 we've been unsuccessful on another one. I believe they are
25 scribe notes.

26 **MS. ALYSSA TOMKINS:** Okay. So ---

27 **INTERIM CHIEF STEVE BELL:** This is the 13th now?

28 **MS. ALYSSA TOMKINS:** Yes, February 13th, and if

1 we can go to page 6? And if we scroll up, we'll see the notes
2 are from the -- there's a -- oh, there's Vicky Nelson, the
3 scribe.

4 If we can scroll up, we'll just see that there's
5 notes from the call with the City at noon.

6 **INTERIM CHIEF STEVE BELL:** Correct.

7 **MS. ALYSSA TOMKINS:** Then it appears there was a
8 call with Commissioner Carrique. And then there appears to be
9 another discussion, the one I'm interested in at -- on page 6
10 and it says "negotiating update meeting". And this is where, if
11 we go about seven bullets down, we see:

12 "Bell all indication[s] that the city got
13 through the negotiating the groups is
14 trying to separate from the other group -
15 we do not expect backlash"

16 Can you explain what that meant, if you can?

17 **INTERIM CHIEF STEVE BELL:** Yeah, so one of the
18 concerns as this unfolded was, as I indicated earlier today,
19 there were many pockets and different groups within the overall
20 occupation. One of the concerns was that if a number of people
21 move, there could potentially be backlashes from others that
22 didn't want that to occur.

23 And again, I'll go back to this is a time, from a
24 context perspective, that there's much higher -- there's an
25 escalation in tensions within the group. There's more violence
26 that we're seeing on the street, particularly relating to our
27 members. So it is a much more volatile time. So we were
28 looking to make sure that something like this, or trying to

1 anticipate whether something like this could spark something
2 internally.

3 **MS. ALYSSA TOMKINS:** And then Deputy Chief
4 Ferguson says:

5 "this does not change the operations. We
6 can make this work to our advantage."

7 Do you recall that?

8 **INTERIM CHIEF STEVE BELL:** Yes, I do.

9 **MS. ALYSSA TOMKINS:**

10 "Those remaining behind will be there [by]
11 their [...] choice

12 JOHN - this is happening at 3pm.

13 John Steinbeck; I assume?

14 Now, after the reaction, we have Bernier. Is
15 that Supt. Bernier?

16 **INTERIM CHIEF STEVE BELL:** That would be Supt.
17 Bernier.

18 **MS. ALYSSA TOMKINS:** So when my friend put to you
19 that there was no discussion with Supt. Bernier about how this
20 worked and with his plan, we actually see here there's a meeting
21 with him and Supt. Bernier says:

22 "the plan aligns with what we planned and
23 accelerates it. No concerns"

24 Do you see that?

25 **INTERIM CHIEF STEVE BELL:** I do see that, but I
26 think there's clarification that needs to happen around this.
27 We had our first briefing on this potential deal on the 12th
28 later in the day. This is on the 13th at the point at which we

1 would have informed Supt. Bernier. So this is later. There is
2 a lag and a gap between the time that we knew and the time that
3 we brought the incident commander up to speed.

4 **MS. ALYSSA TOMKINS:** But there is a discussion
5 here about the plan, and at the time, he expresses no concerns
6 about how it's going to work with his plan; correct?

7 **INTERIM CHIEF STEVE BELL:** Yes, that's --
8 absolutely.

9 **MS. ALYSSA TOMKINS:** And in the end, the
10 agreement -- well, unfortunately or fortunately, the fact is,
11 the agreement did not have an impact -- not have the impact on
12 reducing the footprint that it was intended to?

13 **INTERIM CHIEF STEVE BELL:** It did not reduce the
14 footprint as was intended, but did lower the temperature.

15 **MS. ALYSSA TOMKINS:** And the move had very little
16 impact on operational planning?

17 **INTERIM CHIEF STEVE BELL:** That's going to be a
18 question better asked to Supt. Bernier.

19 **MS. ALYSSA TOMKINS:** Okay. But I'll just put it
20 to you in your witness summary, that was your evidence.

21 **INTERIM CHIEF STEVE BELL:** I don't believe it had
22 it, but ---

23 **MS. ALYSSA TOMKINS:** Okay.

24 **INTERIM CHIEF STEVE BELL:** --- the actual impact
25 on operational planning would better be quantified by Supt.
26 Bernier.

27 **MS. ALYSSA TOMKINS:** Thank you. I just wanted to
28 contextualize that statement. So thank you so much for your

1 time today, Interim Chief Bell.

2 **COMMISSIONER ROULEAU:** Okay. Thank you. If I
3 could call on the Ontario Provincial Police at this stage?

4 **--- CROSS-EXAMINATION BY MR. CHRISTOPHER DIANA:**

5 **MR. CHRISTOPHER DIANA:** Good afternoon, Supt.
6 Christopher Diana for the OPP.

7 I'd like to start by asking about the Hendon
8 Reports. I believe your evidence was that you did not start
9 receiving them until, I believe, January 27th? Is that correct?

10 **INTERIM CHIEF STEVE BELL:** That's correct.

11 **MR. CHRISTOPHER DIANA:** Of course, you would
12 acknowledge, as we've heard from other witnesses, that OPS as an
13 organization was in fact in receipt of these reports basically
14 from the inception of Hendon?

15 **INTERIM CHIEF STEVE BELL:** Oh, absolutely. We
16 were a partner and a very engaged partner in Project Hendon and
17 did receive all the reports widely within our organization.

18 **MR. CHRISTOPHER DIANA:** Right. And so I think
19 from Supt. Morris' evidence, I think he name checked around six
20 individuals who were receiving them. There were a couple of
21 others that were referenced in Supt. Drummonds' witness summary.
22 So there were at least eight members in OPS that would have
23 received these reports; correct?

24 **INTERIM CHIEF STEVE BELL:** I don't know the
25 specific numbers, but beyond the numbers, what I can say is that
26 they did go -- from my review, they did go to the Chief of
27 Police, they did go to Intelligence, and they did go to our
28 event planning. So they were widely distributed and

1 disseminated in the organization.

2 **MR. CHRISTOPHER DIANA:** All right. And if I
3 heard your evidence correctly, I believe that when you started
4 to receive them, you didn't go back and read the earlier ones.
5 So is that your evidence?

6 **INTERIM CHIEF STEVE BELL:** That's correct. I was
7 -- from the 27th moving forward, I did daily review them. I've
8 had the opportunity since then to go back and review the
9 entirety from the 13th on.

10 **MR. CHRISTOPHER DIANA:** But considering the
11 nature of the report, do you think maybe in retrospect you
12 should have went back to review the earlier reports?

13 **INTERIM CHIEF STEVE BELL:** Yes. I think that
14 could have been beneficial. But I think it's also very
15 important to realize that is an analytical document that one of
16 my responsibilities would be to make sure that it was properly
17 brought into the organization, properly reflected and analysed,
18 and then put into the operational planning people. So it would
19 -- it's always a benefit the more as you get on something like
20 that, but it wasn't absolutely necessary for that to happen to
21 ensure that the information was brought in and shared within the
22 organization.

23 **MR. CHRISTOPHER DIANA:** Right. Although that was
24 your bureau at the time; correct? You were in charge of
25 intelligence?

26 **INTERIM CHIEF STEVE BELL:** That was one of the
27 areas within my command. Correct.

28 **MR. CHRISTOPHER DIANA:** One of the things that

1 you said in your evidence in chief, and you may have repeated it
2 since then, was that there was no intelligence to indicate there
3 would be any significant community impact. Was that your
4 evidence?

5 **INTERIM CHIEF STEVE BELL:** I believe my evidence
6 was that it wasn't reflected within the Hendon Reports the
7 activity that the protestors would engage in that caused the
8 community harm or community violence that existed when they got
9 here. There was no reference to that within the Hendon Reports.

10 **MR. CHRISTOPHER DIANA:** Okay. I wrote down
11 "significant community impact". So maybe I misheard, but that
12 was my understanding of what you said.

13 You would agree that the Hendon Reports did make
14 reference to certain things, such as, as early as January 20th,
15 there was reference to an elective strategy in the Hendon
16 Reports; correct?

17 **INTERIM CHIEF STEVE BELL:** I'm sorry. I missed -
18 - there was ---

19 **MR. CHRISTOPHER DIANA:** Sorry, as early as the
20 January 20th Hendon Report, there was reference in that report,
21 and subsequent, that there was no exit strategy for the
22 protestors; correct?

23 **INTERIM CHIEF STEVE BELL:** That is correct.

24 **MR. CHRISTOPHER DIANA:** And the reports also
25 reference that the protestors would not leave until their
26 demands were met; correct?

27 **INTERIM CHIEF STEVE BELL:** Yes, but I think it's
28 important to put that in the context of it's -- it does

1 reference those statements within the Hendon Reports, but there
2 are many, many statements within the Hendon Reports. Was that
3 there? Absolutely it was there.

4 **MR. CHRISTOPHER DIANA:** Sure. And the demands
5 articulated include the demand that all mandates would end, but
6 that was what the protestors were, at least according to the
7 Hendon Reports, that's why they were coming to Ottawa; correct?

8 **INTERIM CHIEF STEVE BELL:** Is it possible to pull
9 that Hendon Report up so we can review it specifically so I can
10 see the reference to make sure I'm getting it correctly?

11 **MR. CHRISTOPHER DIANA:** Well what I've done, to
12 try to save some time, is to refer to the Hendon summary. Supt.
13 Morris prepared a Hendon summary which may be useful. So if we
14 could go to OPP349?

15 All right. So this is -- rather than try to
16 bring up a bunch of different reports, this was a summary put
17 together by Supt. Morris that reviews some of the relevant
18 excerpts from the Hendon reports.

19 So if we could go to page 3? All right. So
20 there's some points here that ---

21 **COMMISSIONER ROULEAU:** Sorry, just a moment.

22 **MR. DAVID MIGICOVSKY:** I did have ---

23 **COMMISSIONER ROULEAU:** If you could just identify
24 yourself again?

25 **MR. DAVID MIGICOVSKY:** I'm sorry. David
26 Migicovsky. Counsel for the Ottawa Police Service.

27 I, you know, had some concern when this document
28 went in that it's a summary of sentences that are taken out of

1 context. I believe what the witness asked for when he was asked
2 the question is, "It would be helpful if I could see the full
3 report." So rather than give him an extract, which has selected
4 pieces of information, why not give him the document that he
5 asked to review so that he can fairly answer the question?

6 **COMMISSIONER ROULEAU:** Well, maybe I
7 misunderstood, but I thought the question with a request was and
8 the witness will answer that he wanted the actual words of the
9 report. I don't -- I didn't take him to say he wanted to see
10 each of the reports, but that's up to the witness.

11 **INTERIM CHIEF STEVE BELL:** I would prefer to see
12 the reports, Your Honour.

13 **MR. CHRISTOPHER DIANA:** The point that I'm trying
14 to make, because I don't have the control number for every
15 single of these reports to take you to, nor was that my
16 intention. My intention was to put to you that there were a
17 number of items in these Hendon Reports that are already on the
18 record. I don't need to go through each one, in my opinion.
19 And if you'd review them, then you would probably remember the
20 fact, as you've testified, that they do indeed say there's no
21 exit of strategy; correct? You've already confirmed that.

22 **INTERIM CHIEF STEVE BELL:** That is correct. Yes.

23 **MR. CHRISTOPHER DIANA:** And they do also say that
24 the protestors do not intend to leave until their demands are
25 met; correct?

26 **INTERIM CHIEF STEVE BELL:** That is one of the
27 things the report says, yes.

28 **MR. CHRISTOPHER DIANA:** And the reports also say

1 that the protestors may disrupt the workings of government?

2 **INTERIM CHIEF STEVE BELL:** So again, I go back,
3 yes, it does -- it does indicate all of these, but as we've had
4 the discussion, there are other statements in there as well and
5 it's the balance of the interpretation of the entire report that
6 is important. It's the growth of the report.

7 And please, sir, don't hear me say that I don't
8 absolutely appreciate all of the intelligence and information
9 that was provided through the Hendon Report, but to take
10 individualized statements through it, I think, doesn't really
11 reflect the flavour of the intelligence that we were receiving.

12 There was also statements in there that said they
13 would be completely lawful in all ways. There was statements in
14 there that said there was going to be a million people arrive in
15 the hill. There was other statements as well.

16 So I think it's the entire context of the Hendon
17 Report that's very important to evaluate.

18 **MR. CHRISTOPHER DIANA:** All right. I could you
19 to other statements that talk about the potential community
20 impact, but my point is this.

21 There's enough information in those Hendon
22 Reports to show that, collectively, all those statements taken
23 together even in that context that you speak of, there's enough
24 in those reports to paint a clear picture that there could very
25 well be significant potential community impact. The potential
26 was there, wasn't it?

27 **INTERIM CHIEF STEVE BELL:** I would disagree with
28 that.

1 There is no reference throughout the documents
2 that look to identify the specific activity that occurs. I
3 think the closest thing that the Hendon Report would be -- would
4 have within it to identify what could occur is the fact that the
5 groups coming together could be very unpredictable. I think
6 that mob mentality and the actions that occurred out of that is
7 exactly what we saw.

8 But in terms of specifically predicting -- and I
9 wouldn't expect it to, but specifically predicting --

10 **MR. CHRISTOPHER DIANA:** Well, that's my point.
11 You wouldn't expect it to.

12 You wouldn't expect an intelligence report would
13 specifically identify every single community disruption that
14 could occur; right?

15 **INTERIM CHIEF STEVE BELL:** No, I wouldn't, but
16 there wasn't any, any information included in the Hendon Reports
17 that specifically or generally talked about the activities that
18 we're going to be -- that were going to occur in our city.

19 And I think one of those is, there was no
20 reference to any intention that the community would be used as a
21 leverage point within these protests.

22 **MR. CHRISTOPHER DIANA:** Even the large number of
23 people and vehicles, and while those numbers did fluctuate, it
24 did indicate it would be a large number of both vehicles and
25 people; correct?

26 **INTERIM CHIEF STEVE BELL:** Absolutely. In
27 varying numbers as it went along, 100 percent. It did -- it did
28 indicate a range of numbers that as the collection of

1 intelligence came and moved along, was able to be refined up to
2 what would have been the 27th where numbers were starting to be
3 reported and they were more accurately reflected on the 28th.

4 Now, I understand that is a very difficult task
5 for an intelligence-gathering group. This was an extremely
6 fluid and dynamic situation and I truly believe the intelligence
7 gatherers and collectors did an amazing job in building the
8 system as it went along and refining it, up to and including
9 putting a reliability index as we continued through and having
10 numbers put into those reports as we got closer to the date.

11 An extremely difficult task, and I don't want you
12 to hear me being critical of the Hendon Reports.

13 **MR. CHRISTOPHER DIANA:** Right. So I just want to
14 make sure I understand your evidence.

15 And as I understand it, your evidence was that
16 the intelligence did not set out significant potential community
17 impact.

18 **INTERIM CHIEF STEVE BELL:** The intelligence
19 didn't identify that there would be the type of behaviours that
20 we saw demonstrated in our streets. It didn't bear it out.

21 **MR. CHRISTOPHER DIANA:** All right. You also
22 indicated that your planning was predicated on a weekend-long
23 event; correct?

24 **INTERIM CHIEF STEVE BELL:** The intelligence
25 reports as we identified them specifically spoke on a regular
26 basis and an increasing basis about the activities that would
27 occur on January 28th, 29th and 30th. As we read them and as we
28 saw them, we identified that to mean that there would be

1 specific incidents, specific demonstrations and activities
2 around that weekend and that, beyond that, there could be a
3 small number of people that remained, but that was the main
4 focus.

5 Actually, that is what bore out within our
6 streets. Most -- many people left on the night of the 30th that
7 decreased a number of -- a number of people within our city, so
8 that was accurate.

9 What we didn't have was an accurate prediction of
10 the footprint that would remain or the activities that those
11 people were engaged in.

12 **MR. CHRISTOPHER DIANA:** All right. Can you point
13 out the report that indicates they were only going to stay for
14 the weekend? Because I'm not aware of that.

15 **INTERIM CHIEF STEVE BELL:** So ---

16 **MR. CHRISTOPHER DIANA:** So you've continually
17 said that it was predicated on a weekend-long event. I'd like
18 you to point me to that -- the source of that intelligence
19 because it's not in the Hendon Reports.

20 **INTERIM CHIEF STEVE BELL:** So the Hendon Reports
21 regularly discussed weekend activities planning and, in fact, on
22 several points you can identify in intelligence gaps activities
23 for the 28th, 29th and 30th. There is several different
24 examples where that specifically is what is referenced.

25 **MR. CHRISTOPHER DIANA:** Correct, but the
26 reference to intelligence gaps simply means that the
27 intelligence did not know exactly what was going to happen on
28 those days. There's no reference that they were going to leave

1 after that weekend; correct?

2 **INTERIM CHIEF STEVE BELL:** So it -- as you've
3 indicated around the behaviours that occurred, it was not that
4 specific that those were going to be the only demonstration
5 days. That is correct.

6 **MR. CHRISTOPHER DIANA:** Right. And part of I
7 think what you said earlier in your evidence in-chief, you
8 talked a lot about experience; correct?

9 **INTERIM CHIEF STEVE BELL:** Yes.

10 **MR. CHRISTOPHER DIANA:** And certainly it's
11 acknowledged that OPS for many years has responded to protests
12 large and small. And I believe your evidence was that
13 experience did play a large part in the planning for this event;
14 correct?

15 **INTERIM CHIEF STEVE BELL:** So if you're talking
16 around about intelligence, I think the experience that I was
17 talking about was the experience in engaging and dealing with
18 the groups. Nobody had any experience in dealing with the
19 patriot movement in terms of a large-scale demonstration.

20 We were the first and, from that experience,
21 we've seen other jurisdictions adapt and interpret the
22 intelligence somewhat differently.

23 **MR. CHRISTOPHER DIANA:** All right. I would put
24 to you that your planning was based more on what you thought
25 would happen based on your experience more than the actual
26 intelligence you had at your disposal.

27 **INTERIM CHIEF STEVE BELL:** So I think it was -- I
28 would -- I would submit to you that it was both.

1 We do have a plan around experience that we did
2 execute in terms of allowing vehicles into that footprint, in
3 terms of managing how we would look to manage what would be a
4 small number of people that would remain in a localized area in
5 the downtown core.

6 That was the experience package that we brought
7 into this. That wasn't what bore out. And that's why I say in
8 terms of interpreting intelligence, it's always extremely
9 important to be able to balance the experience you have around
10 that.

11 Nobody had experience in it at that time.

12 **MR. CHRISTOPHER DIANA:** Right. And you would
13 agree that the operational plan should accurately reflect the
14 intelligence; correct?

15 **INTERIM CHIEF STEVE BELL:** I would agree with
16 that.

17 **MR. CHRISTOPHER DIANA:** And would you also agree
18 that the operational plan prepared by the Ottawa Police Service
19 for that weekend made no reference to Hendon, did it?

20 **INTERIM CHIEF STEVE BELL:** If we can pull it up.

21 **MR. CHRISTOPHER DIANA:** Sure. It's OPS3531.

22 Just one second. We'll pull up the other one,
23 OPP4262.

24 Thank you.

25 Now, this is a document I believe my friend had
26 up earlier. No, that's not it.

27 Sorry. That's not the document.

28 OPP4262.

1 And if you can scroll down, this is the
2 operational plan; correct? My friend took you to this earlier?

3 **INTERIM CHIEF STEVE BELL:** That is correct, yes.

4 **MR. CHRISTOPHER DIANA:** Okay. So if we go down
5 to the index, I believe it's page 6.

6 Maybe it's page 4. Go up to page 4.

7 Right there. Stop.

8 Where it says "Threat Assessment", if you can
9 just scroll down a little bit and allow the witness to take a
10 look at that.

11 And when you look at it, I'll be asking you
12 whether or not there's any reference to the Hendon Reports or
13 whether or not there's any reference to the fact there was no
14 exit strategy, the potential long-term stay as referenced in the
15 Hendon Reports, the references that there may be interference
16 with the operations of government and those other things that I
17 brought out.

18 But please, take a moment just to scroll through
19 and take a read of that. You can scroll down. Thank you.

20 So I absolutely agree there isn't reference to
21 the Hendon report. I wouldn't specifically expect there
22 necessarily to be references to the Hendon report in that area.
23 What I can tell you is I know that the Hendon reports, as you
24 indicated earlier, were received by these groups and used in
25 developing the threat assessment and in developing the plan.
26 And I also do acknowledge that it is a gap that there is no
27 reference to the potential of the convoy lasting longer than the
28 three days.

1 **MR. CHRISTOPHER DIANA:** When it comes to
2 planning, you know, you can kind of hope that something might
3 turn out a certain way, but in policing, you always need a
4 contingency; right?

5 **INTERIM CHIEF STEVE BELL:** Yes.

6 **MR. CHRISTOPHER DIANA:** I asked Deputy Chief
7 Ferguson whether or not she agreed with my proposition that this
8 plan was not intelligence led and she agreed with my
9 proposition. Do you agree that this plan was not intelligence
10 led?

11 **INTERIM CHIEF STEVE BELL:** I believe -- I would
12 agree with you that this plan was intelligence led, that the
13 intelligence provided was actually shared with the planners, was
14 properly brought into the organization, assessed, analyzed and
15 adequately shared to be assessed and developed into the plan.

16 **MR. CHRISTOPHER DIANA:** Okay. So you disagree
17 with Chief Ferguson then?

18 **INTERIM CHIEF STEVE BELL:** Deputy Chief Ferguson.

19 **MR. CHRISTOPHER DIANA:** Deputy Chief Ferguson.

20 **INTERIM CHIEF STEVE BELL:** Yes, I do believe, and
21 through all the review that I've done, I on several points and
22 frequently identify where there's references between the
23 planners and the Intelligence group to actually look to access
24 intelligence that exists. So I do know that that existed. I do
25 know the planners were very conscious and cognizant of
26 intelligence and making sure that it was put into this plan.

27 **MR. CHRISTOPHER DIANA:** So even though it doesn't
28 reference Hendon and the various attributes that I pointed out,

1 you would still say it's intelligence led?

2 **INTERIM CHIEF STEVE BELL:** Yes, I do, yes.

3 **MR. CHRISTOPHER DIANA:** All right. Thank you.

4 No further questions.

5 **COMMISSIONER ROULEAU:** Okay. Next is the
6 Government of Canada?

7 **--- CROSS-EXAMINATION BY MR. ROBERT MacKINNON:**

8 **MR. ROBERT MacKINNON:** Good afternoon, Chief
9 Bell. I am Robert MacKinnon, Counsel for the Government of
10 Canada.

11 You were the intelligence -- head of the
12 Intelligence Director at the end of your position there, and you
13 spent several years in that directorate; is that correct?

14 **INTERIM CHIEF STEVE BELL:** No, that's not
15 correct. I was the Deputy Chief in Charge of Intelligence
16 Information and Investigations from mid-December 2021 to up and
17 to the point that I was assigned as Interim Chief of the Ottawa
18 Police Service. Prior to that, I was the Chief Administrative
19 Officer for a year, then prior to that, I was in the Community
20 Policing Command.

21 **MR. ROBERT MacKINNON:** Okay. What I'm getting at
22 is how many years of experience in the Intelligence area have
23 you had; would you say?

24 **INTERIM CHIEF STEVE BELL:** So my experience is in
25 -- within -- at the lower levels within drug investigations and
26 intelligence, where I had a number years of experience. Then as
27 I've gone through, I've had different command positions within
28 the Intelligence -- that would oversee the Intelligence

1 Directorate.

2 **MR. ROBERT MacKINNON:** Okay. So you would have
3 reviewed -- apart from the Hendon reports up to January 27th, you
4 would have reviewed intelligence reports coming concerning the
5 convoy in mid to late January before it arrived?

6 **INTERIM CHIEF STEVE BELL:** So, no. As I
7 indicated in my evidence, I started to receive the specific
8 Hendon reports on the 27th of January.

9 **MR. ROBERT MacKINNON:** Apart from the Hendon
10 reports are you saying you received no other kind of
11 intelligence reports before then?

12 **INTERIM CHIEF STEVE BELL:** I would be briefed on
13 intelligence reports from my command.

14 **MR. ROBERT MacKINNON:** Okay. And at the time you
15 started receiving those reports plus the Hendon reports, there
16 were conflicting reports on the number of vehicles and people
17 coming to protest; correct?

18 **INTERIM CHIEF STEVE BELL:** There was a wide range
19 of reporting on who would be coming to the city for sure.

20 **MR. ROBERT MacKINNON:** And how long it would last
21 as well.

22 **INTERIM CHIEF STEVE BELL:** Absolutely.

23 **MR. ROBERT MacKINNON:** And would you agree that
24 the nature of intelligence generally is that it is seldom black
25 and white? It's more -- mostly in the grey area, put it that
26 way.

27 **INTERIM CHIEF STEVE BELL:** Oh, I would agree with
28 that.

1 **MR. ROBERT MacKINNON:** And that you have to
2 assess the intelligence as best you can with others and other
3 perspectives and sources, as many sources of information as you
4 can; is that right?

5 **INTERIM CHIEF STEVE BELL:** I would agree with
6 that.

7 **MR. ROBERT MacKINNON:** And in the intelligence
8 reports that you had received, the later incidents of horn
9 blaring, criminal activity and hate-based incidents that
10 occurred were not captured in these initial intelligence report?

11 **INTERIM CHIEF STEVE BELL:** I would agree with
12 that. I don't think they were captured in any intelligence
13 reports.

14 **MR. ROBERT MacKINNON:** And according to your
15 summary interview, there was approximately 3,000 to 4,000
16 vehicles that the OPS was expecting to arrive in that first
17 weekend; is that correct?

18 **INTERIM CHIEF STEVE BELL:** That's correct. As it
19 drew closer.

20 **MR. ROBERT MacKINNON:** And as you have said in
21 your interview summary, there was limited organization within
22 the Freedom Convoy overall?

23 **INTERIM CHIEF STEVE BELL:** The organizational
24 structure was extremely challenging because it was non-existent.
25 There was pockets of different groups. I think as the convoy
26 and as the occupation moved through the weeks, it began to
27 coalesce a bit, there was some leaders that could have been
28 identified as we move along, but that's part of the negotiation

1 challenges that we had was there was many different pockets of
2 leaders with many different perspectives and many different
3 ideologies.

4 **MR. ROBERT MacKINNON:** You mentioned 8 to 10
5 different groups representing 50 to 100 different political
6 agendas; correct?

7 **INTERIM CHIEF STEVE BELL:** That would be accurate
8 as an estimate.

9 **MR. ROBERT MacKINNON:** And that the OPS found it
10 hard to identify any one particular leader or group who could
11 speak for them all.

12 **INTERIM CHIEF STEVE BELL:** That's accurate.

13 **MR. ROBERT MacKINNON:** And you were also aware
14 that there were former police and military members as part of
15 the convoy participants?

16 **INTERIM CHIEF STEVE BELL:** That is accurate.

17 **MR. ROBERT MacKINNON:** And that they had raised a
18 significant amount of money through crowd funding platforms such
19 as GoFundMe, later on GiveSendGo?

20 **INTERIM CHIEF STEVE BELL:** That's accurate.

21 **MR. ROBERT MacKINNON:** And you were aware of some
22 warnings concerning participants in the protest, and in that
23 respect, you were taken to a document earlier which I'll make
24 quick reference to. It's by -- it's the intelligence assessment
25 by Sergeant Chris Kiez on January 29th, the OPS 00004039. If we
26 could pull that up for a second?

27 And if you could go to page 5? And under "lone
28 actor concerns," go down to the heading just below the middle.

1 INTERIM CHIEF STEVE BELL: M'hm.

2 MR. ROBERT MacKINNON: Yeah. So you can see
3 there it says, "As the event becomes larger and larger,
4 OSCINT..." -- that's Open-Source Intelligence; correct?

5 INTERIM CHIEF STEVE BELL: Open-source
6 information.

7 MR. ROBERT MacKINNON: "...is revealing the
8 occasional (and not unexpected) online
9 instigators, lone actor-instigators,
10 who advise others to use violence if
11 encountering police barricades."

12 Is that correct?

13 INTERIM CHIEF STEVE BELL: That is correct.

14 MR. ROBERT MacKINNON: And on page 6 there's a
15 warning at the top of the page, yeah. The third bullet point,
16 "The open nature of this event, coupled
17 with the high concentration of
18 attendees may further add to [the]
19 potential appeal among certain
20 individuals who may embrace extremist
21 ideologies."

22 Do you see that?

23 INTERIM CHIEF STEVE BELL: Yes, I do.

24 MR. ROBERT MacKINNON: So there was some warning
25 in advance as to some things to be worried about; is that
26 correct?

27 INTERIM CHIEF STEVE BELL: There was some
28 notations here that raised concerns that we should be looking

1 for.

2 **MR. ROBERT MacKINNON:** And you have mentioned in
3 your summary that as January 30th progressed into Monday, OPS was
4 not prepared for what developed into an occupation. So it soon
5 began from a protest to an occupation; is that correct?

6 **INTERIM CHIEF STEVE BELL:** That is correct.

7 **MR. ROBERT MacKINNON:** And with elements
8 demonstrating lawlessness; is that correct?

9 **INTERIM CHIEF STEVE BELL:** Correct.

10 **MR. ROBERT MacKINNON:** Harassment?

11 **INTERIM CHIEF STEVE BELL:** Yes.

12 **MR. ROBERT MacKINNON:** Intimidation?

13 **INTERIM CHIEF STEVE BELL:** Yes.

14 **MR. ROBERT MacKINNON:** And threats to Ottawa
15 residents and public officials?

16 **INTERIM CHIEF STEVE BELL:** Yes.

17 **MR. ROBERT MacKINNON:** I just want to mention one
18 thing that you said in -- with the convoy coming initially, that
19 you did try to keep out large tractors, farm equipment that
20 could have posed difficulty. Is that correct, you kept those --
21 tried to keep those out from the core?

22 **INTERIM CHIEF STEVE BELL:** That is correct.

23 **MR. ROBERT MacKINNON:** However, there was a huge
24 crane that made it into the core that was sitting right next to
25 the Prime Minister's office. So do you know how that got there?

26 **INTERIM CHIEF STEVE BELL:** So it -- I wouldn't
27 characterize it as a huge crane, and I'm not trying to minimize
28 what it was. It was actually a boom truck that had what would

1 be a much shorter boom than what a crane would have, and a
2 flatbed back on it. It was extended and had a flag hang from it
3 and was used as a stage.

4 **MR. ROBERT MacKINNON:** I expect you'll hear
5 evidence, if it hasn't already come out, if I remember, that it
6 was right outside the top window of the Prime Minister's office;
7 do you accept that?

8 **INTERIM CHIEF STEVE BELL:** Yes, I do.

9 **MR. ROBERT MacKINNON:** Now, you mentioned a few
10 areas in questioning of powers under the *Emergencies Act*, the
11 *Federal Emergencies Act*, through its Regulations that were
12 instrumental in assisting the police to resolve the situation.
13 Do you remember earlier in your testimony?

14 **INTERIM CHIEF STEVE BELL:** Yes, I do.

15 **MR. ROBERT MacKINNON:** Okay. And those powers
16 were instrumental to the OPS in ending this occupation.

17 **INTERIM CHIEF STEVE BELL:** So I don't think I
18 used the terminology, "Instrumental"; I don't believe that's the
19 words I used, but they were absolutely of a benefit to allow us
20 to end this occupation, and were widely leveraged.

21 **MR. ROBERT MacKINNON:** Okay. You do mention --
22 you did mention four areas, I'll just mention -- I think there
23 may have been one that was missed, so I'll just mention three
24 quickly and -- that come from your interview summary, and you
25 can just confirm or not.

26 One very important power was the authorization to
27 create an exclusionary zone, both the four zones that were used
28 and the red zone; correct?

1 **INTERIM CHIEF STEVE BELL:** That is correct.

2 **MR. ROBERT MacKINNON:** And which, to your mind,
3 was the most important power because it allowed OPS to stop the
4 movement of more people into the downtown core when it came
5 time; is that create?

6 **INTERIM CHIEF STEVE BELL:** It created a very
7 clear legislative framework that was clearly articulable to our
8 members as to their powers to create the exclusion from that
9 zone.

10 **MR. ROBERT MacKINNON:** And it allowed OPS to
11 create a stable atmosphere in advance of launching the operation
12 to clear the downtown core.

13 **INTERIM CHIEF STEVE BELL:** That is absolutely
14 true. Had we not been able to limit or stop the flow of
15 pedestrians into the area, it would not have created the
16 stability that we would need to launch the operation. And I
17 think part of that stability is what led to the safety that we
18 were able to use while we did it that resulted in a very low
19 small number of injuries.

20 **MR. ROBERT MacKINNON:** And it allowed the OPS to
21 execute this operation slowly, deliberately, and safely.

22 **INTERIM CHIEF STEVE BELL:** That is correct.

23 **MR. ROBERT MacKINNON:** It also provided the power
24 to freeze financial accounts, which you made mention. This is
25 also under the *Emergencies Act* Regulations; correct?

26 **INTERIM CHIEF STEVE BELL:** That is correct.

27 **MR. ROBERT MacKINNON:** And that provided an
28 incentive to convoy participants to leave voluntarily; correct?

1 **INTERIM CHIEF STEVE BELL:** Correct.

2 **MR. ROBERT MacKINNON:** But it also deterred
3 others who may have been thinking of coming downtown from coming
4 downtown; would you agree with that?

5 **INTERIM CHIEF STEVE BELL:** So I don't have any
6 direct examples or knowledge of that, but it seems to be that it
7 could have provided a deterrence factor for people attending.

8 **MR. ROBERT MacKINNON:** And the PL teams used this
9 power in advance of the enforcement action to try to shrink the
10 footprint of these protesters, demonstrators, in the downtown
11 core; correct?

12 **INTERIM CHIEF STEVE BELL:** So I think you're
13 specifically referring to a letter that our Police Liaison Team
14 members handed out that specifically referenced the authorities
15 and powers under the *Emergency Act*, so yes.

16 **MR. ROBERT MacKINNON:** That's right. So there's
17 -- I'll take you to that in a second but that's what I'm
18 referring to. Both in a media release and in a leaflet, there
19 were certain actions, and I'll refer you to them in a second,
20 but that's exactly what I'm referring to.

21 And you also learned of others whose accounts
22 were frozen who left downtown, after which their accounts were
23 unfrozen; is that correct?

24 **INTERIM CHIEF STEVE BELL:** That is. I don't have
25 specific examples but that's my knowledge, that's my general
26 knowledge that that occurred.

27 **MR. ROBERT MacKINNON:** Okay. And the other
28 important -- one of the other important powers that you've

1 touched on before, was to make it possible for the OPS to obtain
2 the tow trucks that were absolutely essential in order to move
3 these trucks; correct?

4 **INTERIM CHIEF STEVE BELL:** They removed barriers
5 or any -- seemed to remove hesitation for people to actually be
6 cooperative with us because they were directed to under the Act.

7 **MR. ROBERT MacKINNON:** Right. And we've heard
8 evidence, that you may not be privy to, to say that they had no
9 trucks to convince other tow truck drivers to drive because of
10 threats and because of damages that they might incur. And so
11 the indemnity provisions of the Emergency Regulations also eased
12 that aspect in convincing and compelling these tow-truckers --
13 tow truck drivers to come and assist; correct?

14 **INTERIM CHIEF STEVE BELL:** I believe so, yes.

15 **MR. ROBERT MacKINNON:** I'd like you to refer to
16 OPS00014438; it's the February 18th iteration of the Integrated
17 Plan. And at page 5, at the bottom of the page, yeah, so you
18 see where it says, "As a result" -- and this is dated February
19 18th, but this is an iteration of an evolving plan:

20 "As a result, delivery of information,
21 education and enforcement response was
22 lead [sic] by the Police Liaison
23 Teams..."

24 Do you see that?

25 **INTERIM CHIEF STEVE BELL:** Yes, I do.

26 **MR. ROBERT MacKINNON:** And:

27 "The subsequent response was based on a
28 negotiation approach with the primary

1 objective of voluntary dispersal from
2 the participants who continue to
3 protest and occupy a number of areas
4 within the downtown core..."

5 Do you see that?

6 **INTERIM CHIEF STEVE BELL:** Yes, I do.

7 **MR. ROBERT MacKINNON:** And so that was to reduce
8 the footprint to make it easier for the officers to enforce
9 whoever was left; is that correct?

10 **INTERIM CHIEF STEVE BELL:** That's correct. We
11 wanted to have as many people voluntarily leave, knowing that
12 there was going to be an imminent police action so we could
13 shrink the footprint as much as we have, and have less people to
14 remove.

15 **MR. ROBERT MacKINNON:** Okay. The last point
16 there, it says:

17 "On Wednesday, February 16th, 2022, a
18 media release provided 'a further
19 notice to Demonstrators'..."

20 And this is the one that's also in the pamphlet.
21 It has the same points, so if you go to the next page.

22 **INTERIM CHIEF STEVE BELL:** Sorry, sir, am I able
23 to reference -- what document is this?

24 **MR. ROBERT MacKINNON:** This is the integrated
25 response, February 18, "Concept of Action Plan Approval"; okay?

26 So in here, there's nine bullet points. We've
27 made reference to some of them already, but these are the --
28 this is what was handed to the demonstrators; correct? These

1 points, these bullet points in a pamphlet form. It's also in
2 this media release as well.

3 So the first bullet points deals with the
4 criminal charges; that's provincial.

5 The second point deals with, "Vehicle and
6 property may be seized [and] removed." That can be both
7 provincial and the federal, that includes the tow trucks.
8 "Your driver's licence may be suspended" and the, "Certificates
9 may be suspended"; that's provincial. And then the next four
10 encompass Federal Emergency Regulations. So your personal bank
11 accounts:

12 "...may be subject to examination and
13 restriction. If you bring a
14 minor...with you to an unlawful protest
15 site, you may be charged..."

16 That's specifically in the Emergencies'
17 Regulation; do you agree?

18 **INTERIM CHIEF STEVE BELL:** Yes, but the only
19 clarity I would provide is around point number 1, you indicated
20 that the criminal offences would be provincial. That would be
21 -- because the *Criminal Code* is a federal piece of legislation,
22 it would be federal.

23 **MR. ROBERT MacKINNON:** Sorry; federal. Sorry;
24 I'm thinking just of the regulations under the Emergencies --
25 the respective *Emergencies Act* here.

26 **INTERIM CHIEF STEVE BELL:** Okay.

27 **MR. ROBERT MacKINNON:** So that's what I'm -- I'm
28 distinguishing that in this pamphlet there are a number of these

1 warnings and facts given to the protesters that come directly
2 from the *Emergencies Act* Regulations, is what I'm pointing out.

3 **INTERIM CHIEF STEVE BELL:** Yes, I agree with
4 that.

5 **MR. ROBERT MacKINNON:** And that the OPS used
6 because they were essential in dispersing these protesters.

7 **INTERIM CHIEF STEVE BELL:** We definitely used the
8 authorities granted to us under the *Emergencies Act*.

9 **MR. ROBERT MacKINNON:** All right. And bringing
10 fuel and other supplies, that also is encompassed by the
11 essential provision of goods as well. That's encompassed by
12 *Emergencies Act* regulation as well?

13 **INTERIM CHIEF STEVE BELL:** I believe so, yes.

14 **MR. ROBERT MacKINNON:** Yeah. And again, persons
15 travelling to an unlawful protest site to participate or support
16 an unlawful demonstration, that also comes from *Emergencies*
17 regulation. And the last one, that's from the provincial
18 regulations but it also is encompassed with the federal
19 regulation, which added more sites. It added Parliament and
20 government buildings to that.

21 **INTERIM CHIEF STEVE BELL:** That's correct.

22 **MR. ROBERT MacKINNON:** So there -- just see if
23 you'd agree with this statement, that there was no realistic
24 expectation that negotiation through the PLTs, as much as they
25 are useful and helpful, would have led to the voluntary
26 dispersal of all those demonstrators.

27 **INTERIM CHIEF STEVE BELL:** There was no
28 indication in any of the efforts that we had made that that

1 would be a way that we could successfully negotiate the end of
2 this.

3 **MR. ROBERT MacKINNON:** After 20 days of
4 occupation, correct?

5 **INTERIM CHIEF STEVE BELL:** That's correct.

6 **MR. ROBERT MacKINNON:** And you agree that the
7 illegal occupation in Ottawa was having not only a direct
8 deleterious affect on the residence of Ottawa but was also
9 acting as an example, an incentive, and an inspiration for other
10 illegal protests and blockades that were popping up around the
11 country, do you not?

12 **INTERIM CHIEF STEVE BELL:** I don't know that I
13 could make the nexus that it was Ottawa that caused others to
14 want to occur. What I can say is that it was a phenomena or an
15 occurrence that we saw at several locations across the country.

16 **MR. ROBERT MacKINNON:** Others have said a "more
17 interconnectedness". For instance, Supt. Abrams said one event
18 had an immediate impact on another. Would you agree that areas
19 of coverage, such as, you know, in Windsor, Fort Erie, Emerson,
20 Coutts, Surrey, among others?

21 **INTERIM CHIEF STEVE BELL:** I absolutely agree,
22 there was an interconnectivity between all of the protests that
23 were occurring. My exception that I was taking was I don't know
24 that Ottawa was necessarily -- that they were doing it because
25 Ottawa was still existing. I think there was absolutely just an
26 interconnectedness between all of the movements that were being
27 undertaken at that point.

28 **MR. ROBERT MacKINNON:** But it was the prime

1 location; it started in this -- would you agree?

2 **INTERIM CHIEF STEVE BELL:** It was the first and
3 it was the largest.

4 **MR. ROBERT MacKINNON:** That's right. And it
5 acted, would you now agree, as an example to others?

6 **INTERIM CHIEF STEVE BELL:** I would agree that it
7 was the first, that it was the largest, and that people watched
8 what occurred here on an ongoing basis.

9 **MR. ROBERT MacKINNON:** You agree that -- you said
10 it. You said that this situation -- the volatility of the
11 situation in reference to Ottawa, correct?

12 **INTERIM CHIEF STEVE BELL:** Correct.

13 **MR. ROBERT MacKINNON:** Would you also agree that
14 these other pop-ups that had, in similar fashion to Ottawa,
15 maybe not to the same extent, provided an escalating situation
16 across the country concerning these type of protests?

17 **INTERIM CHIEF STEVE BELL:** I would agree with
18 that.

19 **MR. ROBERT MacKINNON:** Thank you.

20 **INTERIM CHIEF STEVE BELL:** Thank you very much.

21 **COMMISSIONER ROULEAU:** Okay, well, this may be a
22 good time for the afternoon break. People may need to stretch
23 their legs so we'll take 15 minutes and come back in 15 minutes.

24 **THE REGISTRAR:** The Commission is in recess for
25 15 minutes. La Commission est levée pour 15 minutes.

26 --- Upon recessing at 4:31 p.m.

27 --- Upon resuming at 4:50 p.m.

28 **THE REGISTRAR:** The Commission is reconvened. La

1 Commission as reprimand.

2 **COMMISSIONER ROULEAU:** Okay. I'd like to call on
3 the convoy organizers. Go ahead.

4 **MR. BRENDAN MILLER:** Thank you, sir.

5 --- CROSS-EXAMINATION BY MR. BRENDAN MILLER:

6 **MR. BRENDAN MILLER:** For the record, my name's
7 Brendan Miller. I'm counsel for Freedom Corp, which is the
8 incorporated entity that is representing the protestors that
9 were in your City in January ---

10 **COMMISSIONER ROULEAU:** Can you speak up a bit.
11 It's not ---

12 **MR. BRENDAN MILLER:** Sorry. They were -- the
13 protestors that were in your city in January and February of
14 2022.

15 First, thank you for your service. I just have a
16 few questions for you.

17 **INTERIM CHIEF STEVE BELL:** Thank you. Good
18 afternoon.

19 **MR. BRENDAN MILLER:** Thank you. So I take it,
20 sir, that you were aware of the February 8th, 2022 media
21 briefing that the Ontario Police Service gave where it was said
22 to the media and in the public that OPS had concerns for the
23 children of the protestors in Ottawa and OPS wanted to discuss
24 enforcement with the Child Aid Society of Ontario. You're aware
25 that happened?

26 **INTERIM CHIEF STEVE BELL:** You said the Ontario
27 Police Service. I believe you mean the Ottawa Police Service?

28 **MR. BRENDAN MILLER:** Yes.

1 **INTERIM CHIEF STEVE BELL:** Do you have a document
2 that you can reference for that media release, or is that a
3 clip?

4 **MR. BRENDAN MILLER:** It's a clip.

5 **INTERIM CHIEF STEVE BELL:** So I do recall, I
6 don't specifically recall references to enforcement, but I do
7 specifically recall the discussion around our concerns with
8 children in the footprint, particular as the situation there was
9 becoming more volatile.

10 **MR. BRENDAN MILLER:** Right. And -- but I
11 understand, sir, from reviewing just the disclosure generally
12 that with respect to that media announcement that you were in
13 fact not supportive of it, it being announced to the media in
14 that way. Do you remember that?

15 **INTERIM CHIEF STEVE BELL:** So no, I don't recall
16 that.

17 **MR. BRENDAN MILLER:** Okay. Now, with enforcement
18 of child protection laws, which in this province is the *Child*
19 *Youth Family Services Act*, you agree that enforcement is
20 essentially either the threat or the actual apprehension of
21 children from parents; is that right?

22 **INTERIM CHIEF STEVE BELL:** So I don't
23 specifically recall the references to enforcement that you're
24 speaking of. I do specifically recall us raising the issue of
25 the potential danger that the children would be -- would, could
26 or would be in in the red zone footprint.

27 **MR. BRENDAN MILLER:** Now, this was, of course,
28 done when Chief Sloly was still Chief, and I, of course, will

1 have questions for him in the same regard. But I understand it
2 that you had nothing to do with it but you now know that it was
3 the firm, the political firm, Navigator, that recommended that
4 such and announcement be made. Do you know that?

5 **INTERIM CHIEF STEVE BELL:** So I don't recall
6 where the genesis of the announcement was, but I do stand behind
7 I had grave concerns with the fact that there were children
8 within the footprint of an area where the activity that was
9 occurring was occurring, but beyond that, within the area where
10 there could be enhanced or would be enhanced enforcement
11 activity.

12 **MR. BRENDAN MILLER:** All right.

13 **INTERIM CHIEF STEVE BELL:** So regardless of where
14 it came from, I had and shared those concerns.

15 **MR. BRENDAN MILLER:** Were you aware that the
16 Child Aid Society of Ontario had no idea that announcement was
17 being made and were quite unhappy about it?

18 **INTERIM CHIEF STEVE BELL:** So I was the one who
19 was liaising with the Children's Aid Society, and they were --
20 that was something -- in gaps, we identified there was a gap
21 that we identified I should have had conversations with them
22 prior to that announcement being made. But as a result of the
23 announcement, we were able to work together to identify the
24 proper mechanisms that we would use in the event that we did
25 identify children who needed support within the red zone.

26 **MR. BRENDAN MILLER:** So weren't aware that
27 Navigator completed a report for February 5th that talked about
28 some social media commentary about how they could be using --

1 the protesters could be using children as human shields, and
2 that based on that they recommended that this announcement be
3 made. You're not aware of that?

4 **INTERIM CHIEF STEVE BELL:** So I'm not aware of
5 any report that was actually generated by Navigator. If you
6 could take me to it I can ---

7 **MR. BRENDAN MILLER:** Okay. It's anticipated that
8 our witnesses are going to say that the day after that
9 announcement, on February 9th, is when the workers from Child
10 and Family Services started to intervene with the protest. Do
11 you agree with that?

12 **INTERIM CHIEF STEVE BELL:** No, I wouldn't because
13 I don't believe that the Children's Aid Society of Ottawa ever
14 directly engaged or intervened in the protest. What I do
15 understand is that we set up mechanisms in order to be able to,
16 in the event that there was an enforcement action and children
17 needed to be removed and then reunited with family, we set up
18 the processes that would be put in place for that.

19 **MR. BRENDAN MILLER:** But that was at the
20 enforcement stage, as I understand it. You had set up, from my
21 review of the records, an empty gymnasium of some kind to take
22 children to and then the plan was to give them back to their
23 parents. That was what you were thinking of; is that right?

24 **INTERIM CHIEF STEVE BELL:** So I didn't develop
25 that specific plan, so we'll -- you'll need to ask the Planning
26 Team what the specific plan was.

27 **MR. BRENDAN MILLER:** Okay. So you're going to
28 hear evidence eventually from some of the protesters when they

1 eventually testify that some of the ones that were arrested,
2 upon their release they were essentially kidnapped by OPS
3 officers, driven out of town in the middle of February winter by
4 OPS officers, and left in various rural areas and parking lots
5 outside of town with no shelter or resources. Are you aware of
6 that?

7 **INTERIM CHIEF STEVE BELL:** No, because I don't
8 know the specifics of what they're speaking about. What I do
9 know is that we, as part of our planning, and Inspector Lucas
10 tomorrow will be able to provide more details, but we did have
11 remote arrest processing sites, not in rural Ottawa, in the
12 south end of Ottawa in a residential, mixed commercial area,
13 where they were protests and then released to be able to find
14 transportation to wherever they needed to go, which is a common
15 -- which is common with the police.

16 **MR. BRENDAN MILLER:** Right. So one of the areas,
17 there were several as I understand, one of them was a municipal
18 parking lot where the trucks were being towed to.

19 **INTERIM CHIEF STEVE BELL:** That's correct.

20 **MR. BRENDAN MILLER:** Right.

21 **INTERIM CHIEF STEVE BELL:** That's in the south
22 end.

23 **MR. BRENDAN MILLER:** Right. And that parking lot
24 doesn't have a building you drop them off at, it doesn't have a
25 phone, it doesn't have any of that, does it?

26 **INTERIM CHIEF STEVE BELL:** So I don't know what
27 the logistics at the building were. I would imagine it would've
28 needed to have a phone because you have to be able to call your

1 lawyer, so ---

2 **MR. BRENDAN MILLER:** Well, I can tell you it
3 didn't. So -- and these people are driven out there. They were
4 already told they weren't charged and they weren't being
5 charged, they were being released. But they were driven and
6 forced outside of Ottawa, or on the outer skirts, and dropped
7 off in the snow. Now, are you aware this happened; yes or no?

8 **INTERIM CHIEF STEVE BELL:** No, I'm not aware, and
9 it wasn't outside of Ottawa, it was still within the
10 geographical boundaries of the City of Ottawa.

11 **MR. BRENDAN MILLER:** In your evidence in-Chief
12 you kept using the word "violence" regarding protesters; right?

13 **INTERIM CHIEF STEVE BELL:** Yes.

14 **MR. BRENDAN MILLER:** All right. And you've heard
15 the evidence of Superintendent Morris already, you sort of
16 touched on that, and he had stated that the lack of violence in
17 Ottawa during the protest was actually shocking.

18 **INTERIM CHIEF STEVE BELL:** I don't recall that
19 statement.

20 **MR. BRENDAN MILLER:** All right. So is it fair to
21 say that when you use the phrase "violence" you're not actually
22 describing any form of physical assaults, are you?

23 **INTERIM CHIEF STEVE BELL:** I'm -- well, physical
24 assaults do contribute to what I'm describing. I was
25 specifically describing the violence that our community felt as
26 a result of the culmination of actions that the occupiers
27 engaged in.

28 **MR. BRENDAN MILLER:** So the violence that they

1 felt, not actual violence, is that what you're saying?

2 **INTERIM CHIEF STEVE BELL:** That is correct, not
3 the Criminal Code definition of violence, but the violence that
4 they felt by having excessive horns blared ---

5 **MR. BRENDAN MILLER:** Right, and not ---

6 **INTERIM CHIEF STEVE BELL:** --- and having trucks
7 run 24/7 a day.

8 **MR. BRENDAN MILLER:** Right.

9 **INTERIM CHIEF STEVE BELL:** By having people
10 intimidate them and follow them, and by having people rip masks
11 off their head. By feeling sheltered in their homes where they
12 couldn't be ---

13 **MR. BRENDAN MILLER:** Well, I -- thank you, I
14 understand what you mean. But you're not talking about violence
15 under section 2 of the *CSIS Act*, are you?

16 **INTERIM CHIEF STEVE BELL:** No, I'm not.

17 **MR. BRENDAN MILLER:** Thanks. Now, I'd like to
18 take you to a document right now if I can.

19 (SHORT PAUSE)

20 **MR. BRENDAN MILLER:** If we could pull up document
21 POE.HRF.0000001. Is it possible to turn that so that it's
22 the...

23 (SHORT PAUSE)

24 **MR. BRENDAN MILLER:** Thank you.

25 So Chief, this is an email exchange of
26 February 15th, 2022, between one of your officers, Cameron
27 Hopgood, and Mathieu Gravel of the Mayor of Ottawa's staff. You
28 know who both of those individuals are; correct?

1 **INTERIM CHIEF STEVE BELL:** I do.

2 **MR. BRENDAN MILLER:** And what is Cameron
3 Hopgood's job as an OPS officer?

4 **INTERIM CHIEF STEVE BELL:** He's a manager within
5 our data section. So he does a lot of data collection. He
6 works on uniform crime reporting.

7 **MR. BRENDAN MILLER:** Okay. If we can just scroll
8 down just a little bit?

9 So in this email, Mathieu Gravel asks for all the
10 stats in the previous email with respect to criminal
11 investigations, arrests, and charges. And Cameron Hopgood
12 responds and says that there had been a total of 31 people
13 arrested, but only 16 people charged as of February 15th, 2022.

14 Would you agree with that?

15 **INTERIM CHIEF STEVE BELL:** Well, I would agree
16 that the email states that, yes.

17 **MR. BRENDAN MILLER:** Right. And of course, you
18 just said he's in the data section, so he would know that?

19 **INTERIM CHIEF STEVE BELL:** That's correct.

20 **MR. BRENDAN MILLER:** Right? So you have no
21 reason to disbelieve that there were only 16 charges laid as
22 between January 28th and February 15th, 2022, regarding the
23 protestors; isn't that correct?

24 **INTERIM CHIEF STEVE BELL:** So what I would agree
25 is that the data analysis that he would have done would have
26 represented that. There may have been more that were in the
27 terms of being processed, and I think this is on February 15th.
28 There's a better table within our institutional report that more

1 ---

2 **MR. BRENDAN MILLER:** Yes.

3 **INTERIM CHIEF STEVE BELL:** --- clearly identifies
4 the numbers that would have occurred.

5 **MR. BRENDAN MILLER:** Right. And that is -- if I
6 can call the next document -- it's the POE.HRF00000002. And
7 it's a copy of this -- the table, but I've added some
8 highlighting to it, and some numbers. If we can zoom in on
9 that? And this has been provided to all the parties.

10 So what I've done is the sections that are
11 highlighted, okay ---

12 **COMMISSIONER ROULEAU:** Okay. I'm sorry. There's
13 an objection.

14 Yes?

15 **MR. DAVID MIGICOVSKY:** David Migicovsky, counsel
16 for the Ottawa Police.

17 Perhaps I missed it as well as the previous
18 document, but I do not see them in the witness documents.

19 **MR. BRENDAN MILLER:** That's correct. I had sent
20 them out, I think, this morning.

21 **MR. DAVID MIGICOVSKY:** I appreciate that, Mr.
22 Commissioner, but the whole point of having the documents
23 beforehand is that the witness has an opportunity to review the
24 documents before they testify. So the documents, under the
25 rules, were supposed to be posted on the ---

26 **MR. BRENDAN MILLER:** Well, I can do it with your
27 document. It would just be easier for everybody to understand.
28 It's up to you.

1 **COMMISSIONER ROULEAU:** Just let him finish his
2 objection, then we can try and solve it.

3 **MR. DAVID MIGICOVSKY:** So the previous document,
4 by the time I checked and realized that was also not in the
5 witness section of the documents, so just in fairness to the
6 witness -- I appreciate sometimes things come up at the last
7 minute, but the whole point was so that he would be familiar
8 with it.

9 So I don't know if my friend intends to continue
10 asking about documents that are not in the database, but if so,
11 I would suggest that that would not be a fair way of proceeding.

12 **COMMISSIONER ROULEAU:** Sorry, you were about to
13 add something?

14 **MR. BRENDAN MILLER:** Yes, sir. So all this
15 document is is the exact document he just referred to except I
16 highlighted the stats between January 29th and February 13th,
17 and then calculated three times, double checked the total number
18 of charges and what they were for that time period. That's all
19 it is. I'm happy to ask him the same questions, if the
20 Commission is inclined, but I think it would help everybody to
21 essentially see. It's essentially a cross-examination tool, per
22 se.

23 **COMMISSIONER ROULEAU:** Do you have any objection
24 to reference to this document? It seems to me it's the police
25 document you referred to earlier.

26 **INTERIM CHIEF STEVE BELL:** I do believe it is
27 just an adaptation of the report in our institutional report, so
28 once I'd be able to see it, I'll be able to assess, but I don't

1 believe I have any challenges with it or problems with it.

2 **COMMISSIONER ROULEAU:** Okay. On that basis, is
3 that -- can we proceed with this at the moment?

4 **MR. DAVID MIGICOVSKY:** I'm not sure what the
5 document is, but I believe that my friend may have highlighted
6 it.

7 **MR. BRENDAN MILLER:** Yes.

8 **MR. DAVID MIGICOVSKY:** It has some annotations on
9 it as well, and I guess I'd be concerned about what's the
10 annotations on it. But ---

11 **MR. BRENDAN MILLER:** They're just the numbers to
12 that date. That's it, and added up.

13 **COMMISSIONER ROULEAU:** Okay. If you could make
14 clear when we put it up, just so the record is clear?

15 **MR. BRENDAN MILLER:** Yes.

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

17 So -- and just so I know, so you've -- what is
18 your annotations here?

19 **MR. BRENDAN MILLER:** So the only thing is, I have
20 highlighted in yellow every type of charge between January 29th
21 and February 13th, and in red, at the end of that, I added the
22 amount of charges that existed as of February 13th, 2022, at
23 11:59 p.m.

24 **COMMISSIONER ROULEAU:** So the red column is
25 simply your addition or ---

26 **MR. BRENDAN MILLER:** Yes, sir.

27 **COMMISSIONER ROULEAU:** --- lining up all the
28 numbers?

1 **MR. BRENDAN MILLER:** Yes, sir.

2 **COMMISSIONER ROULEAU:** Okay.

3 **MR. BRENDAN MILLER:** So what I want to do is take
4 you through this, sir.

5 So we've got that up, and I've explained it
6 already.

7 So I understand the protest begins at January
8 28th, 2022, and in that entire time period until February 13th,
9 2022 at 11:59 p.m., there are a total of 4 charges laid for
10 assault; is that correct?

11 **INTERIM CHIEF STEVE BELL:** That's correct.

12 **MR. BRENDAN MILLER:** All right. And so that's a
13 period of 17 days?

14 **INTERIM CHIEF STEVE BELL:** I don't believe from
15 the 29th to the 13th is 17 days.

16 **MR. BRENDAN MILLER:** Well, it's 29th. They put
17 the first charge first as you'll see that it doesn't have every
18 single date on it. They only put the dates on it with respect
19 to when charges were laid. There were days that went where no
20 one was charged at all?

21 **COMMISSIONER ROULEAU:** I think it's just simple
22 math; 29 to 13 is not ---

23 **MR. BRENDAN MILLER:** Yeah, it's not ---

24 **COMMISSIONER ROULEAU:** --- 17, it's 16.

25 **MR. BRENDAN MILLER:** Is it? Okay. That's why I
26 went to law school. I can't do math.

27 **COMMISSIONER ROULEAU:** Thank you.

28 **MR. BRENDAN MILLER:** But -- and you can agree

1 with me that between January 29th to February 13 there was a
2 total of 4 assault charges laid then? We can agree on that?

3 **INTERIM CHIEF STEVE BELL:** Yes.

4 **MR. BRENDAN MILLER:** And with respect to assaults
5 with a weapon from that same time period, there was a total of
6 one assault with a weapon charge laid, correct?

7 **INTERIM CHIEF STEVE BELL:** Yes.

8 **MR. BRENDAN MILLER:** All right. And if we can
9 scroll down -- or no, just back up, sorry. My apologies.

10 Can you agree with me that in the entire same
11 time period, there was no charges under the Criminal Code for
12 causing a disturbance by fight or shouting or swearing?

13 **INTERIM CHIEF STEVE BELL:** That's -- yes.

14 **MR. BRENDAN MILLER:** And there was no charges
15 laid against any of the protestors in that same time period for
16 causing a disturbance by impeding or molesting a person?

17 **INTERIM CHIEF STEVE BELL:** That's correct.

18 **MR. BRENDAN MILLER:** All right. And there were
19 also no charges laid with disturbing an occupant of a dwelling,
20 apartment, or complex, under the Criminal Code either, was
21 there?

22 **INTERIM CHIEF STEVE BELL:** That's correct.

23 **MR. BRENDAN MILLER:** Okay. Can we scroll down?
24 Perfect. And can you agree with me in that time period, that
25 is, from January 29th to February 13th at 11:59 p.m., there was
26 no charges of inciting hatred in a public place ever laid, was
27 there?

28 **INTERIM CHIEF STEVE BELL:** Correct.

1 **MR. BRENDAN MILLER:** And you can agree with me
2 that in the same time period that only one charge of
3 intimidation by threat of violence was ever laid?

4 **INTERIM CHIEF STEVE BELL:** Correct.

5 **MR. BRENDAN MILLER:** If we can -- last one, there
6 was no charge either in that same time period for taking a
7 weapon of a police officer in execution of his duty?

8 **INTERIM CHIEF STEVE BELL:** Correct.

9 **MR. BRENDAN MILLER:** And in that same time
10 period, there was never any charges of uttering threats to
11 property to damage -- or to damage property under 264(1) of the
12 Criminal Code either, right?

13 **INTERIM CHIEF STEVE BELL:** Correct.

14 **MR. BRENDAN MILLER:** All right. So there's a
15 total of five violent offences charged between January 28th,
16 2022 and February 13th, 2022; is that right?

17 **INTERIM CHIEF STEVE BELL:** Sorry, I'm not sure
18 how you're classifying violent charges. We'd have to go through
19 them again to identify.

20 **MR. BRENDAN MILLER:** So anything dealing with an
21 assault or threatening to cause bodily harm or to kill someone.
22 Those are -- there's five charges in relation to that.

23 **INTERIM CHIEF STEVE BELL:** I'll take your word
24 for it. We'd have to go through the list again.

25 **MR. BRENDAN MILLER:** Okay. So you'd agree with
26 me that that's not unprecedented violence, is it?

27 **INTERIM CHIEF STEVE BELL:** What I -- so as I
28 defined violence, it wasn't strictly Criminal Code violence, and

1 I'm happy to again go through the definition that I was using
2 when I was talking about community violence. This is a part of
3 it, threats, charges under the Criminal Code was a part of it,
4 but it was the trauma that the community felt. It was the
5 extreme circumstances that they were exposed to and the duration
6 of time that they were exposed to that has very clearly been
7 described to me by community members as violence inflicted on
8 them and towards them.

9 **MR. BRENDAN MILLER:** And so that's the honking,
10 right, as one of them?

11 **INTERIM CHIEF STEVE BELL:** Honking would be one
12 of them.

13 **MR. BRENDAN MILLER:** The -- I believe the exhaust
14 coming from trucks?

15 **INTERIM CHIEF STEVE BELL:** So what I think -- but
16 I think it's important you put it in context. It's the honking
17 of large airhorns ---

18 **MR. BRENDAN MILLER:** Right.

19 **INTERIM CHIEF STEVE BELL:** --- of approximately
20 three, to four, to 500 trucks simultaneously for 24 hours a day,
21 seven days a week. It's not just tooting a little horn. It's
22 the incessant noise pollution that is being inflicted on the
23 people that we were referring to.

24 **MR. BRENDAN MILLER:** Right. And we've already
25 heard evidence that, as of February 7th, when Mr. Champ and his
26 client, Zexi Li, obtained an injunction with respect to
27 silencing those horns, things got better; do you agree?

28 **INTERIM CHIEF STEVE BELL:** Well, I think they got

1 better for a period of time, yes.

2 **MR. BRENDAN MILLER:** Right.

3 **INTERIM CHIEF STEVE BELL:** But that was on the
4 7th. That was nine days, 10 days into the circumstance.

5 **MR. BRENDAN MILLER:** Right. And it's also the
6 fact that the trucks that were blocking up downtown Ottawa in
7 that area -- we've heard some evidence that there's about 18,000
8 people; is that right?

9 **INTERIM CHIEF STEVE BELL:** That would be -- that
10 would be accurate, I believe.

11 **MR. BRENDAN MILLER:** And what's the entirety of
12 the population of Ottawa?

13 **INTERIM CHIEF STEVE BELL:** Just over a million.

14 **MR. BRENDAN MILLER:** Just over a million. So
15 18,000 residents were the ones being put through the "violence",
16 as you define it?

17 **INTERIM CHIEF STEVE BELL:** I don't think the size
18 of the amount of people that were being exposed to it minimizes
19 the trauma that those community members felt and very clearly
20 expressed. On the general population of Ottawa, it was a
21 smaller number, but it doesn't minimize the impact it had on
22 that number of people or that group of people.

23 **MR. BRENDAN MILLER:** Thank you. And this is last
24 document I want you to refer. I've given very short notice. It
25 only became relevant because of questions my friend from the
26 federal government asked. It's PB.NSC.CAN.00003256_REL.0001.
27 So if you could scroll down just to the second page, please.
28 Thank you.

1 So just so you know, this is -- and I'm not -- I
2 know you haven't seen this before but this is an email from
3 Commissioner Brenda Lucki to the Chief of Staff for the
4 Minister, Public Safety, and she has a discussion about her
5 views on the invocation of the Emergencies Act there. I just
6 want to read it to you, and you can read it as well. There, she
7 states:

8 "I'm of the view that we have not yet
9 exhausted all available tools that are
10 already available through existing
11 legislation. There are instances where
12 charges could be laid under existing
13 authority for various Criminal Code
14 offences occurring right now in the
15 context of the protest. The Ontario
16 *Provincial Emergencies Act*, just
17 enacted, will also help in providing
18 additional deterrent tools to our
19 existing toolbox."

20 Then she goes on:

21 "These existing tools are considered in
22 our existing plan and will be used in
23 due course, as necessary."

24 So you've had an opportunity to read that and
25 hear it. And you also, I take it, heard the evidence from Supt.
26 Morris regarding there being no credible threat under Section 2
27 of the *CSIS Act*; correct?

28 **INTERIM CHIEF STEVE BELL:** That's correct.

1 **MR. BRENDAN MILLER:** All right. Do you agree
2 with me that Supt. Morris is the most senior intelligence
3 officer in the provincial apparatus; is that right?

4 **INTERIM CHIEF STEVE BELL:** It's difficult for me
5 to scale exactly -- he's a seasoned, and experienced, and senior
6 intelligence officer, yes.

7 **MR. BRENDAN MILLER:** Okay.

8 **COMMISSIONER ROULEAU:** You're pretty well out of
9 time.

10 **MR. BRENDAN MILLER:** Yes, I just have one -- two
11 last questions.

12 Do you agree with what Commissioner Lucki said in
13 the email I just read to you?

14 **INTERIM CHIEF STEVE BELL:** I believe it's a
15 perspective, for sure, and I think it's one that would be more
16 appropriate to question her on. I've been very clear about how
17 we utilize the provisions under the *Emergency Act* to actually
18 execute our plan and create stability around the execution of
19 our plan.

20 **MR. BRENDAN MILLER:** Right. Do you agree with
21 her perspective?

22 **INTERIM CHIEF STEVE BELL:** I do believe there was
23 other -- there could have been other opportunities. There was
24 provisions within all of those. What I have said, and I say
25 again, is, we leveraged the *Emergency Act* as it came out to
26 create a very stable platform, to be able to access tow-trucks,
27 to be able to do the four or five different that I identified.
28 So while these abilities do exist, absolutely, in what

1 Commissioner Lucki has identified, the *Emergency Act* created a
2 very stable platform, a stable environment for us to execute our
3 plan.

4 **MR. BRENDAN MILLER:** But -- last question, just
5 because I just want to get this clear -- but -- so you're saying
6 that there was existing laws that you could have done the same
7 thing under; is that right?

8 **INTERIM CHIEF STEVE BELL:** We had a plan.

9 **MR. BRENDAN MILLER:** Yeah.

10 **INTERIM CHIEF STEVE BELL:** We were going to
11 execute a plan.

12 **MR. BRENDAN MILLER:** Thank you.

13 **COMMISSIONER ROULEAU:** Okay, next is the Ottawa
14 Residents and Businesses.

15 **MR. PAUL CHAMP:** Thank you, Commissioner.

16 **--- CROSS-EXAMINATION BY MR. PAUL CHAMP:**

17 **MR. PAUL CHAMP:** Paul Champ for the Ottawa
18 Coalition of Residents and Businesses. Thank you very much,
19 Chief Bell, for coming in and speaking to us today.

20 **INTERIM CHIEF STEVE BELL:** Good afternoon, Mr.
21 Champ.

22 **MR. PAUL CHAMP:** Good to see you again.

23 **INTERIM CHIEF STEVE BELL:** Good to see you again.

24 **MR. PAUL CHAMP:** Chief Bell, just following on
25 one of the questions that you just got before about the harm and
26 how many people live in downtown Ottawa. It's about 18,000
27 residents but you would agree with me, Deputy Chief Bell, there
28 are several thousands of people who live in Ottawa who work

1 downtown who were unable to work during the duration of the
2 Convoy?

3 **INTERIM CHIEF STEVE BELL:** I absolutely agree.
4 And beyond being unable to work, there were businesses that were
5 severely impacted by the consequences of the occupation.

6 **MR. PAUL CHAMP:** Yeah, the businesses and their
7 employees?

8 **INTERIM CHIEF STEVE BELL:** And their employees,
9 yes.

10 **MR. PAUL CHAMP:** Yeah. So I want to ask you now
11 questions about the role that you were playing during the Convoy
12 demonstrations, and around intelligence operations in
13 particular. I understand from your testimony that you've given
14 that the intelligence did not indicate that the Convoy planned
15 to use the Ottawa community as, I think you used the words,
16 "leverage point" to achieve their objectives. I just want to
17 ask you about that. By "leverage", did you mean that the Convoy
18 protestors were trying to make life difficult for residents in
19 Ottawa as leverage with political leaders to achieve their
20 objectives?

21 **INTERIM CHIEF STEVE BELL:** That would be my
22 assessment of the situation. The different protests, as they
23 went, or occupations across the country, had didn't leverage
24 points. The Ambassador Bridge leveraged economy. Coutts,
25 Alberta, leveraged economy and access to the United States.
26 Ottawa leveraged the citizens and the discomfort that it created
27 with -- for our community as the leverage point to be heard.

28 **MR. PAUL CHAMP:** Right. People of Ottawa were,

1 in a sense, being held as hostages until their political demands
2 were met?

3 **INTERIM CHIEF STEVE BELL:** It could be
4 characterized as that, yes.

5 **MR. PAUL CHAMP:** Now, in terms of the
6 intelligence, Chief Bell, there was intelligence about the
7 phrase "Bear Hug", or "Operation Bear Hug"; do you recall that?

8 **INTERIM CHIEF STEVE BELL:** Yes, I do.

9 **MR. PAUL CHAMP:** And what did you understand was
10 meant by that term, "Bear Hug"?

11 **INTERIM CHIEF STEVE BELL:** My understanding of
12 what "Bear Hug" was is it was to be a protest that would incense
13 -- encircle of Ottawa to, in essence, close down the entirety of
14 Ottawa.

15 **MR. PAUL CHAMP:** Right, to encircle downtown to
16 apply pressure to them?

17 **INTERIM CHIEF STEVE BELL:** No, I think it was
18 larger than downtown. It was supposed to be a large
19 geographical area up to and including all of Ottawa.

20 **MR. PAUL CHAMP:** I trust you'd agree with me,
21 Chief, that a lack of a contingency plan for a prolonged
22 occupation was a tactical error by the police?

23 **INTERIM CHIEF STEVE BELL:** I think that the level
24 of depth that we had attributed to contingency planning was an
25 area that we need to be better on moving ahead and one that
26 we've identified and improved on.

27 **MR. PAUL CHAMP:** Well, here, there was none at
28 all. That's what we've heard from Deputy Chief Ferguson. There

1 was no contingency plan for what to do if these big rigs decided
2 to stay longer than the weekend; you'd agree with that?

3 **INTERIM CHIEF STEVE BELL:** Well, I would agree
4 that if Deputy Chief Ferguson feels that there wasn't a properly
5 developed contingency plan, she was in charge of the planning,
6 so yes.

7 **MR. PAUL CHAMP:** And in retrospect, Chief Bell, we
8 can agree that the Ottawa Police Service, unfortunately, was
9 exceptionally unprepared for this protest?

10 **INTERIM CHIEF STEVE BELL:** So the Ottawa Police
11 Service was absolutely unprepared for the unprecedented
12 circumstances that we were faced with on the 28th through to the
13 end of February, middle of -- middle to end of February.

14 **MR. PAUL CHAMP:** Now, Chief, I want to ask you
15 some questions about the intelligence during the protest. You
16 were receiving intelligence and were aware that there were
17 former police and military members who were participants in the
18 Convoy; is that right?

19 **INTERIM CHIEF STEVE BELL:** That is correct.

20 **MR. PAUL CHAMP:** And some of them were involved
21 in some of the planning and logistics for the Convoy protests?

22 **INTERIM CHIEF STEVE BELL:** That's correct.

23 **MR. PAUL CHAMP:** And these individuals, I gather,
24 the police assessed were quite sophisticated logistically and
25 had knowledge of police tactics?

26 **INTERIM CHIEF STEVE BELL:** That's correct.

27 **MR. PAUL CHAMP:** And I presume that caused some
28 concern for the Ottawa Police in terms of how to manage or

1 respond to what the Convoy was doing?

2 **INTERIM CHIEF STEVE BELL:** Well, I think it
3 caused concerns for all of the police agencies who were involved
4 because it wasn't just Ottawa Police members. It was police
5 members, military members from across the country in a small
6 number. But the knowledge that that group would have about our
7 operations was concerning.

8 **MR. PAUL CHAMP:** Right. Now, this is a different
9 question, but on a related point, Chief, were there any
10 concerns, or was there any intelligence about current police
11 members from the Ottawa Police or other police forces who were
12 sympathetic to the protestors and may have been sharing
13 information with them?

14 **INTERIM CHIEF STEVE BELL:** So there was concerns
15 raised around that regularly. And there was investigations
16 conducted into that. And as a result of those investigations,
17 we didn't find any circumstances where there was a compromise of
18 information or actions because information was shared from
19 inside our organization into the protestors.

20 **MR. PAUL CHAMP:** But your investigations did
21 confirm that a number of Ottawa Police members were very
22 sympathetic to the protestors and, for example, were donating
23 funds to them?

24 **INTERIM CHIEF STEVE BELL:** So there was two
25 circumstances where members had donated funds beyond -- to
26 GiveSendGo, sorry, ---

27 **MR. PAUL CHAMP:** Right.

28 **INTERIM CHIEF STEVE BELL:** --- GiveSendGo

1 accounts, and those were followed up on through discipline.

2 **MR. PAUL CHAMP:** Right. Now, in terms of other
3 intelligence that you had, Chief, what about -- like, we know
4 that the broad number of people who came to Ottawa were from,
5 you know, all kinds of different backgrounds and so forth,
6 working folks and so forth, but there were also different
7 elements who were participating in the protests who were of
8 greater concern. Isn't that so, Chief? Bad elements? Bad
9 actors and groups?

10 **INTERIM CHIEF STEVE BELL:** So can you be more
11 specific?

12 **MR. PAUL CHAMP:** Well for example, the seizure of
13 firearms in Coutts, Alberta and the arrests that were made for
14 attempted murder of RCMP officers, those individuals were
15 associated with a group named Diagonon. It's my understanding
16 the leader of Diagonon was in Ottawa for the duration of the
17 demonstrations. Isn't that correct?

18 **INTERIM CHIEF STEVE BELL:** That is correct.

19 **MR. PAUL CHAMP:** And that was of concern to the
20 Ottawa Police?

21 **INTERIM CHIEF STEVE BELL:** That was of concern.

22 **MR. PAUL CHAMP:** And there were other elements,
23 others who were affiliated with known white supremacist groups
24 in Ottawa during that period of time?

25 **INTERIM CHIEF STEVE BELL:** That is correct.

26 **MR. PAUL CHAMP:** And that was of concern to the
27 Ottawa Police?

28 **INTERIM CHIEF STEVE BELL:** Yes, it was.

1 **MR. PAUL CHAMP:** Now, I want to ask you some
2 questions about some concerns that others had with the OPS plan
3 and the use of policing resources. We heard from Supt. Abrams
4 last week that he raised concerns with you on a number of
5 occasions about OPS plans or the deployment, or what he viewed
6 as misuse of OP resources. That's all true, Chief Bell?

7 **INTERIM CHIEF STEVE BELL:** So I believe through
8 my testimony today, we've gone through the individual
9 circumstances. There was an occasion where OPS did not deploy a
10 number of OPP officers. That was rectified shortly thereafter.
11 The concerns about our plans were raised, communicated, and as
12 we progressed, and as we had the integrated planning team come
13 in, that was rectified. So I believe, from my perspective, all
14 of the concerns that Supt. Abrams were raised to me were
15 appropriately channeled and dealt with.

16 **MR. PAUL CHAMP:** Well how about with respect to
17 the plans? We heard evidence from Mayor Watson last week that
18 he was hearing from the Prime Minister and the Solicitor General
19 and the Minister, Federal Minister of Public Safety, that there
20 were concerns from the OPP and the RCMP about providing
21 resources to the Ottawa Police because they had some doubts or
22 concerns about the OPS plans and whether it was the right plan
23 or whether it was safe. Were you aware that those concerns were
24 being raised at the higher levels?

25 **INTERIM CHIEF STEVE BELL:** I wasn't aware that
26 those conversations were occurring.

27 **MR. PAUL CHAMP:** Did you yourself have any
28 concerns about the readiness of the OPS plans in the first,

1 let's say, 12 days of the protest?

2 **INTERIM CHIEF STEVE BELL:** I had -- I would have
3 concerns about the time that it was taking to develop the plans.
4 I do think, particularly once we had the Integrated Planning
5 Team, with the amazing assistance of the Ontario Provincial ---

6 **MR. PAUL CHAMP:** Sure.

7 **INTERIM CHIEF STEVE BELL:** --- Police and the
8 RCMP, that we did develop the fulsome plans that we needed.

9 That took some time to get to. So while this is
10 occurring in our streets, the time it's taking to plan,
11 coordinate, and then execute is of concern to me.

12 **MR. PAUL CHAMP:** And was it your impression or
13 your understanding, Chief Bell, that Chief Sloly was a bit
14 resistant to the integrated command? I think we've heard some
15 evidence of that already.

16 **INTERIM CHIEF STEVE BELL:** I believe Chief Sloly
17 was raising concerns or kicking the tires on what an integrated
18 commander planning team would look like that would have
19 indicated he had some resistance to it.

20 **MR. PAUL CHAMP:** Well he made comments to you and
21 Deputy Chief Ferguson that he felt the OPP and RCMP were not
22 help him, or taking directions for their political masters, or
23 comments like that? You recall that meeting?

24 **INTERIM CHIEF STEVE BELL:** That's correct.

25 **MR. PAUL CHAMP:** And you and Deputy Chief
26 Ferguson didn't agree with him and you raised concerns about
27 that?

28 **INTERIM CHIEF STEVE BELL:** That's correct.

1 **MR. PAUL CHAMP:** You also had concerns, did you
2 not, Chief, that Chief Sloly appeared to be taking operational
3 advice from the PR firm Navigator? That was your impression?

4 **INTERIM CHIEF STEVE BELL:** Sorry, I don't believe
5 it was that he was taking operational advice. It was the fact
6 that a PR firm, a crisis communication firm was involved in that
7 level of operational discussions. It was atypical to me. It
8 was ultimately, at the end of the day, Chief Sloly's prerogative
9 and choice to make as the Chief of Police. It was just
10 something that I hadn't experienced before.

11 **MR. PAUL CHAMP:** But as the crisis in Ottawa
12 continued and became more prolonged, Deputy Chief, did you have
13 -- you had some concerns about the leadership of Chief Sloly,
14 did you not?

15 **INTERIM CHIEF STEVE BELL:** Well I had -- not
16 specific concerns about his leadership overall. I've identified
17 the areas that were of concern to me around the incident command
18 and his involvement at a lower level than I ---

19 **MR. PAUL CHAMP:** Right. Yeah.

20 **INTERIM CHIEF STEVE BELL:** --- believed it should
21 be.

22 **MR. PAUL CHAMP:** There's another one. Yeah.

23 **INTERIM CHIEF STEVE BELL:** So there was different
24 areas of concern that I had, yes.

25 **MR. PAUL CHAMP:** And Councillor Deans, the Chair
26 of the Police Services Board at the time, testified last week
27 that she called you at one point about one week before Chief
28 Sloly's resignation. And she testified that she asked you

1 whether you would be doing anything differently if you were
2 chief. Do you recall that conversation?

3 **INTERIM CHIEF STEVE BELL:** I do.

4 **MR. PAUL CHAMP:** Is that roughly what she asked
5 you?

6 **INTERIM CHIEF STEVE BELL:** Yes, that is what she
7 asked me.

8 **MR. PAUL CHAMP:** And she testified that you told
9 her that you wouldn't have done anything differently? Is that
10 right?

11 **INTERIM CHIEF STEVE BELL:** I believe she
12 testified that I said I wouldn't have done anything differently,
13 but that a plan was coming together and we needed to support the
14 chief as we led through that plan. I think when you listen to
15 her testimony, that's the ---

16 **MR. PAUL CHAMP:** Right.

17 **INTERIM CHIEF STEVE BELL:** --- more fulsome
18 explanation of what I said.

19 **MR. PAUL CHAMP:** Fair enough. So you don't
20 disagree with her testimony on that?

21 **INTERIM CHIEF STEVE BELL:** Absolutely not. What
22 I would go on to say is my perspective is, particularly as a
23 Deputy Chief, my responsibility is to support the Chief of
24 Police, the Office of the Chief of Police, regardless of who is
25 sitting there, and that my obligation is to make sure that that
26 person is successful as we move ahead.

27 **MR. PAUL CHAMP:** Certainly, Deputy -- or at that
28 time, as Deputy Chief, your obligation was to serve your chief,

1 but did you not also have an obligation to serve the people of
2 Ottawa, Chief Bell?

3 **INTERIM CHIEF STEVE BELL:** But I do believe I was
4 serving the people of Ottawa by ensuring that we, as an
5 organization, through the Chief of Police, had success moving
6 ahead.

7 At every opportunity where I had concerns with
8 Chief Sloly, I raised those. Ultimately, he's the Chief of
9 Police, so he makes the decisions on how we move ahead. But to
10 have him fail, particularly in the middle of a crisis, would not
11 have benefited anyone, particularly the citizens of Ottawa.

12 **MR. PAUL CHAMP:** Precisely. And that's the point
13 though, Chief Bell. So if you saw Chief Sloly, from when I, you
14 know, heard your testimony today and reviewed your interview
15 summary, it sounds like you had many points of concern, shall we
16 say, about Chief Sloly's leadership and that this perhaps was
17 the reason why this occupation was so prolonged.

18 And so what I'm asking you, Chief, is that if you
19 had concerns that Ottawa Police, perhaps, were unable to respond
20 the way that they could, or as effectively as they could,
21 because of the leadership, did you not have some duty or
22 obligation to raise that issue with the Ottawa Police Services
23 Board or some other authority?

24 **INTERIM CHIEF STEVE BELL:** So my concerns would
25 not have met to the level where I felt that obligation was
26 necessary. The challenges I had were addressed on a regular and
27 ongoing basis. And if I thought they had surpassed a level that
28 I needed to report it, I would have reported it. It did not

1 reach that level.

2 **MR. PAUL CHAMP:** Okay. You learned about Chief
3 Sloly's resignation from Chair Deans on February 15th? Is that
4 right?

5 **INTERIM CHIEF STEVE BELL:** I believe I first
6 learned about rumours of it on social media, but then ultimately
7 Chair Deans did call me at some point during the day to indicate
8 -- to assess out my interest in taking over as interim chief.

9 **MR. PAUL CHAMP:** Right. And between that
10 conversation and the Police Services Board, many of the members
11 being removed the following evening, did you have any
12 communications with the Mayor or the Mayor's Office?

13 **INTERIM CHIEF STEVE BELL:** No.

14 **MR. PAUL CHAMP:** On the Mayor's negotiations with
15 the protestors, you made the connection between City Manager
16 Steve Kanellakos and the PLT on February the 10th?

17 **INTERIM CHIEF STEVE BELL:** That's correct.

18 **MR. PAUL CHAMP:** And did you know what was
19 happening between February the 10th and February the 12th on
20 those negotiations?

21 **INTERIM CHIEF STEVE BELL:** No, I did not.

22 **MR. PAUL CHAMP:** And -- but you now understand or
23 now are aware that there were different negotiations going on
24 between the Mayor's Office and the protesters?

25 **INTERIM CHIEF STEVE BELL:** Yes, I do.

26 **MR. PAUL CHAMP:** Okay. Did you have concerns
27 that no police guidance or assistance was being provided to the
28 Mayor these negotiations?

1 **INTERIM CHIEF STEVE BELL:** It was atypical. It
2 would likely have been -- could have been -- facilitated what we
3 wanted to accomplish more easily, but at the end of the day,
4 like I said before, I truly believed it took the temperature of
5 the protest down and that was a good outcome. Could we have
6 arrived at that circumstance better by having police involved,
7 and by advising our Incident Command earlier? Yes. It was an
8 imperfect process, I will absolutely agree with that, but I do
9 believe the outcome of it was beneficial to having the streets
10 remain calm for the time we needed it to execute our operation.

11 **MR. PAUL CHAMP:** I hear you completely,
12 Chief Bell, but if that was a way to get any kind of dialogue
13 with these protesters and get any kind of movement or agreement
14 on them to relieve the pressure on the people of Ottawa, that
15 was probably a good idea. But the question I'm wondering is how
16 did it turn out that way that the Mayor's Office was on his own
17 conducting these negotiations with practically no input from the
18 Ottawa Police? How did that happen?

19 **INTERIM CHIEF STEVE BELL:** That I don't know.
20 That I can't answer.

21 **MR. PAUL CHAMP:** And just finally -- oh, I'm at
22 my 20 minutes, I believe. I'll ---

23 **INTERIM CHIEF STEVE BELL:** Thank you very much.

24 **MR. PAUL CHAMP:** Thank you.

25 **INTERIM CHIEF STEVE BELL:** Thank you.

26 **MR. PAUL CHAMP:** Thank you, Chief Bell.

27 **COMMISSIONER ROULEAU:** Thank you.

28 Next, National Police Federation.

1 --- CROSS-EXAMINATION BY MS. LAUREN PEARCE:

2 MS. LAUREN PEARCE: Hi there, I'm coming in via
3 Zoom.

4 INTERIM CHIEF STEVE BELL: Sorry. Thank you.

5 MS. LAUREN PEARCE: Hi there, my name's Lauren
6 Pearce. I'm attending via Zoom if you can see me.

7 INTERIM CHIEF STEVE BELL: I can. Good
8 afternoon.

9 MS. LAUREN PEARCE: Great. Hi there.

10 So I am counsel for the National Police
11 Federation, which is the bargaining agent representing RCMP
12 members and reservists. Okay?

13 INTERIM CHIEF STEVE BELL: Yeah.

14 MS. LAUREN PEARCE: So I understand that you,
15 Chief Bell, met with representatives of the RCMP and the
16 Parliamentary Protective Service on January 28th; is that right?

17 INTERIM CHIEF STEVE BELL: Do you have a document
18 to reference? And I'm going to apologise, I met with several
19 different people on several different occasions.

20 MS. LAUREN PEARCE: For sure. So I can turn it
21 up if it would be helpful. It's just from your witness
22 statement, though. So why don't we do that.

23 It's WTS00000029. And I think from my notes that
24 it's near the bottom of page 8 is where we see that reference.

25 So Chief Bell, I see there on January 28th, at
26 4:30 p.m., you attended a meeting. Do you see at the very
27 bottom of that page?

28 INTERIM CHIEF STEVE BELL: I do.

1 **MS. LAUREN PEARCE:** And if you could just keep
2 scrolling onto page 9, just that top paragraph there.

3 **INTERIM CHIEF STEVE BELL:** Yes, I recall the
4 meeting.

5 **MS. LAUREN PEARCE:** Okay, great.

6 Thank you, that's enough with that document.

7 I just want to ask you some questions about that
8 meeting. So first of all, my understanding is that Ottawa is
9 the police of jurisdiction in the Ottawa Region, the Ottawa
10 Police Service I mean.

11 **INTERIM CHIEF STEVE BELL:** That's correct.

12 **MS. LAUREN PEARCE:** Okay. And that the RCMP has
13 a much more limited policing mandate in the Ottawa Region; is
14 that fair?

15 **INTERIM CHIEF STEVE BELL:** At a high-level,
16 that's correct.

17 **MS. LAUREN PEARCE:** And so that limited mandate
18 includes protective policing, which I understand to be kind of
19 ensuring the safety of certain protected persons. Does that
20 sound right?

21 **INTERIM CHIEF STEVE BELL:** I do -- I am not
22 totally versed on what the protective policing mandate is. I
23 think it encompasses more than that, but I'm not best suited to
24 answer that question.

25 **MS. LAUREN PEARCE:** For sure, for sure. But to
26 the best of your knowledge, it includes the protection of
27 people, such as the Prime Minister and the Governor General and
28 that kind of thing?

1 **INTERIM CHIEF STEVE BELL:** It does include that,
2 yes.

3 **MS. LAUREN PEARCE:** Great. Okay. And then the
4 RCMP also has a mandate, including federal matters, such as, you
5 know, national security, terrorism, that kind of a thing, to the
6 extent it's occurring in the Ottawa Region?

7 **INTERIM CHIEF STEVE BELL:** That's correct.

8 **MS. LAUREN PEARCE:** Okay. And so I want to turn
9 to the Parliamentary Protective Service, or PPS. I'll use those
10 terms interchangeably if that's okay.

11 **INTERIM CHIEF STEVE BELL:** Yes, for sure.

12 **MS. LAUREN PEARCE:** Okay. So my understanding is
13 that they are responsible for the physical security of the
14 Parliamentary Precinct, which includes kind of the grounds and
15 building of Parliament Hill.

16 **INTERIM CHIEF STEVE BELL:** That's correct.

17 **MS. LAUREN PEARCE:** Okay. And you talked about
18 this a little bit in response to some questions from counsel for
19 former Chief Sloly, but I want to make sure I got this right.
20 So my understanding is that PPS officers are not actually sworn
21 police officers under the *Police Services Act*; is that right?

22 **INTERIM CHIEF STEVE BELL:** That is correct.

23 **MS. LAUREN PEARCE:** Okay. And I also understand
24 that they are not peace officers for the purposes of the
25 Criminal Code.

26 **INTERIM CHIEF STEVE BELL:** That I'm -- that I am
27 not sure of. I don't believe so, but I can't definitively say.

28 **MS. LAUREN PEARCE:** Okay. But what you can

1 definitively say is that they don't have the power to lay a
2 criminal charge?

3 **INTERIM CHIEF STEVE BELL:** That is correct.

4 **MS. LAUREN PEARCE:** And so what I think I heard
5 from you is that if there is a criminal offence on Parliament
6 Hill, PPS generally will call the Ontario Police Service to come
7 and address it.

8 **INTERIM CHIEF STEVE BELL:** The Ottawa Police
9 Service, yes.

10 **MS. LAUREN PEARCE:** Excuse me, the Ottawa Police
11 Service. Thank you. And that's the same if there is a major
12 incident on Parliament Hill, that PPS would call the Ottawa
13 Police Service to assist.

14 **INTERIM CHIEF STEVE BELL:** So the Ottawa Police
15 Service would be a primary responder to it, but depending on the
16 nature of the incident it may be us, it may be a national
17 security -- if it's a national security issue, it may be the
18 RCMP. So we would be a primary response, and then we would have
19 to decide amongst the other policing organisations in the city
20 who would be doing the follow up.

21 **MS. LAUREN PEARCE:** Right. Okay, that makes
22 sense. But in either case, whether it's Ottawa responding or
23 RCMP responding or some other police service, potentially, it's
24 true that where there's a criminal offence that occurs on
25 Parliament Hill, PPS can't deal with it alone.

26 **INTERIM CHIEF STEVE BELL:** That's -- not for the
27 purposes of laying criminal charges, no.

28 **MS. LAUREN PEARCE:** Okay. Is it fair to say that

1 PPS officers do not have nearly the same kind of training that
2 police officers have?

3 **INTERIM CHIEF STEVE BELL:** It would be unfair for
4 me to comment on that. I'm not sure of the curriculum of the
5 Parliamentary Protective Services training.

6 **MS. LAUREN PEARCE:** That's fair. And -- but at
7 least to your knowledge, you're not aware of PPS officers
8 attending anything that's equivalent to Ontario Police College?

9 **INTERIM CHIEF STEVE BELL:** Oh, no, I'm -- I am
10 aware that there is extensive training that is provided to
11 Parliamentary Protective Services, I just -- I can't comment on
12 what the content of it is. But I do absolutely know that they
13 are trained.

14 **MS. LAUREN PEARCE:** Okay, okay. So my
15 understanding is that the Parliamentary Protective Service,
16 their jurisdiction over Parliament Hill, subject to what we just
17 talked about of them kind of needing assistance from other
18 policing partners; otherwise, their jurisdiction is actually
19 exclusive. Is that fair?

20 **INTERIM CHIEF STEVE BELL:** To the Parliamentary
21 Precinct, yes.

22 **MS. LAUREN PEARCE:** Correct. Okay. And so
23 unless PPS invites the Ottawa Police Service to come and respond
24 to an issue on Parliament Hill, your Ottawa Police Service
25 officers are not, you know, conducting routine patrols in the
26 area.

27 **INTERIM CHIEF STEVE BELL:** So we actually don't
28 need an invitation if we're called upon to there to provide

1 police of jurisdiction responsibilities, but in terms of general
2 patrol or general activity within the Parliamentary Precinct, no
3 we don't engage in that, we -- that is the responsibility and
4 left to the Parliamentary Protective Services.

5 **MS. LAUREN PEARCE:** Right. Right. Okay. And my
6 understanding is that during the convoy protests that didn't
7 change; right? That PPS remained of primary responsibility on
8 Parliament Hill.

9 **INTERIM CHIEF STEVE BELL:** That is correct.

10 **MS. LAUREN PEARCE:** Okay. And my understanding,
11 let me know if this is consistent with your understanding,
12 Ottawa Police Service officers weren't actually permitted on
13 Parliament Hill unless they were directed there by the NCRCC?

14 **INTERIM CHIEF STEVE BELL:** I can't comment on
15 that. I don't know. I don't know the answer to that.

16 **MS. LAUREN PEARCE:** Okay.

17 Maybe we can just pull up a document quickly to
18 assist. A document here, I've got OPP00004262.

19 And Chief Bell, just while this is coming up,
20 this is the January 29th Operational Plan that you've looked at
21 a couple of times already.

22 **INTERIM CHIEF STEVE BELL:** Okay. Thank you.

23 **MS. LAUREN PEARCE:** And I'm hoping within that
24 document we can please turn to page 32 of the PDF, so quite a
25 bit of scrolling.

26 So the very -- I'm looking at the very top of
27 that page. Can you scroll up a little bit?

28 **COMMISSIONER ROULEAU:** You have to scroll down.

1 I'm sorry, up, up, yes. All right.

2 **MS. LAUREN PEARCE:** Thank you. So Interim Chief
3 Bell, I wanted to ask you about the second paragraph that you
4 can see there starting, "Any decisions regarding support for
5 PPS." Do you see that there?

6 **INTERIM CHIEF STEVE BELL:** I do.

7 **MS. LAUREN PEARCE:** Okay. And then in the
8 parentheses I see, "No OPS member shall be on Parliament Hill
9 unless directed by the NCRCC." Do you see that?

10 **INTERIM CHIEF STEVE BELL:** I do.

11 **MS. LAUREN PEARCE:** Okay. So does that appear to
12 be consistent with what I just said, which is that Ottawa Police
13 Service officers couldn't have responded on Parliament Hill
14 other than if they were directed by the NCRCC?

15 **INTERIM CHIEF STEVE BELL:** No. What I -- and I'm
16 going to suggest this is a question better posed to Inspector
17 Lucas -- but as I read this, what I understand is that all of
18 the movement in and around the area of the Parliamentary
19 precinct will be directed and controlled by the NCRCC. That
20 would be typical and understandable, because it's going to be
21 important that there's communication and deconfliction around
22 activities that are happening between the Ottawa Police Service,
23 the Ontario Provincial Police, RCMP, and Parliamentary
24 Protective Services. That would be funnelled through the NCRCC
25 because there are -- the Incident Commander and representatives
26 from all of those agencies present there.

27 **MS. LAUREN PEARCE:** Right. So I actually don't
28 think we're disagreeing on this point. The point I'm making is

1 that even in the event of the convoy protests, it didn't change
2 that Ottawa Police Service officers were not asserting
3 jurisdiction over Parliament Hill? It was still PPS
4 jurisdiction unless directed by the NCRCC?

5 **INTERIM CHIEF STEVE BELL:** Yes.

6 **MS. LAUREN PEARCE:** Okay. So my understanding --
7 I think we're done with that document for now, thank you -- so
8 my understanding is that PPS' jurisdiction extends to Wellington
9 Street, and then it shifts to the Ottawa Police Service's
10 jurisdiction; is that consistent with your understanding?

11 **INTERIM CHIEF STEVE BELL:** Comes up to the gate
12 of Parliament Hill's, yes.

13 **MS. LAUREN PEARCE:** So beyond the gate of
14 Parliament Hill, so that the sidewalk and then Wellington Street
15 is all Ottawa?

16 **INTERIM CHIEF STEVE BELL:** That's correct. Well,
17 Ottawa's Police -- again, Ottawa Police's jurisdiction for the
18 entire area. PPS has responsibility for safety and security up
19 to -- on the Parliamentary precinct, which extends to the
20 sidewalk of Wellington Street.

21 **MS. LAUREN PEARCE:** Okay.

22 **COMMISSIONER ROULEAU:** Just a note, you're out of
23 time, so you're going to have to wrap up.

24 **MS. LAUREN PEARCE:** Okay. I will make my last
25 couple of points very quickly.

26 So my understanding is that during the protest,
27 there was some construction cladding at that area?

28 **INTERIM CHIEF STEVE BELL:** I'm not sure of that.

1 **MS. LAUREN PEARCE:** My understanding is that PPS
2 officers generally, during the protest, stayed within their
3 jurisdiction on Parliament Hill. They were not responding on
4 Wellington Street?

5 **INTERIM CHIEF STEVE BELL:** I don't know that for
6 a fact, but that would be my expectation.

7 **MS. LAUREN PEARCE:** To your knowledge, were PPS
8 officers a resource that you understood to be available to the
9 Ottawa Police Service in assisting with the police response to
10 the convoy?

11 **INTERIM CHIEF STEVE BELL:** So the PPS was part of
12 our integrated command at the NCRCC, and in that, they would be
13 able to be assigned taskings that were appropriate to their
14 responsibilities, particularly in and around the Parliamentary
15 precinct.

16 **MS. LAUREN PEARCE:** Certainly. But in terms of
17 Ottawa's response to the convoy, which I think was generally
18 outside of the Parliamentary precinct, did you or your
19 colleagues know the PPS officers as a resource that were
20 available to you as a part of that response?

21 **INTERIM CHIEF STEVE BELL:** I can't respond to
22 that. That would need to be directed to Superintendent Bernier
23 or Inspector Lucas.

24 **MS. LAUREN PEARCE:** Okay. So I think I will
25 leave it there and use my time there. Thanks very much.

26 **INTERIM CHIEF STEVE BELL:** Thank you very much.

27 **COMMISSIONER ROULEAU:** Thank you. Next is the
28 CCLA.

1 --- CROSS-EXAMINATION BY MS. CARA ZWIBEL:

2 **MS. CARA ZWIBEL:** Sorry. Good afternoon, Chief
3 Bell. I'm also coming in from Zoom. Can you hear me and see me
4 okay?

5 **COMMISSIONER ROULEAU:** We can hear you but cannot
6 see you yet.

7 **CARA ZWIBEL:** Oh, that's because I have not
8 turned on my camera. My apologies. There we go.

9 **COMMISSIONER ROULEAU:** Okay.

10 **MS. CARA ZWIBEL:** My name is Cara Zwibel. I am a
11 lawyer for the Canadian Civil Liberties Association, and I just
12 have a few questions for you.

13 You were asked earlier about the Ottawa Police
14 Service's authority to really pre-emptively stop traffic from
15 coming into the city. And I think you said that police have the
16 ability to prevent vehicles from entering an area, and you
17 mentioned that the Charter of Rights and Freedoms doesn't
18 protect, you know, vehicles; it protects individuals.

19 But you also said that it was clear that the
20 truckers were coming to Ottawa and that part of their plan was
21 to be in the Nation's Capital; is that right?

22 **INTERIM CHIEF STEVE BELL:** That's correct.

23 **MS. CARA ZWIBEL:** And part of the role of the
24 Ottawa Police Service and any police service in Canada is to
25 facilitate the right to peacefully protest. Would you agree
26 with that?

27 **INTERIM CHIEF STEVE BELL:** Absolutely.

28 **MS. CARA ZWIBEL:** And in some cases, the manner

1 in which a protest is carried out is a core part of the message
2 that's being conveyed. So as an example, if you had individuals
3 who wanted to protest insufficient bike lanes and they wanted to
4 ride their bikes, the use of the bikes is an important part of
5 the message of the protest; would you agree with that?

6 **INTERIM CHIEF STEVE BELL:** It can be, yes. In
7 the example you gave, yes, I would agree with that.

8 **MS. CARA ZWIBEL:** Okay. And in the case of the
9 convoy, when the trucks -- we heard from other witnesses -- when
10 the trucks entered Ontario, there were some OPP, PLT teams that
11 were in touch with some of the convoy organizers. Are you aware
12 of that?

13 **INTERIM CHIEF STEVE BELL:** Yes, I am.

14 **MS. CARA ZWIBEL:** And those PLT teams didn't give
15 the truckers any indication that roads would be closed or that
16 they would not be given access to the City of Ottawa, correct?

17 **INTERIM CHIEF STEVE BELL:** I don't know what
18 instructions via Ontario Provincial Police liaison team members
19 gave.

20 **MS. CARA ZWIBEL:** But certainly, it was the
21 expectation, you understood it to be the expectation of the
22 truckers that they would be allowed to enter the City of Ottawa?

23 **INTERIM CHIEF STEVE BELL:** I can't comment on
24 that. I don't know what the expectations of the truckers were.

25 **MS. CARA ZWIBEL:** At the time that the convoy
26 started, leaving sort of the legal authority aside, would you
27 agree that the OPS wouldn't have had the operational capacity or
28 resources to prevent this number of vehicles from coming into

1 the city?

2 **INTERIM CHIEF STEVE BELL:** I would agree with
3 that.

4 **MS. CARA ZWIBEL:** Okay, thank you.

5 Just a couple of questions also about the federal
6 *Emergencies Act*, and the declaration of the emergency after that
7 Act.

8 There was an operational plan in place that was,
9 I understand, still evolving a little bit before the emergency
10 was declared, but the nature of that operational plan didn't
11 substantially change following the invocation of the Act; is
12 that accurate?

13 **INTERIM CHIEF STEVE BELL:** That's correct.

14 **MS. CARA ZWIBEL:** And I know you mentioned that
15 one of the more helpful things that the *Emergencies Act* gave you
16 was the ability to create some exclusion zones?

17 **INTERIM CHIEF STEVE BELL:** Yes, correct.

18 **MS. CARA ZWIBEL:** But you agree that the police
19 have a common law power to create exclusion zones provided there
20 are grounds to do that?

21 **INTERIM CHIEF STEVE BELL:** So I would agree that
22 we were developing a plan based on those authorities, but when
23 the *Emergency Act* came in, it negated the need to rely on those
24 authorities and provided a really well-structured legislative
25 framework for us to be able to enact an exclusionary zone and
26 explain the legal authorities and our officers' legal
27 authorities, so all of our members on the frontline so they
28 could clearly, efficiently carry out their duties to enforce

1 that exclusionary zone.

2 **MS. CARA ZWIBEL:** So the Act was helpful in terms
3 of it being sort of something you could show to the protestors
4 and to your officers to say, "This gives us the authority," sort
5 of a good demonstration of that authority?

6 **INTERIM CHIEF STEVE BELL:** No, I would suggest it
7 was much more than just a good demonstration of authority. It
8 was a very clear, legal framework that we could rely on to
9 create the exclusionary zone with direct wording and intentions
10 around creating that exclusionary zone.

11 **MS. CARA ZWIBEL:** Okay. And did the Ottawa
12 Police Service create exclusion zones during the more recent
13 Rolling Thunder event?

14 **INTERIM CHIEF STEVE BELL:** So we didn't create
15 an exclusionary zone in the same way. We created a restricted
16 zone in our downtown core for vehicular traffic.

17 **MS. CARA ZWIBEL:** Okay. So you weren't clearing
18 individuals out of there but you were saying, "These are areas
19 where vehicles can't enter"?

20 **INTERIM CHIEF STEVE BELL:** That's correct.

21 **MS. CARA ZWIBEL:** Okay. And you didn't need
22 special legislation to do that?

23 **INTERIM CHIEF STEVE BELL:** No, we worked on the
24 authority of the -- with the City Manager to look at areas that
25 we would look at limiting or prohibiting vehicles from flowing.

26 **MS. CARA ZWIBEL:** Right. But would you agree
27 with me that the authority that the police have to do various
28 things depends on the circumstances and the context. So when we

1 talked earlier about not stopping the trucks from coming into
2 downtown, you mentioned that there was no previous with an event
3 like this; there was nothing to suggest that there would be the
4 level of disruption that there was. So those were pieces of the
5 circumstances and context that were considered in making a
6 determination that you couldn't exclude the trucks from the
7 city?

8 **INTERIM CHIEF STEVE BELL:** That's correct.

9 **MS. CARA ZWIBEL:** Okay. And I mean in every
10 case, would you agree with me that the police's authority to do
11 things depend on the circumstances, that police shouldn't have
12 the authority to stop people or vehicles without some grounds or
13 reason to do so?

14 **INTERIM CHIEF STEVE BELL:** I would -- I would
15 agree with that in every circumstance that we exercise of
16 authority, the situation and context that we're in needs to be
17 considered prior to us exercising out authority, yes.

18 **MS. CARA ZWIBEL:** Okay, thank you. In your
19 witness statement, I think you declined to sort of provide an
20 opinion on whether the use of the *Emergencies Act* was necessary.
21 And I know my friend for the Government of Canada took you to a
22 couple of examples of how it was helpful. Would you agree that
23 there's a difference between legislation or an order that is
24 helpful and one that is necessary?

25 **INTERIM CHIEF STEVE BELL:** I would agree with
26 that.

27 **MS. CARA ZWIBEL:** Okay. It would probably be
28 helpful to the police's work to have all kinds of authority but

1 there are other considerations that we need to consider; right?

2 **INTERIM CHIEF STEVE BELL:** That's correct.

3 **MS. CARA ZWIBEL:** Okay. And you stand by the
4 position that's in your witness statement that you don't take
5 sort of a position one way or the other on the necessity of the
6 *Emergencies Act*?

7 **INTERIM CHIEF STEVE BELL:** No, I would believe
8 that this is exactly the forum of the necessity, that that will
9 be fleshed out and discussed. It was exceptionally beneficial
10 to us in the execution of our plan, well-utilized, and created a
11 stable environment for us to actually remove the occupiers from
12 our streets.

13 **MS. CARA ZWIBEL:** Okay, thank you, just one more
14 area. And I think this has been covered so I just want to
15 doublecheck. I apologize. I've had some issues with my Zoom so
16 if you've answered this, I apologize. The role of Navigator,
17 what was your understanding of their role?

18 **INTERIM CHIEF STEVE BELL:** Well, they were a
19 crisis communications firm that were contracted in to provide us
20 crisis-communication advice.

21 **MS. CARA ZWIBEL:** And my understanding is that
22 they were contracted prior to the Convoy to deal with some of
23 the change management within the organization and then there was
24 a bit of a pivot; is that accurate?

25 **INTERIM CHIEF STEVE BELL:** That's correct.

26 **MS. CARA ZWIBEL:** Okay. Were they involved in
27 operation decisions?

28 **INTERIM CHIEF STEVE BELL:** They weren't involved

1 in making operational decisions, no.

2 **MS. CARA ZWIBEL:** Okay. And when you became the
3 Acting Chief, did you end the contract with Navigator at that
4 time?

5 **INTERIM CHIEF STEVE BELL:** When I became Interim
6 Chief, yes, I ended the contract.

7 **MS. CARA ZWIBEL:** Okay. Thank you, Chief Bell.
8 I don't have any other questions.

9 **INTERIM CHIEF STEVE BELL:** Thank you very much.

10 **COMMISSIONER ROULEAU:** Okay, thank you.

11 Next is the Democracy Fund.

12 **--- CROSS-EXAMINATION BY MR. ROB KITTREDGE:**

13 **MR. ROB KITTREDGE:** All right. Good afternoon,
14 Interim Chief Bell. I'm Rob Kittredge acting for the Justice
15 Centre for Constitutional Freedoms at these hearings and I have
16 just a few questions for you today. And to show my hand a
17 little bit, they're all geared at, as you say, fleshing out and
18 discussing the necessity of invoking the *Emergencies Act*.

19 I'd like to show with these questions that, under
20 your leadership, the OPS was quite capable of clearing the
21 protests even if the *Federal Emergencies Act* was never invoked.

22 So as I understand your testimony today, you
23 identified four ways in which the invocation of the Emergencies
24 Act may have been helpful to police in clearing the protest.
25 First, it streamlined the swearing-in of officers from other
26 jurisdictions. Second, it made it easier to procure towing
27 services. And third, it -- the power to freeze financial
28 accounts may have led some protestors to leave Ottawa

1 voluntarily. Is that a fair characterization of your first
2 three points?

3 **INTERIM CHIEF STEVE BELL:** Yes, but I don't
4 believe I said "may" have been helpful. I believe I indicated
5 it "was" helpful.

6 **MR. ROB KITTREDGE:** Which one, the ---

7 **INTERIM CHIEF STEVE BELL:** All ---

8 **MR. ROB KITTREDGE:** --- power to raise ---

9 **INTERIM CHIEF STEVE BELL:** All of them.

10 **MR. ROB KITTREDGE:** Okay.

11 **INTERIM CHIEF STEVE BELL:** All of them were
12 helpful.

13 **MR. ROB KITTREDGE:** I'll admit a little editorial
14 work on my part there. So things were a little bit rushed at
15 the end of your time with Commission counsel earlier and I want
16 to make sure that I properly understand your fourth and final
17 point, which was, basically, you said something like, "The
18 invocation of the Act created a solid legal framework within
19 which police could do their work." Am I understanding you
20 correctly to think that the framework that you're referring to
21 there meant the power to create an exclusion zone?

22 **INTERIM CHIEF STEVE BELL:** That is correct.

23 **MR. ROB KITTREDGE:** Okay. So going to your first
24 point, streamlining the swearing-in of officers from other
25 jurisdictions, Acting Deputy Chief Ferguson testified that saved
26 a few hours and some paperwork; would you agree with that
27 testimony?

28 **INTERIM CHIEF STEVE BELL:** No. And not to

1 contradict Deputy Chief Ferguson but, as my role of CAO, one of
2 my responsibilities was the processing of those swearing-ins.
3 It is a much more labour-intensive administrative process that
4 has several checks and balances and layers to it so I wouldn't
5 personally describe it in hours; I would describe it in,
6 normally, days. It likely could be streamlined into 24 hours
7 but there are a lot of people you have to line up to be able to
8 do that.

9 **MR. ROB KITTREDGE:** All right. So in short,
10 though, it could likely have been done in 24 hours?

11 **INTERIM CHIEF STEVE BELL:** It could likely have
12 been done in 24 hours but I don't -- I don't think the benefit
13 was as to when it could get done. I think the benefit was to --
14 that as soon as a member was boots-on-the-ground in Ottawa,
15 landed in Ottawa, they were operationally ready to be deployed,
16 and that's what we needed as we were bringing members in from
17 across the country.

18 **MR. ROB KITTREDGE:** But you don't dispute that
19 those officers could have been sworn in without emergency
20 powers, do you?

21 **INTERIM CHIEF STEVE BELL:** Oh, no, they could --
22 they absolutely could have been sworn in without it. It just
23 could have created a backlog and lag time ---

24 **MR. ROB KITTREDGE:** Right.

25 **INTERIM CHIEF STEVE BELL:** --- particularly with
26 the number of officers we were bringing to the city from all
27 across the country.

28 **MR. ROB KITTREDGE:** All right. So in this

1 regard, though, the invocation of the *Emergencies Act* was
2 helpful to police but not necessary, strictly speaking; is that
3 fair to say?

4 **INTERIM CHIEF STEVE BELL:** It was helpful to us,
5 yes.

6 **MR. ROB KITTREDGE:** All right, thank you. Your
7 second point, making it easier to access towing services, in the
8 end, emergency powers were not used to compel any tow-truck
9 drivers to provide services, were they?

10 **INTERIM CHIEF STEVE BELL:** I don't know that.

11 **MR. ROB KITTREDGE:** Not to your knowledge?

12 **INTERIM CHIEF STEVE BELL:** So that could --
13 that's a better question directed at Supt. Bernier who directly
14 interacted on that.

15 **MR. ROB KITTREDGE:** Fair enough. And he is
16 expected to testify to the effect that emergency powers were not
17 needed to compel towing companies to supply trucks or drivers
18 because by February 13th, the OPP had retained 34 tow trucks with
19 willing drivers; do you agree with that?

20 **INTERIM CHIEF STEVE BELL:** I'll let him testify
21 to that; I don't know that.

22 **MR. ROB KITTREDGE:** But you wouldn't have any
23 reason to dispute that if that's what he testifies?

24 **INTERIM CHIEF STEVE BELL:** If that's what he
25 testifies to, yes.

26 **MR. ROB KITTREDGE:** All right. And I guess, just
27 to cut to the chase here, again, the invocation of the
28 *Emergencies Act* was not -- was -- might have been helpful but

1 was not necessary to police with regard to obtaining towing
2 services; is that fair to say?

3 **INTERIM CHIEF STEVE BELL:** Again, I can't comment
4 on that because I don't know the structure or the challenges
5 that were -- occurred with towing. That was a planning
6 responsibility.

7 **MR. ROB KITTREDGE:** All right. But if it was not
8 used, in fact -- like, if it turns out ---

9 **COMMISSIONER ROULEAU:** This is like the fourth
10 time you're going at that same question so I ---

11 **MR. ROB KITTREDGE:** All right, fair enough. I'll
12 move on.

13 On your third point, the idea that the power to
14 freeze financial accounts may have incentivized protesters to
15 leave Ottawa voluntarily, you don't have any direct knowledge of
16 that, do you?

17 **INTERIM CHIEF STEVE BELL:** No, I do not.

18 **MR. ROB KITTREDGE:** And the same with the point
19 put to you by Canada's counsel that the freezing order may have
20 deterred some people from coming to Ottawa to join the protest?

21 **INTERIM CHIEF STEVE BELL:** I don't have any
22 direct knowledge of that.

23 **MR. ROB KITTREDGE:** All right.

24 **INTERIM CHIEF STEVE BELL:** And so you don't --
25 you have no direct knowledge of the power to freeze financial
26 accounts being necessary to the clearing of the protest, then, I
27 guess?

28 **MR. ROB KITTREDGE:** No, I do not.

1 **INTERIM CHIEF STEVE BELL:** You speculate that
2 perhaps it helped but ---

3 **MR. ROB KITTREDGE:** Yes.

4 Okay. Thank you. And on your final point, the
5 power to create an exclusion zone, there are other non-emergency
6 powers police could have used to exclude people from the area;
7 weren't there?

8 **INTERIM CHIEF STEVE BELL:** Yes, there were.

9 **MR. ROB KITTREDGE:** Yes. And so here again, the
10 emergency power to create an exclusion zone may have been
11 helpful and may have been very helpful to police, but it wasn't,
12 strictly speaking, necessary; was it?

13 **INTERIM CHIEF STEVE BELL:** The exclusionary zone
14 and the powers granted around it were very clear. There was no
15 debate about them. And that's what we leveraged to actually
16 execute our plan. The need for the exclusionary zone was -- it
17 was very important because we needed to be able to limit the
18 movement of pedestrians in and out of that area. That is an
19 uncommon authority that police exercise. So the ability for us
20 to be very clear in how we were managing, striking up, and
21 excluding people from that zone was extremely important to us to
22 be able to execute the plans that we did.

23 **MR. ROB KITTREDGE:** Right. But in the absence of
24 the invocation of the *Emergencies Act*, the OPS would have been
25 able to clear the protests?

26 **INTERIM CHIEF STEVE BELL:** In the absence of the
27 invocation of the *Emergencies Act*, the OPS, the OPP, the RCMP,
28 as part of a unified command were going to clear the protests.

1 **MR. ROB KITTREDGE:** All right. Well thank you
2 very much. Those are my questions.

3 **COMMISSIONER ROULEAU:** Thank you.

4 Next we have the Province of Alberta.

5 **MS. MANDY ENGLAND:** Good afternoon.

6 **INTERIM CHIEF STEVE BELL:** Good afternoon.

7 **MS. MANDY ENGLAND:** It's Mandy England for the
8 Government of Alberta. The questions that we were going to
9 cover off this afternoon have already been addressed by counsel,
10 so we have no questions.

11 Thank you very much, sir.

12 **COMMISSIONER ROULEAU:** Thank you.

13 Okay. Next is the Ottawa Police Service.

14 **--- CROSS-EXAMINATION BY MR. DAVID MIGICOVSKY:**

15 **MR. DAVID MIGICOVSKY:** David Migicovsky, counsel
16 for the Ottawa Police.

17 Good afternoon, Chief Bell.

18 **INTERIM CHIEF STEVE BELL:** Good afternoon, Mr.
19 Migicovsky.

20 **MR. DAVID MIGICOVSKY:** Many of my questions have
21 been answered, but I do have a few areas that I want to talk to
22 you about.

23 One of the things we heard last week was some
24 information forwarded by Mr. Ball of the Ottawa Hotel
25 Association.

26 **INTERIM CHIEF STEVE BELL:** Yes.

27 **MR. DAVID MIGICOVSKY:** And I believe that was
28 brought to the attention of the police. And did the police

1 follow up that information to determine whether it was
2 corroborated?

3 **INTERIM CHIEF STEVE BELL:** Yes, they did. And as
4 I indicated this morning, we determined that there was no long-
5 term booking of any hotels in the city, that the reference to
6 what Mr. Ball had made was actually a three-day booking, that
7 the 90 days, I forget the actual number, hadn't materialized.

8 **MR. DAVID MIGICOVSKY:** Sure. Could I ask you
9 please, Mr. Clerk, to turn up OPS14525, please? And it's page
10 31. I'm sorry, could you back? I'm sorry. It's page 3.

11 These are your notes, Chief, of an update
12 briefing on the 29th of January 2022. So that would be the
13 Saturday after the convoy had arrived.

14 **INTERIM CHIEF STEVE BELL:** Yes.

15 **MR. DAVID MIGICOVSKY:** And you have a note about
16 some information you obtained at that point from the hotels that
17 day. What was the information that you obtained that day?

18 **INTERIM CHIEF STEVE BELL:** What I obtained was
19 that hotels had only been booked for Friday/Saturday and that
20 groups were leaving on Sunday. There was no long-term booking.

21 **MR. DAVID MIGICOVSKY:** Thank you very much.

22 You can take that off. Thank you.

23 I want to move on and talk about the question of
24 temporary parking. We've heard some evidence in this proceeding
25 about temporary parking or staging for trucks being arranged by
26 the City with the assistance of the police. Do you recall that?

27 **INTERIM CHIEF STEVE BELL:** Yes, I do.

28 **MR. DAVID MIGICOVSKY:** And can you explain, is

1 that something new? Or is that something that has been done in
2 the past with other demonstrations in Ottawa?

3 **INTERIM CHIEF STEVE BELL:** So to my recollection,
4 I don't recall us ever establishing temporary parking for other
5 demonstrations. This was the first time, I believe, that we'd
6 attempted that.

7 **MR. DAVID MIGICOVSKY:** And has it been done for
8 other special events, however, in Ottawa?

9 **INTERIM CHIEF STEVE BELL:** For other special
10 events, yes, it would be a regular and common occurrence.

11 **MR. DAVID MIGICOVSKY:** And why was it done in
12 this case? What would be the alternative to not doing it?

13 **INTERIM CHIEF STEVE BELL:** It was done in this
14 case to try and limit the footprint that we -- that trucks would
15 come to for the demonstration and allow people to park in other
16 areas and access downtown through bussing, through rideshare,
17 however, so that they could participate in the protestor
18 demonstration without actually bringing their vehicle into the
19 downtown core.

20 **MR. DAVID MIGICOVSKY:** Thank you. You talked
21 earlier in your evidence about heavy machinery, and there was
22 reference to a crane being in downtown Ottawa. And I believe
23 you explained that it was not a crane; correct?

24 **INTERIM CHIEF STEVE BELL:** That's correct. It
25 was a boom ---

26 **MR. DAVID MIGICOVSKY:** And can you just remind me
27 what the -- what that piece of equipment was?

28 **INTERIM CHIEF STEVE BELL:** That piece of

1 equipment was a boom truck. A truck that would normally be used
2 to lift construction equipment and deliver construction
3 equipment.

4 **MR. DAVID MIGICOVSKY:** And what was it used for?

5 **INTERIM CHIEF STEVE BELL:** It was used for two
6 purposes. One is the boom was extended and a flag was raised
7 from it, and I also believed it was used as a temporary set up
8 for stages for speeches and events.

9 **MR. DAVID MIGICOVSKY:** And was it used to cause
10 any damage?

11 **INTERIM CHIEF STEVE BELL:** No.

12 **MR. DAVID MIGICOVSKY:** And apart from that piece
13 of equipment, was there any other heavy equipment allowed into
14 the red zone?

15 **INTERIM CHIEF STEVE BELL:** Not to my knowledge,
16 no.

17 **MR. DAVID MIGICOVSKY:** You've talked about the
18 Ottawa Police's experience with demonstrations and you've told
19 us that you have quite a bit, or the Ottawa Police Service has
20 quite a bit of experience.

21 Can I ask you a question more specifically, does
22 the Ottawa Police Service has experience with protestors using
23 vehicles?

24 **INTERIM CHIEF STEVE BELL:** Yes.

25 **MR. DAVID MIGICOVSKY:** And can you tell me a
26 little bit about that?

27 **INTERIM CHIEF STEVE BELL:** There's multiple --
28 had been multiple vehicle-borne protests every year in and

1 around the area. And I can think of five or six different
2 examples. One, farm, where tractors were brought into the
3 downtown core, another truck related one where tractor trailers
4 were brought in. Vehicle-borne protests in passenger vehicles
5 around the -- around Indian farmers, East Indian farmers.
6 Protests around Sri Lankan and Tamil conflict that is existing.
7 There's several events that occur, several demonstrations and
8 protests that occurred in the past, where vehicles were used and
9 brought into the downtown core.

10 **MR. DAVID MIGICOVSKY:** And did that result in a
11 staging of vehicles on Wellington Street?

12 **INTERIM CHIEF STEVE BELL:** Yes, it did.

13 **MR. DAVID MIGICOVSKY:** And prior to the Freedom
14 Convoy demonstration, was it the practice of the City to direct
15 the closure of streets and creation of exclusion zones
16 prohibiting vehicular traffic to groups of protestors?

17 **INTERIM CHIEF STEVE BELL:** No, it wasn't.

18 **MR. DAVID MIGICOVSKY:** And what is the impact --
19 I understand that is now being done, correct, by ---

20 **INTERIM CHIEF STEVE BELL:** That is ---

21 **MR. DAVID MIGICOVSKY:** The City of Ottawa, you
22 indicated has delegated authority, and in consultation with the
23 police, those exclusion zones are being created?

24 **INTERIM CHIEF STEVE BELL:** That is correct.

25 **MR. DAVID MIGICOVSKY:** What is the impact of
26 creating these vehicular exclusion zones on the residents of the
27 community or the people who have legitimate reason to travel to
28 those exclusion zones?

1 **INTERIM CHIEF STEVE BELL:** It's difficult to
2 assess, because as I indicated in my testimony before, community
3 impact is one of the main things that we're looking at as we're
4 looking to manage protests and demonstrations in that area.

5 So I think the impact could be two-fold. One is
6 it may impede their progress in the area at some points in some
7 ways, but on the other side, it will eliminate the potential
8 that such an occurrence would happen in their neighbourhoods
9 again.

10 **MR. DAVID MIGICOVSKY:** And the -- what about the
11 police resources needed now that you create these vehicular
12 exclusion zones?

13 **INTERIM CHIEF STEVE BELL:** The police resources
14 and City resources are considerable to be able to execute that
15 plan.

16 **MR. DAVID MIGICOVSKY:** And was it your -- was
17 your past experience or the Ottawa Police Service's past
18 experience successful in terms of resolving protests, including
19 those with vehicles, without the type of community trauma we saw
20 in this case?

21 **INTERIM CHIEF STEVE BELL:** Past experience since
22 the convoy or prior to?

23 **MR. DAVID MIGICOVSKY:** Prior to ---

24 **INTERIM CHIEF STEVE BELL:** Prior to, yes.

25 **MR. DAVID MIGICOVSKY:** --- the convoy.

26 I want to move on and talk about the Hendon
27 Reports. And I want to ask you some information about -- some
28 questions about what information can be gleaned from the Hendon

1 Reports?

2 And just before we look at some specific reports,
3 just generally, can you tell me what the reports said about
4 whether or not the protestors were expected to be peaceful and
5 law abiding?

6 **INTERIM CHIEF STEVE BELL:** Yes, it did indicate
7 all throughout that the indications that had been received from
8 the protestors -- the protest organizers, was that there was a
9 desire and an intention to be peaceful and lawful.

10 **MR. DAVID MIGICOVSKY:** And we've heard that there
11 was a traffic plan for protesters, and I wonder if we could
12 please turn up OPP0426, please.

13 (SHORT PAUSE)

14 **THE REGISTRAR:** Counsel, if you could, could you
15 repeat that number?

16 **MR. DAVID MIGICOVSKY:** Yes. It would be
17 OPP00000426.

18 **THE REGISTRAR:** If I could just repeat that?

19 **MR. DAVID MIGICOVSKY:** I'm going to move on to --
20 that's okay.

21 **MR. JOHN MATHER:** Counsel, it may be 4262.

22 (SHORT PAUSE)

23 **MR. DAVID MIGICOVSKY:** Can we just scroll down,
24 please? Thank you. Can we just scroll down and if we go to the
25 next -- keep going.

26 And then there is another plan, however, that I'm
27 going to ask that we turn up that was a more detailed plan with
28 a number of subplans; is that correct? And that is OPS04221.

1 (SHORT PAUSE)

2 **MR. DAVID MIGICOVSKY:** I'm going to move on.

3 As I understand it, we've heard that there was an
4 initial traffic plan, and then we heard that there was a more
5 robust plan with a number of subplans prepared for that weekend.
6 Is that your understanding?

7 **INTERIM CHIEF STEVE BELL:** Yeah, that is correct.
8 As the intelligence continued to come in and became more
9 refined, in terms of the size of what was going to occur, we
10 moved from a traffic plan, the Planners then pulled together a
11 larger, more complete, fulsome operational plan.

12 **MR. DAVID MIGICOVSKY:** And a question was raised
13 last week as to whether that was something just pulled off the
14 shelf. Do you have any comment in response to that?

15 **INTERIM CHIEF STEVE BELL:** So while I wasn't
16 directly involved in the planning efforts or the development of
17 the plan, all of the information that I have seen; the back and
18 forths between the Planners and Intelligence; the conversations
19 that occurred around how to build it, would indicate it wasn't
20 just a pulled-off-the-shelf plan; it was one that was fully
21 developed and sounded out around the circumstances that were
22 evolving and developing and coming towards Ottawa.

23 **MR. DAVID MIGICOVSKY:** And did the Hendon reports
24 contain reference to the possibility of fringe groups and lone
25 actors and the possibility of violence?

26 **INTERIM CHIEF STEVE BELL:** Yes.

27 **MR. DAVID MIGICOVSKY:** And were those seen as
28 significant risks?

1 INTERIM CHIEF STEVE BELL: Yes.

2 MR. DAVID MIGICOVSKY: As significant risks, ---

3 INTERIM CHIEF STEVE BELL: Were they seen as --
4 they were significant risks if they materialized. They didn't
5 materialize. It was risks that we identified through our threat
6 assessment and our planning process.

7 MR. DAVID MIGICOVSKY: And so did the plan
8 address the possibility of there being violence or serious
9 criminality?

10 INTERIM CHIEF STEVE BELL: Yes, it did.

11 MR. DAVID MIGICOVSKY: And we've heard about POU
12 unit who are specially trained. In advance of the
13 demonstration, did OPS take steps to get additional POU units on
14 alert to be in Ottawa, if necessary, in anticipation of
15 potential violence from fringe groups?

16 INTERIM CHIEF STEVE BELL: Yes, we did.

17 MR. DAVID MIGICOVSKY: And was their use, in
18 fact, necessary?

19 INTERIM CHIEF STEVE BELL: Yes, their use was
20 necessary over the course of managing the dynamics that we had,
21 specifically towards lone actors around issues of violence. I'm
22 unsure but the POU units, every resource that came to Ottawa was
23 utilized.

24 MR. DAVID MIGICOVSKY: I'm talking about in the
25 first weekend.

26 INTERIM CHIEF STEVE BELL: In the first weekend,
27 POU units were utilized in terms of crowd management.

28 MR. DAVID MIGICOVSKY: Thank you.

1 We've -- I want to ask you about a couple of the
2 Hendon reports, and I wonder if we could start with the January
3 20th report itself, rather than the summary.

4 And so if I could ask you, please, to turn up
5 OPP00001024?

6 And so you'll see that is the January 20th one.
7 And we've had our attention drawn to certain passages, and I
8 wonder if you could turn to the second page, please. Thank you.

9 And the second paragraph indicates:

10 "Open source research has identified a
11 Facebook page titled 'Freedom Convoy
12 2022'."

13 Then it tells you the number of "likes" and how
14 many it was being followed by:

15 "All of the comments...expressed
16 support for this event."

17 What do we see in the next sentence about the
18 number of people supporting the event and the number who may
19 participate as of the 20th, so eight days before?

20 **INTERIM CHIEF STEVE BELL:** That those numbers are
21 unknown.

22 **MR. DAVID MIGICOVSKY:** And I'd like you also to
23 look at the third-to-last paragraph on that same page. So if we
24 just -- what information -- what do you take from the
25 information in that third-to-last paragraph on that page?

26 **INTERIM CHIEF STEVE BELL:** I think there's two
27 pieces; one that it is the organizer promoting as a safe,
28 lawful, and peaceful protest, while other individuals seem to be

1 advocating aggressive tactics.

2 **MR. DAVID MIGICOVSKY:** And were the aggressive
3 tactics prepared for?

4 **INTERIM CHIEF STEVE BELL:** Yes, they were.

5 **MR. DAVID MIGICOVSKY:** And if you could please go
6 to the Assessment section on page 4? Oh, sorry; perhaps --
7 sorry, go back to the previous page, page 3. Yes, just the
8 bottom of the page 3 and the Assessment section.

9 And then you'll see that each Hendon report has
10 an Assessment section; correct?

11 **INTERIM CHIEF STEVE BELL:** That's correct.

12 **MR. DAVID MIGICOVSKY:** Right. And if we go, then,
13 to the -- I just wanted you to see the heading. If we then go
14 to the next page under that heading, the second paragraph:

15 "The available information suggests
16 that the convoys may comprise thousands
17 of tractor-trailers. It is possible
18 that a large number of smaller
19 vehicles, including private vehicles,
20 may join them."

21 Did that, in fact, materialize?

22 **INTERIM CHIEF STEVE BELL:** There were thousands
23 of tractors. There were very few if -- and I don't believe any
24 tractor-trailers that made it down into the red zone.

25 **MR. DAVID MIGICOVSKY:** And does the January 20th
26 report tell you how many people are going to attend, and how
27 many vehicles?

28 **INTERIM CHIEF STEVE BELL:** No.

1 **MR. DAVID MIGICOVSKY:** How many will stay?

2 **INTERIM CHIEF STEVE BELL:** No.

3 **MR. DAVID MIGICOVSKY:** And whether they will
4 engage in the type of criminality or antisocial behaviour we've
5 heard about during this inquiry?

6 **INTERIM CHIEF STEVE BELL:** No.

7 **MR. DAVID MIGICOVSKY:** And so that's on the 20th.
8 Based on what we've heard here that ultimately
9 the Ottawa Police Service needed, I think, several thousand
10 additional resources, based on what you see here, would it have
11 made sense to mobilize 2,000 additional officers from somewhere
12 else at this point in time and bring them to Ottawa, based on
13 this information?

14 **INTERIM CHIEF STEVE BELL:** No. But I also think
15 it's very important to note as we go through these that -- I
16 understand the challenges of gathering this information and
17 intelligence, and I understand that it's imprecise and
18 unrefined, and that's why I tried to make the -- tried to make
19 the point that the experience we have is so important in
20 assessing these. So I believe every best attempt and great work
21 was done by the Ontario Provincial Police and all the partners
22 in bringing together this information to be able to share with
23 communities through other police services to be able to conduct
24 planning.

25 **MR. DAVID MIGICOVSKY:** Can I ask, please, to turn
26 up OPP00001476, on the first page. That is the Hendon Report
27 from the afternoon of January 23rd. And if we could keep
28 scrolling to the fourth paragraph, the fourth bullet, rather.

1 "Information...indicates that convoy
2 organizers are cooperating and have
3 developed a thorough and well-organized
4 plan for conducting the event safely."

5 Is that information important to the Ottawa
6 Police Service in its intelligence assessment?

7 **INTERIM CHIEF STEVE BELL:** It is one of the
8 pieces we take into account, yes.

9 **MR. DAVID MIGICOVSKY:** And how do you monitor the
10 behaviour of the convoy prior to their arrival in Ottawa?

11 **INTERIM CHIEF STEVE BELL:** So the convoy would've
12 been monitored by other police agencies as it came across
13 Canada, and I know that once it entered Ontario, it was
14 monitored by the Ontario Provincial Police until it came to
15 Ottawa where we took over.

16 **MR. DAVID MIGICOVSKY:** Can I ask you, please, to
17 turn up the January 27th Hendon Report, which is OPP00000813?

18 So you'll see this is on the Thursday. Is this
19 the first time we have an indication of numbers?

20 **INTERIM CHIEF STEVE BELL:** Yes. So there were
21 several -- as I indicated before, the numbers and the reporting
22 in Hendon enhanced as we went through and as we got closer to
23 the time, and this, on the 27th, is the first day that we saw
24 actual numbers recorded, and understandably the first day, but
25 the first day that we got a much better picture on the numbers
26 that would be attending.

27 **MR. DAVID MIGICOVSKY:** Thank you.

28 Can I ask you now to go to the January 28th

1 Hendon Report, which is the Friday?

2 And that would be the Friday that the first
3 trucks start to arrive in Ottawa; correct?

4 **INTERIM CHIEF STEVE BELL:** That is correct.

5 **MR. DAVID MIGICOVSKY:** And so if we could please
6 turn to OPP00000815. Thank you.

7 And so now we have -- so this is the day of, and
8 there is an estimate of the total number of vehicles ---

9 **INTERIM CHIEF STEVE BELL:** That's correct.

10 **MR. DAVID MIGICOVSKY:** --- which indicates that
11 they are estimates and subject to change?

12 **INTERIM CHIEF STEVE BELL:** That's correct.

13 **MR. DAVID MIGICOVSKY:** And when it says they're
14 subject to change, does that mean it might go up, might go down?

15 **INTERIM CHIEF STEVE BELL:** It could mean either.

16 **MR. DAVID MIGICOVSKY:** And if you could please
17 turn to page 7 of the document, and just if we can scroll down
18 to the Assessment section.

19 Can you just read the first paragraph in terms of
20 the information that the OPP provided in this Hendon report with
21 respect to the duration -- expected duration? Can you just read
22 that out loud?

23 **INTERIM CHIEF STEVE BELL:**

24 "The available information indicates
25 that protesters plan to remain in
26 Ottawa at least until 2022-02-04. We
27 continue to identify indicators to
28 support at least some protesters

1 remaining beyond the weekend of 2022-
2 01-29, 30. These indicators include
3 collecting donations of cash, food, and
4 water from supporters along the route."

5 **MR. DAVID MIGICOVSKY:** Thank you. And so what do
6 you take from that sentence in which there's an indication that
7 some protesters will remain beyond the weekend, in the second
8 sentence, and the first sentence which talks about them
9 remaining until the 4th of February?

10 **INTERIM CHIEF STEVE BELL:** So what I would assess
11 from that is that there is an indication that at least some may
12 remain beyond it, and that those remaining would remain -- the
13 intelligence at this point would remain up until as late as the
14 4th of February.

15 **MR. DAVID MIGICOVSKY:** Just -- thank you very
16 much. Just a couple more questions. I want to talk about the
17 events of the first weekend. And am I correct that the Ottawa
18 Police did not simply allow an endless stream of convoys or
19 vehicles to come into the core?

20 **INTERIM CHIEF STEVE BELL:** That is ---

21 **MR. DAVID MIGICOVSKY:** Is that correct?

22 **INTERIM CHIEF STEVE BELL:** Well, the Ottawa
23 Police, the OPP didn't allow. We did it in conjunction, but no,
24 we didn't allow them to stream into the downtown.

25 **MR. DAVID MIGICOVSKY:** And so were there
26 strategies in place that were used and that were successful in
27 diverting some convoy members from coming into the core of
28 downtown?

1 **INTERIM CHIEF STEVE BELL:** Yes, there were.

2 **MR. DAVID MIGICOVSKY:** And on that first weekend,
3 in conjunction with your policing partners, were there periods
4 of time where other traffic mitigation measures were taken, such
5 as dealing with bridges, off ramps?

6 **INTERIM CHIEF STEVE BELL:** Yes, there were.

7 **MR. DAVID MIGICOVSKY:** And finally, we've heard
8 some individuals during this Inquiry talk about officers not
9 coming down hard enough or not taking enforcement actions. I
10 just want to be clear, was any direction given to police
11 officers to ignore criminality?

12 **INTERIM CHIEF STEVE BELL:** Absolutely not, and
13 what I will say, and I said it before and I want to say it
14 again, our officers, our officers, the officers of the Ottawa
15 Police Service, the OPP, the RCMP, and every other agency that
16 came in worked in exceptionally difficult and challenging
17 circumstances at an exceptionally difficult and challenging
18 time. So they -- their -- to criticize their activities is
19 challenging for me because they did absolutely everything they
20 could to help support this city and remove this occupation.

21 **MR. DAVID MIGICOVSKY:** And so just one final
22 question. So are there circumstances, however, where in the
23 exercise of their discretion it may not be appropriate for a
24 police officer to take enforcement action?

25 **INTERIM CHIEF STEVE BELL:** Yes, that's correct,
26 and I think I've highlighted a couple of examples today.

27 **MR. DAVID MIGICOVSKY:** Thank you very much.
28 Those are my questions, thank you.

1 **COMMISSIONER ROULEAU:** Thank you.

2 Any re-examination?

3 **MR. FRANK AU:** Just one or two questions, if I
4 may.

5 **--- RE-EXAMINATION BY MR. FRANK AU:**

6 **MR. FRANK AU:** Chief Bell, counsel for ---

7 **COMMISSIONER ROULEAU:** Just identify for the
8 record again, please.

9 **MR. FRANK AU:** It's Frank Au for the Commission.
10 Chief Bell, my friend, counsel for the City of
11 Ottawa, put to you the document, OPS00008418. We're calling up
12 the document.

13 If we can go to the first page so we can look at
14 the title.

15 My first question will be to ask if you can help
16 us with the nature of the meeting?

17 **INTERIM CHIEF STEVE BELL:** So sorry, can you go
18 to the top, please?

19 **MR. FRANK AU:** So it simply says:

20 "Convoy Briefing #18, Tuesday, February
21 [the] 8th, 10:00 a.m. to 12:00 p.m."

22 **INTERIM CHIEF STEVE BELL:** So by this point, we
23 had a regular eyes briefing schedule, and I believe we were at
24 two if not three a day, where there was a briefing where all of
25 the heads of areas would come together to get updates and plans,
26 operational targets or issues would be addressed there, and
27 everyone would then go and execute on what they needed to do.
28 So this was one of those updates.

1 **MR. FRANK AU:** All right.

2 If you could go to page 4. So scroll down a
3 little bit.

4 Do you see the comment attributed to you in the
5 middle of the page, it says:

6 "Bell - concerns that City has are
7 political concerns not day to day - if
8 City sits at table is concerned about
9 sitting down as City, Feds will back
10 down and leave it to the City."

11 What does that mean?

12 **INTERIM CHIEF STEVE BELL:** So one of the concerns
13 that we had, and this wasn't confirmed from any discussions with
14 anyone in the City, but one of the things that we were
15 speculating about around the challenges with engaging different
16 levels of government and potentially negotiating or potentially
17 having discussions with convoy leaders, was that when the first
18 one went, and if it was the City, then they would be the ones
19 who would be responsible for conducting the negotiation.

20 This was never confirmed. We were just wondering
21 or whiteboarding what some of the concerns about different
22 levels of government would be -- would or could have in coming
23 into negotiations.

24 **MR. FRANK AU:** Thank you. Those are my
25 questions.

26 **COMMISSIONER ROULEAU:** Thank you.

27 So that terminates your evidence. Thank you very
28 much Acting Chief Bell.

1 **INTERIM CHIEF STEVE BELL:** Thank you very much,
2 sir.

3 **COMMISSIONER ROULEAU:** And we will adjourn until
4 tomorrow morning at 9:30.

5 **THE REGISTRAR:** The Commission is adjourned. La
6 Commission est ajournée.

7 --- Upon adjourning at 6:31 p.m.

8

9

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

10

11 I, Sandrine Martineau-Lupien, a certified court reporter, hereby
12 certify the foregoing pages to be an accurate transcription of
13 my notes/records to the best of my skill and ability, and I so
14 swear.

15

16 Je, Sandrine Martineau-Lupien, une sténographe officiel,
17 certifie que les pages ci-hauts sont une transcription conforme
18 de mes notes/enregistrements au meilleur de mes capacités, et je
19 le jure.

20

21



22 Sandrine Martineau-Lupien

23