

### III THE CANADIAN RESPONSE

#### **Perceived Lack of Support from the Canadian Government**

If one theme dominated the family hearings, it was the expression of frustration and disappointment at what the families saw, and continue to see, as the absence of information, moral support, counselling, guidance and general concern from agencies of the Government of Canada. This frustration was heard from family members who appeared at the Commission or submitted written statements. It was a common comment that *nobody from the government ever called us*. Some pointed out the absence of grief counselling services by Canada for the families.

It was evident that the families felt isolated from the government. They often said that they felt that they were not viewed as “real Canadians” and that this was somehow not considered to be a Canadian tragedy. It was common during the hearings to hear expressions of relief from the families that this Commission was created and that their fears and concerns would finally be heard.

Almost to a witness, the family members told the Commission of feeling left out from the beginning of their painful experience. With few exceptions, they wrote or spoke of being ignored –first during the initial period of shock and grief and then later. This section presents a sampling of those views which have been chosen to represent the general sentiments of virtually all families.

## On the Scene in Cork, Ireland

Perviz Madon was asked whether anybody from the Canadian government came to her to inquire whether they could help. Her answer: *No, not that I can recall.*<sup>161</sup> She did acknowledge some assistance from Air India while in Ireland. Lorna Kelly said that *the Canadian government was nowhere to be seen.*<sup>162</sup> Kalwant Mamak went into more detail. He told the Commission that:

*We didn't get any information whatsoever, whether it was Air India or any government agency telling us what had happened... there were no Canadian officials.*<sup>163</sup>

Kalwant Mamak went on to say that he *was totally lost and there was nobody there to guide me. I couldn't go to the Canadian people because I couldn't find any. I didn't know what to do.*<sup>164</sup>

Haranhalli Radhakrishna said that he *did not meet even a single officer from the Canadian government or the embassy.*<sup>165</sup>

Dr. Padmini Turlapati told the Commission that:

*... we sat without any contact from the government, any social agency or Air India for about four days. The government totally neglected us...*<sup>166</sup>

The emotions ran deeper than a sense of being ignored, however. Several witnesses went further, suggesting not simply that Canadian officials seemed absent from the scene, but that they had no interest.

Susheel Gupta was the youngest family member, and only child, on the scene. He told the Commission of his perception that *Canadian government officials did not seem to care at all... Certainly no one in the*

<sup>161</sup> Testimony of Perviz Madon, vol. 6, October 4, 2006, p. 598.

<sup>162</sup> Testimony of Lorna Kelly, vol. 4, September 28, 2006, p. 433.

<sup>163</sup> Testimony of Kalwant Mamak, vol. 2, September 26, 2006, p. 143.

<sup>164</sup> Testimony of Kalwant Mamak, vol. 2, September 26, 2006, p. 146.

<sup>165</sup> Submission of Haranhalli Radhakrishna, vol. 9, October 11, 2006, p. 867.

<sup>166</sup> Testimony of Dr. Padmini Turlapati, vol. 2, September 26, 2006, p. 192.

Canadian government stepped up to the plate to assist so that we could all be there together.<sup>167</sup> He recalled hearing his father angrily tell a reporter that:

*...there was not "one damned Canadian official" here and we were not receiving any support, guidance or information from our own government.*<sup>168</sup>

Dr. Bal Gupta himself said:

*...there was no emotional, psychological, physical or administrative help or grief counselling or guidance from any government agency.*<sup>169</sup>

Deepak Khandelwal spoke to the Commission about what he perceived as systemic failures:

*Why were no Canadian officials in Ireland for six days after the bombing to help the families deal with the identification of bodies and related matters? The government at that time was incapable of dealing with this type of a situation.*<sup>170</sup>

He also raised another concern that was echoed by others –the absence of grief counselling services during their darkest hour. He asked why this was not offered to the families at the time of Canada's largest mass murder.<sup>171</sup>

Murthy Subramanian reiterated the apparent absence of counselling and other services, stating:

*There was no assistance provided to us at Heathrow by the Canadian government, no psychologists, no counsellors. We comforted each other.*<sup>172</sup>

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<sup>167</sup> Testimony of Susheel Gupta, vol. 2, September 26, 2006, pp. 212-213.

<sup>168</sup> Testimony of Susheel Gupta, vol. 2, September 26, 2006, p. 217.

<sup>169</sup> Submission of Dr. Bal Gupta, vol. 1, September 25, 2006, p. 35.

<sup>170</sup> Testimony of Deepak Khandelwal, vol. 1, September 25, 2006, p. 90.

<sup>171</sup> Testimony of Deepak Khandelwal, vol. 1, September 25, 2006, p. 90.

<sup>172</sup> Submission of Murthy Subramanian, vol. 4, September 28, 2006, p. 415.

## Back in Canada

Having returned to Canada to attempt to rebuild their lives and deal with the grief from their sudden and unanticipated losses, the families continued to experience feelings of isolation. Some told the Commission that they perceived covert racism in their attempts to deal with the authorities. Dr. Ramji Khandelwal testified:

*We also started to think that nobody wants to do anything because we are Canadians of Indian origin. We thought at that time, and I think it may be true today too, that it is not taken as a Canadian problem and nobody cares about the lives of Canadians of Indian origin.*<sup>173</sup>

Rob Alexander inferred a similar sentiment:

*In particular, there was no form of support from the government or by Air India in the form of grief counselling or other forms of support that could have been useful. If this did not qualify for that type of support, what would a Canadian family have to go through to qualify?*<sup>174</sup>

After returning home, the families continued to be disappointed with insufficient or non-existent support from government authorities. Mahesh Sharma said:

*...my biggest problem was that after I lost my family there was no communication with the government. Nothing came...We had no particular support from the Canadian government to counsel us...*<sup>175</sup>

Eric Beauchesne articulated the sentiment of many families when he told the Commission:

*I don't think the Canadian government felt any responsibility for helping us in any way, shape or form. We received no contact at all. There was nobody to help us to offer any sort of support, either emotional or logistical. There was no offer to*

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<sup>173</sup> Testimony of Dr. Ramji Khandelwal, vol. 6, October 4, 2006, p. 657.

<sup>174</sup> Testimony of Robbie Mathew Alexander, vol. 5, October 3, 2006, p. 505.

<sup>175</sup> Submission of Mahesh Sharma vol. 5, October 3, 2006, p. 493.

*send anybody to Ireland. There was nobody there to call us to offer any kind of counselling at all. I felt they were completely ignorant of any aspect of the impact that this had on the family members.*<sup>176</sup>

Mansi Kinworthy noted that, in contrast to the outpouring of support from their extended family, *we did not receive much support from government authorities. No one offered counselling.*<sup>177</sup>

Dr. Chandra Vaidyanathan said that *it is important to emphasize that the Canadian officials and Canada [were] remiss in providing counselling services to the victims' families.*<sup>178</sup>

Ram Gogia remarked that:

*No Canadian authority contacted me to help me during this confusing and traumatic time... I never received an offer of support or counselling to deal with the tragic loss of my mother from any Canadian official.*<sup>179</sup>

Mandip Grewal said in his submission:

*It saddens me that there was no support or guidance from the Canadian government for victims' families.*<sup>180</sup>

This sense of a lack of support extended beyond the area of counselling services. In the words of Haranhalli Radhakrishna:

*In spite of the fact that this was the largest mass murder in the recent times of Canadian history, there were no victim services offered to us. We did not receive any type of counselling to cope with this immense tragedy in our lives. In my case, I did not even receive any assistance from the government in my effort to bring one or two of my nearest family members from India to Canada and immigrate to help me in rebuilding family.*<sup>181</sup>

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176 Testimony of Eric Beauchesne, vol. 6, October 4, 2006, p. 633.

177 Submission of Mansi Kinworthy, vol. 4, September 28, 2006, p. 440.

178 Submission of Dr. Chandra Vaidyanathan, vol. 6, October 4, 2006, p. 584.

179 Submission of Ram Gogia, vol. 11, October 13, 2006, pp. 1026-1027.

180 Submission of Mandip Grewal, vol. 8, October 10, 2006, p. 844.

181 Submission of Haranhalli Radhakrishna, vol. 9, October 11, 2006, p. 869.

## The Ensuing Years

Perviz Madon spoke of the cumulative frustration of family members at the lengthy passage of time from June 23, 1985 until this Commission came into being:

*Just the other day there was a highway that collapsed in Montreal, the overpass. Automatically they're talking of an inquiry. Did anybody have to start lobbying and say, "Hey, we need an inquiry for this"? Pan Am happened two years after us. They had their inquiry right away and we were told because of the criminal investigation that's going to be underway, ... we waited for...16 years. So why was it that we were denied this public inquiry for 21 years? Why?<sup>182</sup>*

It was apparent that from the date of the Air India bombing until this Commission was created, many family members continued to feel ignored and mistreated. Renee Saklikar said during her appearance:

*My family has put its heart and soul into raising us to view the world as Canadians and yet when we look at the series of failures in relation to this tragedy I think we might ask, well, have we truly been accepted as Canadians?<sup>183</sup>*

The feeling that the government did not do enough for the families has created a sense of hopelessness for many individuals. Esther Venketeswaran's view was:

*The way in which this airplane disaster has been handled by the Canadian government has added great insult to injury and fuelled raging indignation. I am part of a losing situation where there is no reward, respect, closure or compensation to make amends for what I have had to endure for a large portion of my life to date.<sup>184</sup>*

Satrajpal (Fred) Rai told the Commission that no Canadian dignitary had ever called or written. When asked whether he had ever been contacted by Canadian authorities with expressions of sympathy, he responded:

<sup>182</sup> Testimony of Perviz Madon, vol. 6, October 4, 2006, p. 603.

<sup>183</sup> Testimony of Renee Saklikar, vol. 7, October 5, 2006, p. 701.

<sup>184</sup> Submission of Esther Venketeswaran, vol. 9, October 11, 2006, p. 923.

*No, never. Actually, I'm very, very upset and disgusted, to be honest with you. I thought at the least somebody would call, send a letter. It's almost like we never existed. I'm a Canadian citizen.*<sup>185</sup>

Rama Bhardwaj expressed equal disappointment that *no government official ever showed any support, moral or otherwise. It was unthinkable cold treatment.*<sup>186</sup>

The feeling of neglect extends beyond Canadian borders. Sheila Singh Hanse, whose husband was captain of Air India Flight 182, lives in India, but had similar sentiments:

*Having been ignored by Air India and the Canadian government for all these years has certainly left my son and myself with the thought of justice delayed is justice denied...*<sup>187</sup>

Sandhya Nil Singh lost her brother, **Surendra P. Singh** (a flight purser), his wife, **Joyosree**, and their infant son, **Ratik**, on Air India Flight 182. She expressed deep concern in her written statement.<sup>188</sup> She failed to understand why Canadian authorities did not consider widely known threats to Air India to be serious during such a volatile political period. She expressed regret about the outcome of the criminal trials, commenting that *an able country like Canada was unable to act in time or give justice.*<sup>189</sup>

Continuing to struggle in coping with their terrible losses, and with raw emotions at the culmination of the British Columbia criminal trial process, the families had a painful reminder of the feelings they had attempted to suppress. Mandip Singh Grewal recalled that day in his written statement to the Commission:

*As the families were entering the courtroom to hear the verdict, an old man yelled at all of the family members that were present. He told us to go back home, that we were bringing our problems to Canada. This was very hard to hear on such an emotional and anxiety-filled day. To me this is paradigmatic of the way in which this tragedy has been perceived by many in Canada, including*

<sup>185</sup> Testimony of Satrajpal Rai, vol. 1, September 25, 2006, p. 103.

<sup>186</sup> Submission of Rama Bhardwaj, vol. 2, September 26, 2006, p. 157.

<sup>187</sup> Submission of Sheila Singh Hanse, vol. 10, October 12, 2006, p. 965.

<sup>188</sup> Submission of Sandhya Nil Singh, Exhibit P-88, vol. 11, October 13, 2006.

<sup>189</sup> Submission of Sandhya Nil Singh, Exhibit P-88, vol. 11, October 13, 2006, pp. 1032-1033.

*government officials; that this was not a Canadian tragedy; that the issues dealt with people involved in a conflict far away. What troubles me the most is the harsh difference in the lack of support I received from my country compared to the immense compassion, sincerity, respect and generosity of the Irish people.*<sup>190</sup>

There are striking similarities among the family expressions of concern. They provide, if any was needed, an incentive to examine in detail the way Canadian government institutions responded after June 23, 1985.

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<sup>190</sup> Submission of Mandip Singh Grewal, vol. 8, October 10, 2006, p. 846.

## **Canadian Officials**

While many victims' family members were critical of the Canadian response after the aircraft went down, the Commission heard from Canadian officials who arrived in Ireland soon after the tragedy. They were well-meaning and well-intended, but unprepared and ill-equipped for what was expected of them. Their numbers and resources were inadequate for what was needed to respond to a terrorist attack of the magnitude of the Air India bombing.

The Commission heard from various Canadian officials who were dispatched to Cork, Ireland in the aftermath of the Air India tragedy. Bob Hathaway, Canada's political officer in Dublin, arrived in Cork from Dublin the afternoon of June 23, 1985.<sup>191</sup> Gavin Stewart was responsible for consular and immigration affairs and Michael Phillips was in charge of political and public affairs at the High Commission in London. Daniel Molgat had been the Assistant Deputy Minister in charge of Europe until two weeks before the bombing. He was in Ottawa prior to an ambassadorial posting to Madrid, when called on June 24<sup>th</sup> and told that the External Affairs Minister wanted him to proceed to Ireland via London, there being no Canadian ambassador in Dublin at that time. At Heathrow Airport he met Gavin Stewart and Michael Phillips. They travelled together with two family members to Cork.

*When we arrived, one of the first things we did as a group was to go out to the regional hospital and we had a quick briefing on the morgue which had been set up and the way that was going to be organized. We also heard from the person, I think it was the coroner for Cork, who explained that there would be forensic examinations which would take some time and only after those essential legal requirements would the identification process begin. And that meant that there would be a period of some days at least before anything could happen with respect to the people...*<sup>192</sup>

The Canadian officials initially relied on the airlines for information on the arrivals of family members, but soon found out that some relatives had arranged their own travel.<sup>193</sup> By June 26<sup>th</sup>, the Canadian officials had a formal process for being at the airport each time a flight arrived and this was in place until July 12<sup>th</sup>. The officials wore maple leaves prominently on their lapels and announced that they were present at the airport.<sup>194</sup>

As the enormity of the disaster became apparent, the Canadian contingent was increased to seven. The new arrivals were Scott Heatherington from Canada, Helen Amundsen from the High Commission in London, and Stan Noble, the immigration program manager from Dublin.<sup>195</sup> Daniel Molgat says that with the benefit of

<sup>191</sup> Testimony of Daniel Molgat, vol. 13, November 7, 2006, p. 1171.

<sup>192</sup> Testimony of Gavin Stewart, vol. 12, November 6, 2006, pp. 1123-1124.

<sup>193</sup> Testimony of Daniel Molgat, vol. 13, November 7, 2006, p. 1187.

<sup>194</sup> Testimony of Daniel Molgat, vol. 13, November 7, 2006, p. 1184.

<sup>195</sup> Testimony of Gavin Stewart, vol. 12, November 6, 2006, pp. 1129-1131.

hindsight he would have arranged for more people at the outset. Scott Heatherington said that on his arrival on Friday June 28<sup>th</sup>, he understood that the main concern was to locate the Canadian nationals who were the victims' next of kin and to ask whether there was anything that could be done to help.<sup>196</sup>

During the intense and stressful process of identifying the victims' bodies, the Canadian officials tried to offer comfort. But Irish law required autopsies to be performed before family members were permitted to see and identify victims:

*Now, that did not go down very well. They found it very difficult, most of them, to understand why they couldn't at least be allowed into the morgue to see the bodies with a view to trying to identify them.*<sup>197</sup>

Essentially, the Canadian officials could do little more than console the bereaved families until the required steps had been completed.

*...we felt quite bad because there was little you could do to help them in that initial stage other than to kind of listen to them and talk to them and try and see if there was anything you could do, but until the process of identifying the bodies – the remains was set up, they had to wait.*<sup>198</sup>

Some family members expressed frustration to Gavin Stewart that the Irish authorities might not understand the sensitivity of many of the families with respect to burial rites. The Canadian officials were essentially relegated to carrying out immigration-related matters until the identification process began at the hospital.

Daniel Molgat told the Commission of the considerable cooperation the Canadians received from the local police, the hospital, the municipal and county authorities, and the External Affairs Operations Centre in Ottawa. The Irish officials had arranged for social workers to be on-site at the hospital for the families as they arrived to attempt to identify remains. Daniel Molgat says that arrangements were made to make counselling available in Canada through a "hotline" funded by the federal and Ontario governments.<sup>199</sup>

<sup>196</sup> Testimony of Scott Heatherington, vol. 4, September 28, 2006, p. 389.

<sup>197</sup> Testimony of Daniel Molgat, vol. 12, November 6, 2006, p. 1144.

<sup>198</sup> Testimony of Scott Heatherington, vol. 4, September 28, 2006, p. 394.

<sup>199</sup> Testimony of Daniel Molgat, vol. 13, November 7, 2006, p. 1170.

David Dewhirst, an immigration officer posted to Bombay, met every incoming plane carrying the remains of the victims. He placed a floral garland on each casket and expressed condolences on behalf of the Canadian government.

Daniel Molgat told the Commission that their work was never compromised by any *latent discrimination or functional discrimination or racism*.<sup>200</sup> He said that he had never worked with a more compassionate team of people, or one that better understood the situation. Most members of the Canadian team had South Asian experience. He says that whatever the faith or ethnic origins of the passengers on Air India Flight 182, this was a Canadian tragedy.<sup>201</sup> He observed that the victims' families were highly educated and seemed to be comfortable dealing with the Canadian officials in English. He thought that they might have found it patronizing to be addressed by Canadian officials in Hindi, Urdu or Punjabi. Gavin Stewart said that the Canadian officials were very conscious of the faith-based concerns of the families, particularly with respect to timely burial or cremation.<sup>202</sup>

It is evident and admitted that the Canadian officials arrived on the scene ill-equipped and too few in numbers to adequately aid the grieving families. Although compassionate and well-intentioned, the officials had limited means and no formal plan of action. They attempted to respond to the emergency as best they could, constrained by local rules governing the victim identification process, restrained as well by a lack of resources. These well-meaning people were placed in an untenable position. They were somehow expected by senior Canadian authorities to respond to this emergency. They were not trained for this task. It was obvious that in 1985 Canada did not have a response team that could react to such a massive and unexpected attack. It was equally evident that those Canadian officials who testified were sincere, and the lingering pain apparent in their testimony speaks highly of them and their good intentions.

The criticisms levelled by victims' family members at officials must be tempered by a number of factors which were outside their control

<sup>200</sup> Testimony of Daniel Molgat, vol. 12, November 6, 2006, p. 1147.

<sup>201</sup> Testimony of Daniel Molgat, vol. 12, November 6, 2006, p. 1147.

<sup>202</sup> Testimony of Gavin Stewart, vol. 13, November 7, 2006, pp. 1165-1166.

or beyond their abilities or training. At the same time, the pain and frustration of the family members are real, and their concerns about the apparent absence of support from Canada should not be forgotten. While not seen by all of the families, Canadian officials were in Cork and attempted to assist those family members they could locate.

Over the years, there has been an underlying criticism of the government of that time, and a common expression of disappointment from family members that Prime Minister Brian Mulroney was quick to send a letter of condolence to the Prime Minister of India, Rajiv Gandhi, on Sunday, June 23<sup>rd</sup>, the day of the attack. The implication was that Prime Minister Mulroney and his government had dismissed this matter as an "Indian tragedy" and by extension minimized Canadian ownership. The Commission heard evidence to the contrary during the hearing.

Testimony during the hearings clarified the sequence of events as follows: Canada's prime minister telephoned his Indian counterpart soon after the tragedy and a letter came from Rajiv Gandhi to Brian Mulroney on June 26, 1985. Prime Minister Mulroney did not write his letter until July 18, 1985.<sup>203</sup> The date of that letter and its filing as evidence before this Commission were confirmed by the Department of the Attorney General and recorded during testimony on May 8, 2007.<sup>204</sup>

In essence, Prime Minister Mulroney noted Canada's grief for the many citizens of both countries who lost their lives in the crash. The bombing had not yet been confirmed. Prime Minister Mulroney went on to say that if this were to be identified as an act of sabotage, Canadian police were fully engaged in identifying and prosecuting the perpetrators. He assured the Indian Prime Minister of full Canadian cooperation in tracking down terrorists within this country and pledged cooperation between the two countries. In closing, the Prime Minister conveyed his own sympathy and that of the Government for the "grievous loss that our two countries have shared."

This information clarifies both the timing and intent of the Prime Minister's letter.

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<sup>203</sup> Exhibit P-101 CAE 0310.

<sup>204</sup> Confirmation by Mr. Brucker, Office of the Attorney General of Canada, vol. 25, May 8, 2007, p. 2505.

