

1 underground several times in this period and even though
2 they participated in discussions about problems being
3 encountered in the Southwest section, neither Don Jones
4 nor his colleague, John Campbell, realized what was going
5 on.

6 Now remember, both of these men are mining
7 engineers. Mr. Jones claimed he didn't know what the
8 actual mining was. Mr. Campbell, he claimed he didn't
9 know what the approved plan was. We submit this is not
10 acceptable performance of the important public duties
11 held by these men and we ask you to find they were
12 derelict in not determining how Westray was mining the
13 Southwest section in relation to the approved plan.

14 We submit further, Mr. Commissioner, that there are
15 serious issues of credibility concerning the testimony of
16 Don Jones and John Campbell which suggest they did know
17 what was going on in the Southwest section but, for some
18 reason, did nothing about it.

19 There is evidence before you in Mr. Jones' statement
20 to the RCMP and Nancy Ripley-Hood's statement to the
21 Commission that as a result of the experience with
22 Westray in October and November of 1991, the Department
23 had decided to keep a closer watch on the mine to ensure
24 it was following the approved plan. And it just makes
25 sense, Mr. Commissioner, that they would do this. Seen