DND officer apologizes to family of Labrador teen who froze to death on sea ice

Burton Winters, 14, perished after snowmobile got stuck on sea ice outside Makkovik

[Heidi Atter](https://www.cbc.ca/news/canada/newfoundland-labrador/author/heidi-atter-1.4629662) · CBC News · Posted: Sep 10, 2021 8:19 AM NT | Last Updated: 2 hours ago

The family of Burton Winters says the Department of National Defence didn't do everything it could have after he was reported missing on Jan. 29, 2012. From left: Joan Winters, his aunt; Edna Winters, his grandmother; stepmother Natalie Jacque; and his mother, Paulette Rice. (Heidi Atter/CBC)

Emotions came to the fore Thursday at the inquiry into Newfoundland and Labrador's search and rescue system, when a representative of the Department of National Defence and the Joint Rescue Co-ordination Centre apologized to the family of a teenager who froze to death on sea ice in 2012 before crews could find him.

"If it was my one of my children missing, I would have wanted 10 helicopters in there," Lt.-Col. James Marshall told the family of Burton Winters, 14, during a hearing in the boy's hometown of Makkovik, an Inuit community on Labrador's northern coast.

"And I'm sorry that didn't happen."

The inquiry, which is being led by commissioner James Igloliorte, is looking at the Winters case as well as broader search and rescue issues and policies. It has been hearing evidence in Makkovik this week, [including from family members](https://www.cbc.ca/news/canada/newfoundland-labrador/burton-winters-family-inquiry-1.6167456) who questioned what was done — and not done — after Winters was reported missing.

* [**DND defends Burton Winters search decisions during inquiry**](https://www.cbc.ca/news/canada/newfoundland-labrador/department-national-defence-decisions-1.6168431)
* [**Family of Burton Winters makes emotional plea for answers as search and rescue inquiry begins**](https://www.cbc.ca/news/canada/newfoundland-labrador/burton-winters-family-inquiry-1.6167456)

Winters left his grandmother's house on a snowmobile at about 1:30 p.m. on Jan. 29, 2012. A search started early that evening. His body was found on Feb. 1 on sea ice. His family and people in the community believe he may have been on a trail, missed a turn and headed accidentally to sea.

**Multi-day search**

Volunteer searchers and RCMP used privately hired helicopters for two days before being assisted by DND aircraft. DND [defended its decisions on Wednesday, saying they were within the policies at the time](http://cbc.ca/1.6168431).

On Thursday, Marshall said in retrospect, it's possible to look at doing things differently.

"The one thing I've learned in the past three days is how tight this community is, and to this day how much Burton's death affected this community," Marshall said to the family.

"Of course, in any circumstance you want to throw all the resources available at it, and we didn't at that time and in retrospect, of course, sitting here talking to you, I wish we did. But none of the decisions made at the time were outside of policy."

Winters was 14 when he froze to death in 2012, on sea ice outside Makkovik. (CBC )

The family says DND didn't do everything they could have to help Winters, the family's lawyer, Tom Williams, said in an interview with CBC News.

"[DND] could have done more to help their son. And they didn't. And that's how they feel," Williams said. "So while we appreciate the comments that may be made, [the family doesn't] think that answers the questions for them."

"What the family felt and what they state is ... that they think the northern communities are being treated differently than anywhere else," Williams said.

**Double crews tasked for 'major' searches only: DND**

Marshall spoke to the family directly after answering a series of questions from Williams.

Williams asked why, if the weather had not been good, a resource had not been put closer to Makkovik to be used during a break in the weather.

Searchers who had been using a privately hired helicopter found Winters's abandoned snowmobile on Jan. 31, 2012. His body was found the next day. (RCMP)

Marshall said there could have been, but there were private helicopters helping, and noted there were two Griffon helicopters in Happy Valley-Goose Bay. However, one was down for maintenance and the other had a fluid leak.

"The Griffon was under maintenance, but it could have been fixed earlier," Marshall said.

* [**Search and rescue inquiry lands in Makkovik, 9 years after death of Burton Winters**](https://www.cbc.ca/news/canada/newfoundland-labrador/sar-inquiry-nl-1.6165985)

As well, crews can only be on staff for 15 hours at a time, so by the time there was a break in the weather, their day may have been done. Williams asked why not have the resources nearby and bring in a double crew, and if that's something DND ever does.

Marshall explained double crews are used during a "major search." Then the crews would come into a community, the night crew would be given their 12-hour mandatory break while the day crew searched. Then they would have had 24-hour searching capabilities.

"Usually when we do something like this, it would have been a major search that lasts multiple days," Marshall said. "I can't really comment if that option was available at the time."

**'More could be done by DND'**

At that point in the inquiry, members of the Winters family broke down.

Williams continued, asking who decides on using a double crew strategy. Marshall said the JRCC officer in command decides, in consultation with the squadron involved.

The inquiry then took a 15-minute break for the family.

"They felt more could be done by DND," Williams said after the break.

Marshall said there are usually two Hercules airplanes available, but both were down for maintenance. He said that only happens four per cent of the time, and leaks in aircraft are unavoidable in wintertime.

The two Hercules have since been replaced, but the new airplanes are only purchased, not in the fleet yet, Marshall said.

https://www.cbc.ca/news/canada/newfoundland-labrador/burton-winters-1.6170338