Ontario Ombudsman denounce massive police abuse at Toronto G20 summit

Carl Bronski
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Ontario Ombudsman Andre Marin last week issued a scathing report denouncing Toronto Police Chief Bill Blair and Dalton McGuinty's Ontario Liberal government for their roles in secretly passing "an unnecessary and probably illegal" regulation that was used by the police to "intimidate and arrest people who had done no harm" during last June's G20 summit meeting in Toronto.

"The effect of this regulation", wrote Marin, "was to infringe on the freedom of expression in ways that do not seem justifiable in a free and democratic society". The subsequent police actions—beatings, arbitrary arrests, mass detentions, the deployment of tear gas and rubber bullets—constituted, according to Marin, "the most massive compromise of civil liberties in Canadian history".

Marin's narrow brief was to examine the circumstances surrounding the secret enactment of a provincial order-in-council in early June that gave police special powers of search and arrest inside the perimeter fence that surrounded the G20 conclave. Resurrecting a 1939 war-time Public Works Protection Act, McGuinty's Liberal government—at the behest of Chief Blair—stipulated that police had the right to arrest anyone inside the security fence who refused to provide identification or to submit to a search.

In what Marin termed a "premeditated, conscious decision," neither the government nor the police publicized the order's invocation. Chief Blair first publicly spoke about it at a press conference that was held as the summit leaders were arriving in Toronto on June 25. Moreover, he did so only after a *Toronto Star* journalist had come across a mention of the order on a government web site and the paper had exposed the order's resurrection.

At the June 25 press conference, Blair effectively lied about the order. He led the public to believe that the police's new powers of search and arrest extended five meters beyond the security perimeter, when in fact they were confined only to the area inside it.

Despite vocal complaints from the Canadian Civil Liberties Association, Premier Dalton McGuinty and his community safety minister, Rick Bartolucci, scrupulously kept out of the public eye until the summit was over, refusing to contradict the chief or clarify the order.

Ultimately, the premier did admit there had never been a five-meter rule. "There was," said McGuinty, "some confusion obviously surrounding five meters … It was constantly published in print and republished on TV and radio and there was no foundation in fact for that."

Actually, as Marin observed in his report, the rule was applied by police not as "a five-meter rule" but as a "five-kilometer rule." In a gross abuse of their powers, police stopped and searched people far beyond the area in Toronto's financial and entertainment district that had been give over to the summit and was enclosed inside a makeshift wall or fence.

After the release of Marin's report, McGuinty continued to defend the brutal actions of the police and to deny that his government and the police had connived to pass a law in secret, then deliberately misled the population as to its import. He dismissed the failure to properly inform the public about the order as a "mix-up" due to the pressures of providing security to the world's principal leaders.

"Apart from insiders in the government," wrote Marin, "only members of the Toronto Police Services knew that the rules of the game had changed…Responsible protestors and civil rights groups who took the trouble to educate themselves about their rights had no way of knowing that they were walking into a trap…"

Over the course of the summit week, police ran amok, wreaking havoc throughout the entire downtown Toronto area. The June police blitz was the largest mass arrest in the history of Canada—more than during the Great Winnipeg General Strike of 1919 or the suspension of civil liberties in Quebec under the War Measures Act during the 1970 FLQ or October crisis.

During the three days of protests that accompanied the G20, protestors were bludgeoned, kicked, tear gassed, trampled by police horses and shot at with rubber and plastic bullets. Homes were raided for "preventative arrests" without presentation of a warrant. Journalists covering these

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unprecedented events were arrested and assaulted. Peaceful protestors and neighbourhood passers-by were "kettled" by police for hours, on one occasion during a driving thunderstorm.

At the detention center, dubbed "the kennel" by police guards, demonstrators were hauled into primitive wire cages, strip searched and denied legal counsel. There, detainees suffering from concussion and deep lacerations were denied medical attention. A diabetic entering into shock was denied treatment for four hours.

Of the 1,150 people arrested, more than 800 were released from custody without charge as the summit concluded, an effective admission that their arrests had been arbitrary. At the magistrate's court in August, Crown prosecutors entirely back-footed by the grievous lack of evidence accompanying many of the remaining charges, agreed to withdraw 31 warrants outright and struck deals with another 22 individuals, staying all charges in exchange for agreements by the accused to donate $25 or $50 to charity. An additional 9 charges were dismissed because people were "listed in error." Five people signed a peace bond in exchange for full exoneration. Another 227 cases were adjourned until the autumn with the Crown failing in the majority of those cases to produce any evidence to defense lawyers. Only six individuals appearing before the magistrates—three courtrooms were used to handle the crush of defendants—pleaded guilty—mostly on charges of petty larceny.

Despite the public outcry against the police-state methods unleashed at the G20, both federal Conservative Prime Minister Stephen Harper and McGuinty issued statements supporting the security measures and have refused to convene a public inquiry into the police conduct. For their own part, Toronto City's Councilors, led by outgoing social democratic Mayor David Miller voted 36–0 to "commend outstanding police work".

Only one person was arrested at the actual security perimeter—environmental activist Dave Vasey, who, when attending a summons to appear in court several weeks later, found that the court had no record of any charge ever having been lodged against him. A police spokeswoman at the time claimed a bureaucratic mix-up.

Over the course of Marin's investigation, Toronto Police refused to co-operate with the ombudsman's repeated requests for information and the force denied Marin permission to interview any police officers. Just prior to the release of Marin's report, the obstructionist tactics of Blair were once again on display.

When a by-stander at the so-called free speech zone several miles from the perimeter fence came forward with yet another video depicting police officers brutally beating a defenseless demonstrator, Blair baldly (and erroneously) stated that the video had been doctored and denounced the province's Special Investigations Unit for overstepping their bounds for re-opening the police brutality case. To date, despite video depicting the face of one of the offending officers—who, like at least 200 others had removed his name tag and badge number—no disciplinary action has been taken.

So egregious was the police brutality at the G20 summit and such has been the public outcry against their behaviour that the editorialists of Canada's mainstream press and representatives of the McGuinty government have been forced to accept Marin's report with little criticism. However, like Marin himself, they have been at pains to limit their "lessons learned" to the narrow confines of parliamentary procedure. For them, the Public Works Protection Act should never have been enacted. It opened a Pandora's Box that severely embarrassed government officials and the security forces of the state. It should be revised and protocols developed so that when next the police are called upon to suppress demonstrations, the public is better aware of any extra-ordinary police powers that have been granted.

In the face of "the most massive compromise of civil liberties in Canadian history", there have been no calls from these pillars of the community for the resignation of Chief Blair, let alone the government of Dalton McGuinty. There have been no editorials linking the criminal schemes of the G20 leaders in imposing massive austerity programs on the backs of the international working class with the brutal attacks carried out by the police outside Toronto's five star hotels and its posh convention centre. There have been no analyses linking similar events in Britain, Greece and France to the endemic crisis facing global capitalism.

As the *World Socialist Web Site* wrote at the time, "the events in Toronto are a serious warning. The level of official violence is being ratcheted up. In the face of the upheavals to come, the state in every country is working up plans for mass repression. What dominates the politics and social relations of every country is the global economic crisis, which has reached an advanced stage. All the emphasis must now be placed on the development of a consciously socialist and internationalist movement of the working class, the only progressive response to the police state provocations and violence of the ruling elites".

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