

CCLA Releases A Preliminary Report of Observations during the G20 Summit

June 29th, 2010

[French](#)

The CCLA released its preliminary report on the G20 Summit policing and security today, entitled “**A Breach of the Peace**”. The report is based on the first-hand observations of over 50 human rights monitors that CCLA dispatched to observe the police presence at G20-related demonstrations throughout the week.

It is the opinion of the Canadian Civil Liberties Association that police conduct during the G20 Summit was, at times, disproportionate, arbitrary and excessive. In our view, despite instances of commendable and professional conduct, the policing and security efforts, especially after 5PM on June 26 and June 27, failed to demonstrate commitment to Canada’s constitutional values.

[Click here for CCLA G-20 Interim Report](#)

[Click here for appendices to report](#) (including CCLA’s correspondence with public officials and the police regarding the G20)

EXECUTIVE SUMMARY:

The *Canadian Charter of Rights and Freedoms* guarantees everyone in Canada the right to freedom of expression and the right to peaceful assembly. It also guarantees the right of all persons to be free from arbitrary detention and unreasonable search and seizure. These constitutional liberties – and the limits they place on government and police – are the foundations of our free and democratic society. The G20 Summit did not authorize or warrant their suspension. Constitutional guarantees matter because, as is often said, without them, “even the most democratic society could all too easily fall prey to the abuses and excesses of a police state.”

It is the opinion of the Canadian Civil Liberties Association that police conduct during the G20 Summit was, at times, disproportionate, arbitrary and excessive. In our view, despite instances of commendable and professional conduct, the policing and security efforts, especially after 5PM on June 26 and June 27, failed to demonstrate commitment to Canada’s constitutional values.

The conditions for some of the policing problems that were experienced during the summit were set during the preparatory stage. This report outlines some of the issues that undermined the security efforts. For example, the lack of transparency surrounding the designation of the security perimeter as a “public work” led to misunderstandings as to the scope of search and seizure powers and, in our view, to an inappropriate use of these powers. The large number of police officers during the week leading to the G20 generated both a suspicion of wasted resources and a sentiment of potential intimidation. June 26 represents a turning point. Widespread property damage was committed by a cohort of vandals in the downtown of Toronto on that day. We condemn this criminal activity and acknowledge that it warranted a response by police. The response which police provided, however, was unprecedented, disproportionate and, at times, unconstitutional.

Over the next 36 hours, over 900 people (possibly close to 1000) were arrested by police – the largest mass-arrest in Canadian history. Media, human rights monitors, protestors and passers-by were scooped up off the streets. Detained people were not allowed to speak to a lawyer or to their families. Arbitrary searches occurred in countless locations across the city, in many instances several kilometers from the

G20 summit site. Peaceful protests were violently dispersed and force was used. In an effort to locate and disable 100-150 vandals, the police disregarded the constitutional rights of thousands.

In preparation for this report, the CCLA dispatched over 50 human rights monitors to make first-hand observations of the police presence at G20-related demonstrations throughout the week. Our report chronicles the incidents that the CCLA's human rights monitors witnessed throughout the summit and, where indicated, reports we have received from members of the public and have verified and found trustworthy. There are, of course, many examples of very competent and professional conduct on the part of police officers throughout the week which were noted by our monitors. We certainly acknowledge that the police faced a difficult task. Nonetheless, Canadians are entitled to policing that does not undermine constitutional values. Unfortunately, we consider that the abuses chronicled in this report exceed the threshold of a few isolated incidents. In our view, they represent instances of inappropriate policing that cannot simply be swept away as the G20 ends. They demand accountability.

The CCLA is calling on all levels of government to take immediate action to correct some of the weaknesses in the legal framework surrounding public order policing in Canada. It also demands that independent inquiries be conducted into several aspects of the policing during the G20 Summit. In particular, we ask for:

1. Repeal or significant amendment of the Public Works Protection Act to meet basic constitutional standards
2. Withdrawal of all charges laid under the Public Works Protection Act
3. Implementation of consultation and transparency requirements for regulatory processes
4. Apology from the Ontario government for the process used to adopt the designation pursuant to the Public Works Protection Act
5. Implementation of better guidelines for the establishment of security perimeters
6. Regulation of new crowd control technologies prior to their use and deployment
7. Compensation for business owners and for persons wrongfully arrested
8. Amendments to the Criminal Code to modernize and bring up to constitutional standards the provisions relating to breach of the peace, unlawful assemblies and riots
9. Full independent inquiry into the actions of the police during the G20, in particular:
 - The dispersal of protesters at the designated demonstration site in Queen's Park on Saturday June 26th
 - The detention and mass arrest on the Esplanade on the night of Saturday June 26th
 - The arrests and police actions outside the Eastern Ave. detention centre on the morning of Sunday, June 27th
 - The prolonged detention and mass arrest of individuals at Queen St. W. and Spadina Ave. on the evening of Sunday, June 27th
 - The conditions of detention at the Eastern Ave. detention centre