

# Canadian Antisemitism Education Foundation

*Dedicated to promoting tolerance and understanding*

August 18, 2024

Toronto Police Service Board  
40 College Street  
Toronto, ON Canada M5G 2J3

The Canadian Antisemitism Education Foundation has a simple and straightforward message for the Toronto Police Services Board.

The people of Toronto have endured enough.

The Jewish community in Toronto has endured enough.

It's time for the Toronto Police Service to consistently enforce the laws of Canada, Ontario, and Toronto. Those laws include the *Criminal Code*, the *Trespass to Property Act*, and the City of Toronto by-laws regarding road traffic.

Since October 7, 2023 expressways and arterial streets have been closed on a weekly basis, without permits or warnings, by mobs imposing their "Free Palestine" rhetoric on captive unwilling audiences.

We're not asking for special treatment or privileges. We're only asking for the existing laws and regulations to be enforced. We will start with the law against intimidation. Here is Section 423 of the *Criminal Code*:

423(1) Everyone is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or is guilty of an offence punishable on summary conviction who, wrongfully and without lawful authority, for the purpose of compelling another person to abstain from doing anything that he or she has a lawful right to do, or to do anything that he or she has a lawful right to abstain from doing... (g) blocks or obstructs a highway.

That's the law: blocking a major street is a serious crime, for which the maximum sentence is five years in prison. It's not a right, and there's nothing in the *Charter of Rights* that entitles these gangs to force the public to stop what they're doing and hear them preach their cause.

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Blocking downtown arterial roads with no permit, no notice, no warning, is neither lawful, peaceful, or safe.

a) It poses a clear and present danger to doctors, other medical staff and patients missing critical medical appointments and surgeries.

b) It creates a significant risk of motorists affected by the protest taking the law into their own hands, and the protest turning into a street fight.

c) It creates a material risk that someone trapped by the protest could suffer a medical emergency (e.g., heart attack, stroke) and be unable to access emergency assistance.

Given these risks, it is only a matter of time and luck before someone is severely injured or killed due to these illegal street blockages.

Of course, there are many events in Toronto where major streets and highways are closed off: Pride Toronto, the Baycrest Ride for Brain Health, the UJA Walk with Israel. The key difference between these events and the so-called "Free Palestine" is that these events are lawful and permits are applied for and granted.

The City of Toronto has an exacting process for issuing permits for street events. To get a permit, the organizers must file an Emergency Action Plan, a Waste Management Plan, obtain \$2,000,000 liability insurance, and commit to comply with the City of Toronto's Anti-Discrimination Policy. These conditions are important because they help make sure the event is safe, that responsibility is accepted if someone gets seriously hurt, that no mess is left behind, and that public property is not used for hate activity. They also make sure the Toronto Police and city staff have the time to prepare for the event, such as redirecting traffic.

The permit process is systematically ignored by the organizers of the "Free Palestine" demonstrations.

There's also a problem with illegal smoke bombs being set off at these demonstrations. Toronto Municipal Code Chapter 466 prohibits smoke bombs from being used anywhere in the City. The maximum fine is \$1,000. These smoke bombs are intimidating and make our streets appear like a battlefield. We have this bylaw in our city for a reason.

Our bottom line is this. The Toronto Police Service Procedure 11-04 is distressingly light on carrying out the Toronto Police Service's sworn duty of law enforcement. It's the TPS' duty to enforce the law.

Section 15 of the Canadian Charter of Rights and Freedoms, in the French version, says: "La loi ne fait acception de personne et s'applique également à tous..." Translated into English, it means that the law does not grant favourite status to anyone and applies itself equally to all. It's time that the Toronto Police Service stop finding excuses to effectively grant favourite status to the anti-Israel protestors plaguing our streets, and start applying the laws, including the by-laws of this city, equally to them as well.

