



# Public Order Policy Consultation

CARYMA SA'D, LAWYER & JOURNALIST | AUGUST 30, 2024

# Introduction

Caryma Sa'd

- Lawyer
- Journalist
- Protest Watcher

I am a journalist covering Canada's protest circuit and hate industry. My independent and nonpartisan work, which includes footage and commentary, gets published on social media and is widely relied upon by local, national, and international mainstream outlets.

Since 2020, I have documented several hundred political demonstrations throughout Ontario. I report on diverse movements and causes across the political spectrum, with events ranging from one-person protests to gatherings with thousands of participants.

I occasionally find myself in the crosshairs of stakeholders upset that my coverage does not align with their narrative. I am involved in various legal proceedings (criminal and civil) as a complainant, litigant, and counsel.

These submissions are based on my nearly 360-degree vantage point of the protest ecosystem, and insight gleaned from fellow citizens I have encountered along the way.



Caryma Sa'd zooms in on what's really going on inside Canada's volatile protest scenes [nationalpost.com/longreads/cary...](https://nationalpost.com/longreads/cary...)



12:30 PM · May 9, 2024 · 52.4K Views

42

36

122

15





# Threats Posed by Coordinated Activist Networks

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- There is a distinction between civic engagement/activism and public nuisance/harassment
- Groups across the political spectrum organize their efforts
- Self-identified Antifa members are an overlooked disruptive force in Ontario's protest circuit





# Case Study: Antifa Movement

National activist network operating under a decentralized structure, primarily promoting 'antifascism' and anarchism.

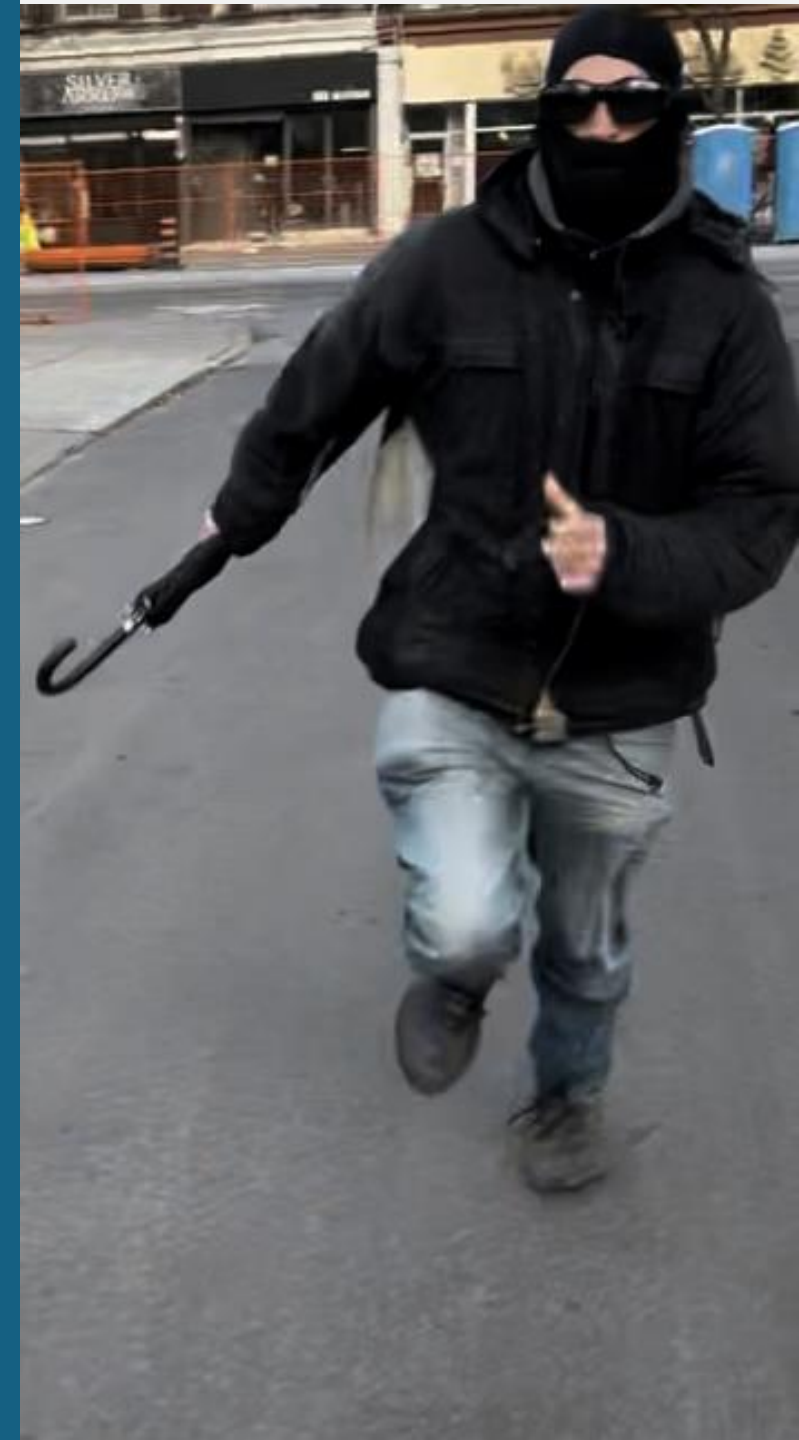
Goals include opposing perceived fascism, police authority, and governmental control, often through coordinated unlawful activities.

## *Key Characteristics:*

- Anti-police, anti-government, anti-conservative.
- Justification of violence as a means to silence perceived 'fascists' and 'Nazis.'
- Use of 'black bloc' tactics and online platforms like Discord and Signal for coordination.

## *Structure:*

- The network operates through a clandestine, independent cell system, with regional groups connected across municipal and provincial lines.
- There are indications of international influence and support from publicly-funded organizations.





# Case Study: Antifa Movement

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How are self-identified Antifa activists organizing in Canada?

## Concerning Trends:

- Coordinated mass campaigns from coast to coast, seeking to ruin targeted individuals through provoking civil and/or criminal consequences, and/or suicide
- Organized group surveillance, harassment, physical violence
  - Shared folders in Discord servers to build dossiers about targeted individuals and anyone in their social circle, such as full names, addresses, employment and education history, family status, etc., as fodder for harassment
    - Some information is collected improperly, including by public servants and unionized workers in breach of professional obligations and/or privacy laws
  - Synchronized attacks through main and burner accounts, doxxing
  - Cyberstalking and in-person stalking, violent assaults
- Unlawful and hateful behaviour at protests, including violence with weapons directed at police while using women and children as operatives and/or shields

# Case Study: Antifa Movement

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How are self-identified Antifa  
activists organizing in Canada?

## Logistics:

- Clandestine, independent cell system of radicalized anarcho-leftist activists who oppose the “far-right” with a “diversity of tactics”
- Multiple Discord servers connect individuals and groups across Canada to coordinate unlawful behaviour, with crossover membership between groups
  - Mix of online and real-world interactions, relationships, and activities
  - Members communicate via Discord, Signal, Twitch, and social media
  - Members can take on leadership roles include planning events and campaigns, moderating online groups, etc.
- Some publicly-funded organizations and unions appear to give direct or indirect support to Antifa:
  - Canadian Anti-Hate Network, Council of Canadians, PSAC, OPSEU, CUPE, OFL, Capital Pride, etc.
- Some civil society groups arguably constitute Antifa chapters:
  - Movement Defence Committee, Horizon Ottawa, Community Solidarity Canada, Community Solidarity Ottawa, Society for Queer Momentum, Veterans’ Accountability Commission, Acorn Canada, Council of Canadians, etc.

# Case Study: Antifa Movement

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How are self-identified Antifa activists organizing in Canada?

- Police denounced as representatives of a fascist system, or as collaborators for shielding “fascists” from “street justice”
- Chants and slogans:
  - “All Cops Are Bastards”
  - “TPS KKK IOF You’re All the Same”
  - “Fuck You 52 [Division]”
  - “No Justice No Peace, No Racist Police”
  - “How Do You Spell Racist? TPS”
  - “Get Those Animals Off Those Horses”
  - “Fuck the Police”
- Targeted acts of violence against police at rallies, including with sound weapons (electronic whistles), flag poles, and swarming officers and cruisers
- Call-outs for demonstrations and phone zaps directed at police stations, with a view to applying pressure to release or charge specific individuals

# Case Study: Antifa Movement

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Applicability of “criminal organization”

- The purpose of criminal organization provisions is to "identify and undermine groups of three or more persons that pose an elevated threat to society due to the ongoing and organized association of their members."
- Courts must take a flexible approach, considering that criminal organizations "have no incentive to conform to any formal structure."
- General propensity evidence that would otherwise be inadmissible is admissible for the purpose of establishing a criminal organization.
- Antifa activists coordinate online and real-world actions through regional and national Discord servers and Signal groups. Each server or group can have hundreds of members, with overlap and cross pollination between groups.
- Many serious offences are being committed to advance the organization's material and ideological interests, including:
  - Assault (s. 265)
  - Assault with a weapon (s. 267)
  - Criminal harassment (s. 264)
  - Intimidation (s. 423)
  - Intimidation of justice system participants (s. 423.1)
  - Mischief (s. 430)
  - Counselling (ss. 22, 464)
  - Conspiracy (s. 465)



# Protest Tactics

## Use of Squeaky Toys

Ottawa, ON | Feb 8, 2023



## Intimidation and Confinement

Peterborough, ON | Jan 14, 2023



## Dressing in Black Bloc

Ottawa, ON | Mar 9, 2024



## Use of Sound Weapons

North York, ON | Mar 3, 2024



# Identify and Manage Risks

1

## Recognize Organized Crime Elements:

Identify how certain protest groups meet the criteria for organized crime, requiring a strategic response.

2

## Protect Justice System Participants:

Establish and apply protocols to protect justice system participants, including police and elected officials, from targeted harassment and violence.

3

## Address Unlawful Behaviour:

Integrate both cyber and physical investigation to monitor and counteract coordinated unlawful actions by these networks.

# Impact of Media and Public Pressure on Policing

- Principled vs. Reactive

# GROUNDING!

Vacationing Trudeau needs plane repairs in Jamaica: **PAGE 5**



TORONTO  
**SUN**

SUNDAY, JANUARY 7, 2024



**Double-double  
standard in  
policing protests  
called 'absurd'**

**>> WARMINGTON,  
PAGE 6**

# COFFEE COPS

## NEW YEAR SALE

AFTER CODE: NYSALE

UP TO

# 80% OFF

ALL CLEARANCE ITEMS

EXTRA

# 30% OFF

EVERYTHING ELSE

 PinkCherry.co





# Approaches to Policing Protests

## Principled Policing:

- Decisions based on legal standards, established protocols, and the protection of public safety, regardless of media or public pressure.
- All members of the public should be treated equally, regardless of their status or affiliation.

## Reactive Policing:

- A shift away from legal standards towards actions that seek to placate media, public, or partisan opinion, leading to inconsistent law enforcement.

# Approaches to Policing Protests

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- Principled vs. Reactive

- There are instances where police actions are adjusted or reversed due to fear of negative media coverage or public backlash, rather than by a principled adherence to the law
  - Protesters, counter protesters, and bystanders who engage in criminal behaviour get released (in some cases without identifying the individual) at the scene. If footage of the impugned behaviour goes viral and/or groups organize “phone zaps,” police may subsequently issue a media release to crowdsource information leading to the person’s arrest.
    - Ex: Nicole Ziegler, Deborah Maes
  - Police “overcorrect”
    - Ex. Blanket prohibition on highway overpass demonstrations after footage of police carrying a coffee carafe was misconstrued
- There are serious consequences to reactive policing:
  - Undermines the authority and legitimacy of law enforcement.
  - It creates a perception that the law can be influenced by external pressures, weakening public trust in the justice system.
  - Potential for increased lawlessness as groups learn to manipulate public opinion to achieve their objectives.
  - Encourages the escalation of violence and criminal behaviour.

# Navigating the Nuances of Language and Symbols

- Consider nuance
- Focus on addressing incitement and harassment
- Case-by-case assessment





# Complexity of Language and Symbols

## Consider Nuance

Language and symbols often have context-dependent meanings that can vary widely among groups. What may be offensive or provocative to one group may be seen as legitimate expression by another.

## Focus on Incitement and Harassment

Focus on clear cases of incitement, such as explicit calls for violence in speeches, online posts, or protest signs directed at specific groups or individuals.  
Address targeted campaigns of intimidation or threats against individuals, whether carried out in person or through digital means.

## Case-by-Case Assessment

Police must safeguard constitutional rights to freedom of expression (including offensive expression) and peaceful assembly.  
Avoid broad or blanket policies that could inadvertently suppress legitimate expression.  
Use established legal standards to guide decision-making.

