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**Submission to the Toronto Police Service Board Public Order Policy Consultation**

**Friday, August 30, 2024**

**Introduction**

Rebel News Network Ltd. hereby submits its concerns regarding the conduct of the Toronto Police Service (TPS) towards our journalists, specifically David Menzies, and the broader implications for freedom of the press in Toronto. Our concerns are centered around several incidents that exemplify a troubling pattern of intimidation and a double standard in policing practices. These incidents include the unlawful arrests of David Menzies during his journalistic duties and the criminal investigation into Rebel News for operating a digital billboard truck. Meanwhile, the TPS has allowed violent pro-Hamas protests to proceed unimpeded, demonstrating a glaring double standard in law enforcement. This submission aims to address these issues and advocate for the protection of journalistic freedom as enshrined in the Canadian Charter of Rights and Freedoms.

**Description of Incidents**

1. **First Arrest of David Menzies (March 15, 2024):** On March 15, 2024, outside the King Edward Hotel, Mr. Menzies was arrested while reporting on a public event. This arrest followed a similar pattern of intimidation and suppression of press freedom. Despite identifying himself as a journalist and presenting his media credentials, Mr. Menzies was detained and removed from the premises, preventing him from carrying out his journalistic duties. These charges were subsequently withdrawn.
2. **Second Arrest of David Menzies (April 7, 2024):** On April 7, 2024, during a vigil at Nathan Phillips Square, David Menzies was again unlawfully arrested by the Toronto Police while conducting his duties as a journalist. During this event, Mr. Menzies was assaulted by protestors in full view of the police officers, who did nothing to protect him or arrest the assailants. It is preposterous that the police chose to arrest the victim, Mr. Menzies, rather than the perpetrators of the assault. Mr. Menzies was covering a public event when TPS officers detained him without cause, violating his right to freedom of the press. This arrest was a clear act of intimidation designed to suppress journalistic inquiry and limit public knowledge. These charges were also subsequently withdrawn.
3. **Criminal Investigation into Rebel News for the Digital Billboard Truck:** In addition to the arrests of Mr. Menzies, Rebel News has been subjected to a criminal investigation for operating a digital billboard truck, an act that is well within our rights as a media organization. This investigation is yet another example of TPS's attempts to intimidate and silence Rebel News, infringing on our right to freedom of expression.

**Double Standard in Policing**

The Toronto Police Service has demonstrated a clear double standard in its policing practices. While our journalists have been arrested and investigated for performing their duties, the TPS has allowed violent pro-Hamas protests to proceed without intervention. These protests, which have involved acts of intimidation and harassment towards the Jewish community, have been met with inaction by the TPS. This selective enforcement of the law not only endangers public safety but also undermines the principles of equality before the law and freedom of the press.

**Public Interest and the Need for Unbiased Journalism**

From a public interest standpoint, the role of journalism is to provide accurate and unbiased information to the public. Arresting journalists like David Menzies for asking questions and reporting on public events directly contradicts this principle. It is essential that journalists are able to operate without fear of arrest or intimidation, as their work is vital to holding power to account and informing the public.

Moreover, it is concerning that violent pro-Hamas protestors are allowed to continuously intimidate and harass the Jewish community in Toronto. The TPS's failure to enforce the law against these protestors, while simultaneously arresting harmless journalists, reveals a disturbing pattern of selective law enforcement that prioritizes certain groups over others. This should not be allowed to continue, and the TPS must be held accountable for its actions.

**Legal Arguments**

The actions of the Toronto Police Service violate several sections of the Canadian Charter of Rights and Freedoms, including:

* **Section 2(b):** Protects freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication. The arrests of David Menzies and the investigation into Rebel News's digital billboard truck are clear violations of these protections, as they represent an attempt to suppress free expression and journalistic inquiry.
* **Section 7:** Protects an individual's right to life, liberty, and security of the person. The unlawful arrests and intimidation tactics used against David Menzies infringe upon his liberty and security, as guaranteed by the Charter.
* **Section 9:** Protects against arbitrary detention or imprisonment. The arrests of David Menzies were conducted without reasonable grounds and constitute arbitrary detention in violation of this section.
* **Section 10:** Outlines the rights upon arrest or detention, including the right to be informed promptly of the reasons for arrest and the right to consult counsel. These rights were disregarded during the arrests of Mr. Menzies, further violating his Charter protections.

**Conclusions and Demands**

The arrests of David Menzies by the Toronto Police Service evoke disturbing parallels to the repressive actions one might expect in authoritarian dictatorships such as North Korea or Iran, where the state systematically silences dissent and suppresses freedom of the press. In these regimes, journalists who dare to challenge the official narrative or ask uncomfortable questions are often targeted, intimidated, and detained to prevent the dissemination of information that might undermine the government's control over public perception. Similarly, the repeated arrests of Menzies while performing his journalistic duties suggest a troubling trend toward using law enforcement to stifle critical voices and limit press freedom in Toronto. This pattern of behaviour is more reminiscent of authoritarian states where dissent is not tolerated than a democratic society that values open discourse and transparency.

Based on the incidents and patterns of behaviour outlined above, Rebel News formally demands the following:

1. **Cease Intimidation and Arrests of Journalists:** The Toronto Police Service must immediately cease its pattern of intimidation and unlawful arrests of Rebel News journalists, including David Menzies. The TPS must respect the rights of journalists to perform their duties without fear of arrest or harassment.
2. **Enforce Laws Against Violent Protests:** The Toronto Police Service must enforce the law equally and take action against violent pro-Hamas protestors who harass and intimidate the Jewish community in Toronto. Selective enforcement of the law undermines public trust in the police and violates the principles of fairness and justice.

Rebel News urges the Toronto Police Service Board to address these concerns seriously and take immediate action to uphold the rights and freedoms of all individuals, as guaranteed by the Canadian Charter of Rights and Freedoms.

This submission is made in the interest of preserving freedom of the press and ensuring that all individuals are treated equally under the law. We thank the Toronto Police Service Board for considering our concerns and look forward to their prompt response.

Respectfully submitted,

Rebel News Network Ltd.