Thank you to the Toronto Police Services Board (TPSB) for the opportunity to participate in a public consultation on new public order policy for the TPSB. I hope and trust that this response will be read with compassion and consideration. I would also like to highlight the important work the TPS has provided to the Jewish community following the unprecedented surge of antisemitic hate in Toronto since October 7th, 2023.

**Every single Jewish person in the City of Toronto is reframing their baseline of safety. It is understood that our very identity is a liability.**

Many protesters believe that freedom of expression trumps all other considerations, and that no restrictions can be placed on where and when protests, demonstrations and occupations take place, and what can be said at such events. **The law says the exact opposite**, both in relation to privately owned and public spaces. The police and the city of Toronto have available to them a wide range of measures to regulate and respond to protests, demonstrations and occupations. **The Board’s policy should identify the full range of criminal enforcement measures available to the police to address such public order events.** In our view, some of these measures have been under-utilized.

Equally important, police discretionary decision-making requires an appreciation of the full range of provincial offences such as those under the Highway Traffic Act, as well as City of Toronto bylaws available to police. This full toolkit of measures must be considered by police in addressing lawlessness, including the obstruction of highways and roads, interference with the lawful use and enjoyment of private and public property, and/or with critical infrastructure. **Freedom of expression is critically important, but it does not mean that the city is powerless to take measures to regulate the time or place of such speech. A number of these measures need not impair freedom of expression or minimally do so in the public interest.**

**Considerations for the TPS**

1. Whether protestors are in violation of provincial offences, such as the Highway Traffic Act, or municipal bylaws, such as the discharge of fireworks. Toronto police have the powers of municipal bylaw enforcement officers and greater attention should be given to the exercise of these powers as part of a zero tolerance of hate policy;

2. Whether a protest has obtained a permit, when required, or otherwise complied with municipal requirements for use of public spaces;

* + Rallies by Zionist organizations must comply with applicable municipal licensing requirements that are in the public interest, and address, among other things, a range of planning/management/cost issues. Yet, reportedly, anti-Israel protests do not even seek to comply with existing municipal requirements. **The Board’s policy should reflect that compliance with all applicable laws is a relevant consideration in deciding how the police should respond to a protest, demonstration or occupation**;

3. Strengthen the Hate Crime Unit: Allocate more resources and provide specialized training in

identifying acts of antisemitism in general and antisemitic acts and language targeting

women. This training should be extended to all police officers, hate crime officers,

administrators, and trainees, focusing on the IHRA definition of antisemitism, and the

recognition of hate speech, symbols, and gestures and be led in concert with leaders of the

mainstream Jewish community. Additionally, include training on identifying and

understanding pro-jihadist groups within Canada, such as Samidoun, Jewish Voice for Peace

(JVP) and other fringe groups that have co-opted Jewish names for antisemitic purposes,

and Students for Palestine. Publicize the Unit’s efforts to demonstrate a strong commitment

to combating hate crimes. The TPSB should also collaborate with provincial and federal

governments to better understand and apply current laws related to hate crimes and

criminal behavior in Toronto.

Regards,

Lee Geller

**Recommendations:**

Through many discussions with federal and provincial legislators and lawyers, CWAA understands that the TPSB is responsible for providing directives that are within the Criminal Code, Charter of Rights and Freedoms and other current legislation.

To be clear: under no kind of critical analysis, under no kind of contrived diverse, equitable and inclusive framework, can these expressions, acts and threats of violence, hate and intended terror be equated with “Islamophobia”, “anti-Muslim racism” or “anti-Palestinian racism”. Every documented and preventable anecdote that we shared are explicit, emboldened and metastasizing Jew Hate/Antisemitism. We respectfully reject any further platitudes, conﬂations or equivalencies going forward.

Recognizing this, the TPSB can take several steps to increase the safety and security of the Toronto Jewish Community. Included below are some key recommendations for consideration and implementation.

1. Enhanced Patrols in Jewish Areas: Increase police presence in neighborhoods with signiﬁcant Jewish populations, particularly around synagogues, Jewish community centers, and schools, especially during holidays and events.
2. Strengthen the Hate Crime Unit: Allocate more resources and provide specialized training in identifying acts of antisemitism in general and antisemitic acts and language targeting women. This training should be extended to all police ofﬁcers, hate crime ofﬁcers, administrators, and trainees, focusing on the IHRA deﬁnition of antisemitism, and the recognition of hate speech, symbols, and gestures and be led in concert with leaders of the mainstream Jewish community. Additionally, include training on identifying and understanding pro-jihadist groups within Canada, such as Samidoun, Jewish Voice for Peace (JVP) and other fringe groups that have co-opted Jewish names for antisemitic purposes, and Students for Palestine. Publicize the Unit’s efforts to demonstrate a strong commitment to combating hate crimes. The TPSB should also collaborate with provincial and federal governments to better understand and apply current laws related to hate crimes and criminal behavior in Toronto.
3. Community Outreach and Engagement: Establish regular communication channels between the police and Jewish community leaders to ensure that concerns are heard and addressed promptly. Hold town hall meetings or forums to discuss safety issues and foster trust. Establish Jewish Community Liaison Ofﬁcer positions, to be ﬁlled by leaders of the mainstream Jewish community.
4. Rapid Response Protocols: Develop and implement rapid response protocols for threats against Jewish institutions. This could include faster dispatch times and coordinated efforts with private security teams.
5. Public Awareness Campaigns: Partner with mainstream Jewish organizations to create public awareness campaigns that promote understanding and condemn antisemitism. Highlight police efforts to protect the community, reinforcing the message that hate will not be tolerated.
6. Surveillance and Intelligence Gathering: Increase surveillance and intelligence efforts to identify potential threats to the Jewish community, particularly from extremist groups. Collaborate with federal and provincial agencies to monitor and act on credible threats, including known and promoted Telegram and Instagram sites.
7. Support for Victims: Provide specialized support services for victims of antisemitic crimes, including counseling, legal assistance, and guidance through the criminal justice process. Jewish Community Liaison Ofﬁcers could lead such support.
8. Increase Police and Hate Unit budgets: all of the above cannot be made possible without increased budgets. More ofﬁcers are required to fulﬁll the current climate of hate on our streets, and more ﬁnances are required to accomplish the necessary training.
9. Ensure that more charges are laid once arrests have been made in order to both set a precedent that hate crimes will not be tolerated, and act as a deterrence for future hate crimes.
10. Ensure that the TPSB and TPS are not liable to inclusivity of individuals who privately and/or publicly uphold, practice, or identify with terrorist or jihadist beliefs or ideologies, or express solidarity with known or suspected terrorist or jihadist idealogues or entities, irrespective of the individual’s race, religion, ethnicity, cultural or gender identity.