

Appendix A: YouTube Videos

APPENDIX A

YouTube Videos

References to Public Works Protection Act

1. Videos relating to the arrest of Charlie Veitch under s. 5(1) of the *Public Works Protection Act*.
 - (a) http://www.youtube.com/watch?v=g_mTMhn8iiM
 - (b) <http://www.youtube.com/watch?v=rq9ruy4WeKM&feature=related>

2. Videos of a man being stopped by police and asked to produce identification under the *Public Works Protection Act*. He questions the legality of it, and is informed he will be arrested if he does not comply. The incident appears to take place inside the fence.
 - (a) <http://www.youtube.com/watch?v=8fRvFvoobhE&feature=related>
 - (b) <http://www.youtube.com/watch?v=7RUjNRikaJM>

3. Video of a police officer speaking “on behalf of the service” and answering questions on the “public works area.”
<http://www.youtube.com/user/ReetReeter#p/a/u/1/KB5qaq5u1QA>

4. Videos from the Toronto Police Service YouTube site prior to the G20 summit, discussing parking, identification checks, but not the *Public Works Protection Act*.
 - (a) <http://www.youtube.com/watch?v=trivRHgShiM>
 - (b) <http://www.youtube.com/watch?v=Xtj3oBlZQjU&feature=related>

5. Video of the Council of Canadians measuring and questioning the “five-metre rule” outside the security fence downtown on Wellington and John streets. The clip also shows searches at Allan Gardens.
<http://www.youtube.com/watch?v=-COWy3r66pA>

Identification and property search requests

6. YouTube mini-documentary on requests for identification in downtown Toronto under the *Public Works Protection Act*. The filmmaker was asked to produce identification on Cherry Beach, 3.6 kilometres outside the security zone.
<http://www.youtube.com/watch?v=UE1UZWrMJ8&feature=related>

7. Video of a police officer asking for identification from a person he says he saw outside the security fence the day before. The officer states that he saw the person “looking at [him] yesterday.”

http://www.youtube.com/watch?v=Rx5bcYtY__Y

8. Video from Monday, June 21, 2010, including commentary by a photographer who was asked for identification and threatened with arrest on Spadina Ave. He says six police officers surrounded and detained him, then took his identification.

<http://www.youtube.com/user/CrucialMatters#p/search/3/-HO5RM9vKEc>

9. Video of a group of police officers speaking with people at University Ave. and King St., requesting to search their bags. One person refuses and is told to leave the area or be arrested. The person questions the officers’ instructions in relation to his rights as a Canadian citizen and is told by an officer: “This isn’t Canada right now” and “there is no civil rights here in Ontario, how many times do you have to be told that?”

<http://www.youtube.com/watch?v=RjVtsuoPlzk&feature=related>

10. Video of a protester at Allan Gardens questioning police to clarify what legislation gives them authority to search his bag and interfere with his rights to enter a public park and participate in a peaceful protest. His goggles are confiscated.

<http://www.youtube.com/watch?v=HZgjX5vHt2o&NR=1>

11. Video of a man being stopped on June 27 while participating in the “Critical Mass Cycle” event. When he questions police, he is informed that “the rules today are changed, they are different, you need to stop, we are going to search you and search your bags.” His bags are checked, goggles are found in his possession, and he is arrested and sent to the detention centre.

http://www.youtube.com/watch?v=ngcPPd9_ggc

12. Video of man being searched at Carlton and Jarvis streets.

http://www.youtube.com/user/TheRealNews#p/u/14/wugz_f5jce0

13. Video of police officer conducting a backpack search, while a woman clearly states that she does not consent to his actions.

http://www.youtube.com/watch?v=1_DBPREuWUA

14. Video of two women being searched by police at University Ave. and King St. An officer states that he is allowed to detain people for investigative purposes pursuant to the *Criminal Code*, if he has articulable cause. He indicates that investigative detention allows him to search a person for a weapon.

<http://www.youtube.com/user/quasapa#p/u/17/te03CxgpV00>

15. Video of a search at Bloor and St. George streets.
<http://www.youtube.com/watch?v=VVJyQbvMhRw&feature=related>

Witness Accounts/Testimony of Arrests and Surrounding Circumstances

16. Video of two men arrested prior to the G20 summit for failure to show identification in the downtown area (6-minute mark).
<http://www.youtube.com/user/weavingspider#p/u/26/XNNSXHT3FTA>

17. Video of a woman blowing bubbles in the vicinity of police officers. An officer tells her, “if a bubble touches me, you are going to be arrested for assault.” She is later shown being arrested.
<http://www.youtube.com/user/TheRealNews#p/u/8/PGMTm3QRwEc>

18. Videos shot on College St. after police arrested a deaf man for failing to comply with police instruction.

(a) <http://www.youtube.com/user/ReetReeter#p/a/u/2/aWmpBFig4Z4>

(b) <http://www.youtube.com/user/TheRealNews#p/u/31/D7OA920pbv8>

19. Video of man being searched in Yorkville on June 27.
<http://www.youtube.com/user/TheRealNews#p/u/17/uQYXH5qc6N0>

20. Video of woman being detained and arrested at Queen’s Park:
<http://www.youtube.com/user/TheRealNews#p/u/12/Yd5K-TfEeyU>

21. Video of man saying, “I have no trust in the police or the system after this” and volunteering to be arrested to get out from the police riot barrier.
<http://www.youtube.com/watch?v=nIC--bUfM-E>

22. Video of woman being arrested during the mass arrests outside the Novotel on the Esplanade.
<http://www.youtube.com/watch?v=rNrkyjaPx8&feature=related>

23. Video of news producer’s arrest while covering the events at Queen’s Park.
<http://www.youtube.com/watch?v=AoNAb9L-fYY&feature=related>

Media Reports of Community Impact

24. Real News Network video of residents relating to mass arrest in Parkdale.
<http://www.youtube.com/user/TheRealNews#p/u/8/bVwXOKZh4Os>
25. Video of Steve Paikin, host of TVO's *The Agenda*, interviewed by Real News Network on the mass arrests and police actions at the Novotel.
<http://www.youtube.com/user/TheRealNews#p/search/3/DCWNqMV4Bgs>
26. Video of man being arrested and detained during the mass arrests outside the Novotel.
(a) <http://www.youtube.com/watch?v=57utIU1j8oU&feature=related>
(b) <http://www.youtube.com/watch?v=ZSWRNkmY6DI&feature=related>
27. Firsthand account of a man who was arrested and detained at the Eastern Avenue Detention Centre.
http://www.youtube.com/watch?v=Ntcr5E_LE7M&feature=related

Related Videos

28. Video of crowd singing *O Canada* before being rushed by the police in riot gear on Queen St West.
<http://www.youtube.com/watch?v=rvXSpnG7E2g>
29. Video of woman hit by projectile outside the Eastern Avenue Detention centre.
<http://www.youtube.com/watch?v=3QxIcMSJJNo>
30. Video of protesters offering police officers copies of the *Charter*, which they decline.
<http://www.youtube.com/user/SupportLocalScene#p/a/u/1/DqNGYIcWM0o>
31. Video of protester being knocked down as mounted officers move in.
<http://www.youtube.com/watch?v=5-p64RHqi38>

Appendix B: Public Works Protection Act

[Français](#)

Public Works Protection Act

R.S.O. 1990, CHAPTER P.55

Consolidation Period: From December 31, 1990 to the [e-Laws currency date](#).

No amendments.

Definitions

1. In this Act,

“guard” means a guard appointed under this Act; (“gardien”)

“highway” means a common or public highway or a part thereof, and includes any street, bridge and any other structure incidental thereto and any part thereof; (“voie publique”)

“public work” includes,

- (a) any railway, canal, highway, bridge, power works including all property used for the generation, transformation, transmission, distribution or supply of hydraulic or electrical power, gas works, water works, public utility or other work, owned, operated or carried on by the Government of Ontario or by any board or commission thereof, or by any municipal corporation, public utility commission or by private enterprises,
- (b) any provincial and any municipal public building, and
- (c) any other building, place or work designated a public work by the Lieutenant Governor in Council. (“ouvrage public”) R.S.O. 1990, c. P.55, s. 1.

Guards, appointment

2.(1) For the purpose of protecting a public work, guards may be appointed by,

- (a) the Solicitor General;
- (b) the Commissioner of the Ontario Provincial Police Force;
- (c) any inspector of the Ontario Provincial Police Force;
- (d) the head or deputy head of the municipal council or the chief of police of the

municipality in which the public work is located, or the person acting in the place or stead of the head or deputy head;

- (e) the chair or other person who is the head of a board, commission or other body owning or having charge of the public work, or the person acting in the place or stead of the chair or other person.

Powers of guard

(2) Every person appointed as a guard under this section has for the purposes of this Act the powers of a peace officer.

Duties of guard

(3) Subject to the regulations and to any special direction of the Solicitor General or the Commissioner of the Ontario Provincial Police Force, every guard shall obey all directions of the person appointing him or her, any inspector of the Ontario Provincial Police Force, the chief of police of the municipality in which is located the public work that he or she is protecting, and the person who is in charge of the protecting of the public work.

Breach of duty of guard

(4) Every guard who,

- (a) neglects or refuses to obey a direction that he or she is required to obey under subsection (3);
- (b) fails in any manner to carry out his or her duties as guard;
- (c) leaves the location to which he or she is assigned as guard or ceases to act as guard without leave of any of the persons mentioned in subsection (3); or
- (d) otherwise conducts himself or herself in a manner not consistent with his or her duties as guard,

is guilty of an offence and on conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than two months, or to both. R.S.O. 1990, c. P.55, s. 2.

Powers of guard or peace officer

3. A guard or peace officer,

- (a) may require any person entering or attempting to enter any public work or any approach thereto to furnish his or her name and address, to identify himself or herself and to state the purpose for which he or she desires to enter the public work, in writing or otherwise;
- (b) may search, without warrant, any person entering or attempting to enter a public work or a vehicle in the charge or under the control of any such person or which has recently been or is suspected of having been in the charge or under the control of any such person or in which any such person is a passenger; and
- (c) may refuse permission to any person to enter a public work and use such force as is necessary to prevent any such person from so entering. R.S.O. 1990, c. P.55, s. 3.

Statement under oath to be conclusive evidence

4. For the purposes of this Act, the statement under oath of an officer or employee of the government, board, commission, municipal or other corporation or other person owning, operating or having control of a public work, as to the boundaries of the public work is conclusive evidence thereof. R.S.O. 1990, c. P.55, s. 4.

Refusal to obey guard, etc.

5.(1) Every person who neglects or refuses to comply with a request or direction made under this Act by a guard or peace officer, and every person found upon a public work or any approach thereto without lawful authority, the proof whereof lies on him or her, is guilty of an offence and on conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than two months, or to both.

Arrest

(2) A guard or peace officer may arrest, without warrant, any person who neglects or refuses to comply with a request or direction of a guard or peace officer, or who is found upon or attempting to enter a public work without lawful authority. R.S.O. 1990, c. P.55, s. 5.

Regulations

6. The Lieutenant Governor in Council may make regulations,

- (a) providing for the organization, co-ordination, supervision, discipline and control of guards;
- (b) defining the areas that constitute approaches to public works, either generally or with regard to a particular public work;
- (c) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. P.55, s. 6.

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Appendix C: Regulation 233/10

[Français](#)**ONTARIO REGULATION 233/10**

made under the

PUBLIC WORKS PROTECTION ACT

Made: June 2, 2010

Filed: June 14, 2010

Published on e-Laws: June 16, 2010

Printed in *The Ontario Gazette*: July 3, 2010**DESIGNATION OF PUBLIC WORKS****Designation**

1. The following are designated as public works for the purposes of the Act:

1. Everything described in clause (a) of the definition of “public work” in section 1 of the Act that is located in the area described in Schedule 1, including, without limitation and for greater certainty, every sidewalk in that area.
2. The places described in paragraphs 1, 2 and 3 of Schedule 2.

Revocation

2. **This Regulation is revoked on June 28, 2010.**

Commencement

3. **This Regulation comes into force on the later of June 21, 2010 and the day it is filed.**

SCHEDULE 1

AREA REFERRED TO IN PARAGRAPH 1 OF SECTION 1

The area in the City of Toronto lying within a line drawn as follows:

Beginning at the curb at the southeast corner of Blue Jays Way and Front Street West; then north to the centre of Front Street West; then east along the centre of Front Street West to the east curb of Windsor Street; then north along the east curb of Windsor Street to the centre of Wellington Street; then east along the centre of Wellington Street to the centre of Bay Street; then south along the centre of Bay Street to a point directly opposite the north wall of Union Station; then west along the exterior of the north wall of Union Station to the centre of York Street; then south along the centre of York Street, continuing east of the abutments under the railway overpass, and continuing south along the centre of York Street to the centre of Bremner Boulevard; then west along the centre of Bremner Boulevard to the east curb of Lower Simcoe Street; then south along the east curb of Lower Simcoe

Street to the north curb of Lake Shore Boulevard West; then west along the north curb of Lake Shore Boulevard West to the south end of the walkway that is located immediately west of the John Street Pumping Station and runs between Lake Shore Boulevard West and the bus parking lot of the Rogers Centre; then north along the west edge of that walkway to the bus parking lot of the Rogers Centre; then west along the south edge of the bus parking lot of the Rogers Centre to the west edge of the driveway running between the parking lot and Bremner Boulevard; then north along the west edge of that driveway to the north curb of Bremner Boulevard; then west along the north curb of Bremner Boulevard to the east curb of Navy Wharf Court; then north along the east curb of Navy Wharf Court to the southwest point of the building known as 73 Navy Wharf Court; then east along the exterior of the south wall of that building; then north along the exterior of the east wall of that building to the curb of Blue Jays Way; then north along the east curb of Blue Jays Way to the curb at the southeast corner of Blue Jays Way and Front Street West.

SCHEDULE 2

DESIGNATED PLACES REFERRED TO IN PARAGRAPH 2 OF SECTION 1

1. The area, within the area described in Schedule 1, that is within five metres of a line drawn as follows:

Beginning at the south end of the walkway that is located immediately west of the John Street Pumping Station and runs between Lake Shore Boulevard West and the bus parking lot of the Rogers Centre; then north along the west edge of that walkway to the bus parking lot of the Rogers Centre; then west along the south edge of the bus parking lot of the Rogers Centre to the west edge of the driveway running between the parking lot and Bremner Boulevard; then north along the west edge of that driveway and ending at Bremner Boulevard.

2. The area, within the area described in Schedule 1, that is within five metres of a line drawn as follows:

Beginning at the southwest point of the building known as 73 Navy Wharf Court; then east along the exterior of the south wall of that building; then north along the exterior of the east wall of that building and ending at the curb of Blue Jays Way.

3. The below-grade driveway located between Union Station and Front Street West and running between Bay Street and York Street in the City of Toronto.

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Appendix D: Map of Public Works in G20 Security Zone

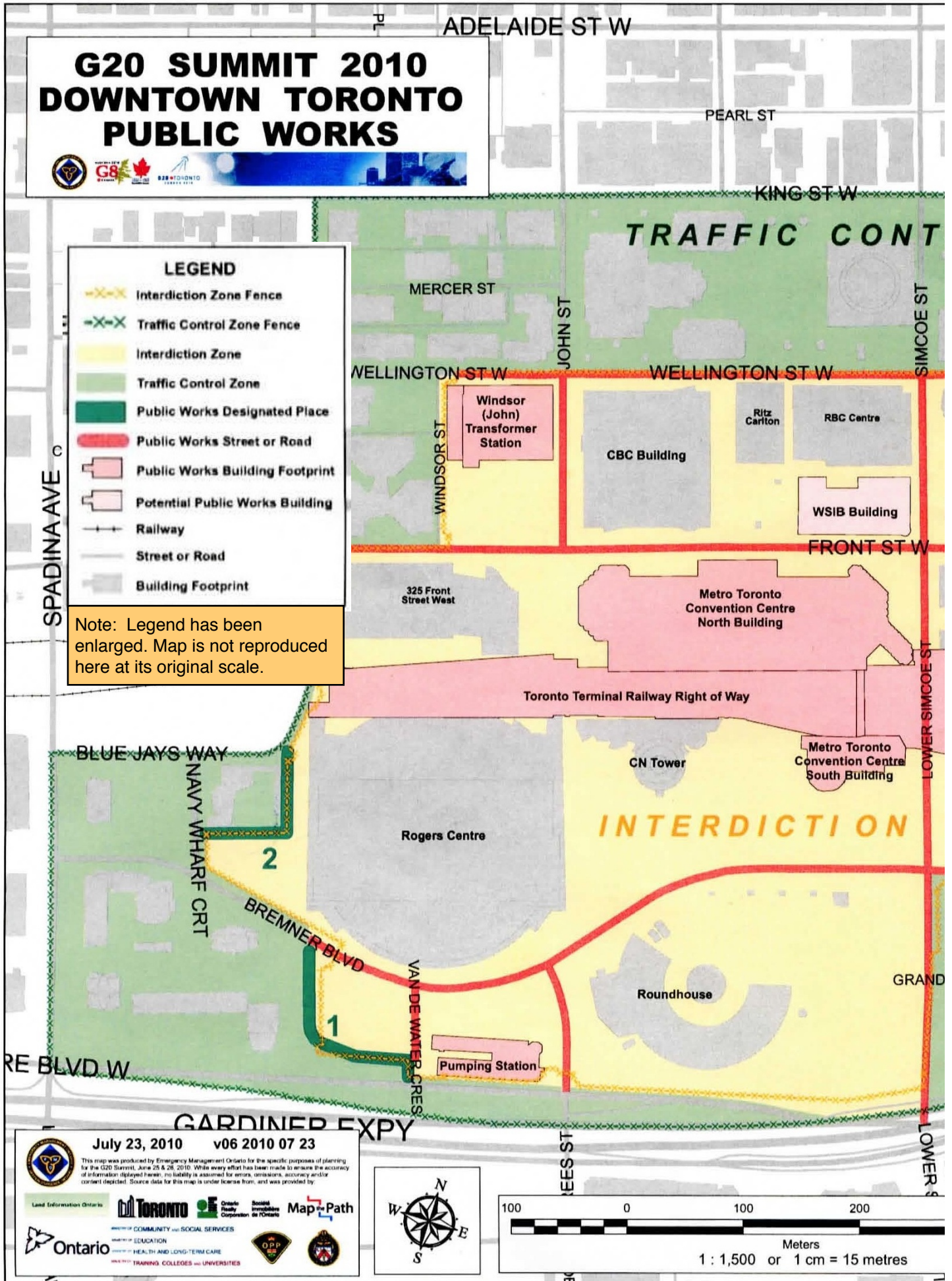
G20 SUMMIT 2010 DOWNTOWN TORONTO PUBLIC WORKS



LEGEND

- Interdiction Zone Fence
- Traffic Control Zone Fence
- Interdiction Zone
- Traffic Control Zone
- Public Works Designated Place
- Public Works Street or Road
- Public Works Building Footprint
- Potential Public Works Building
- Railway
- Street or Road
- Building Footprint

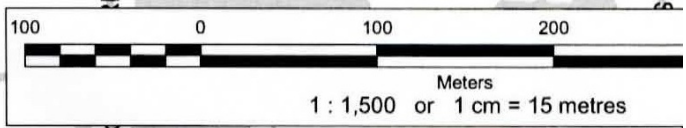
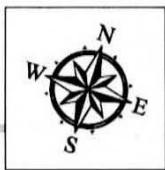
Note: Legend has been enlarged. Map is not reproduced here at its original scale.

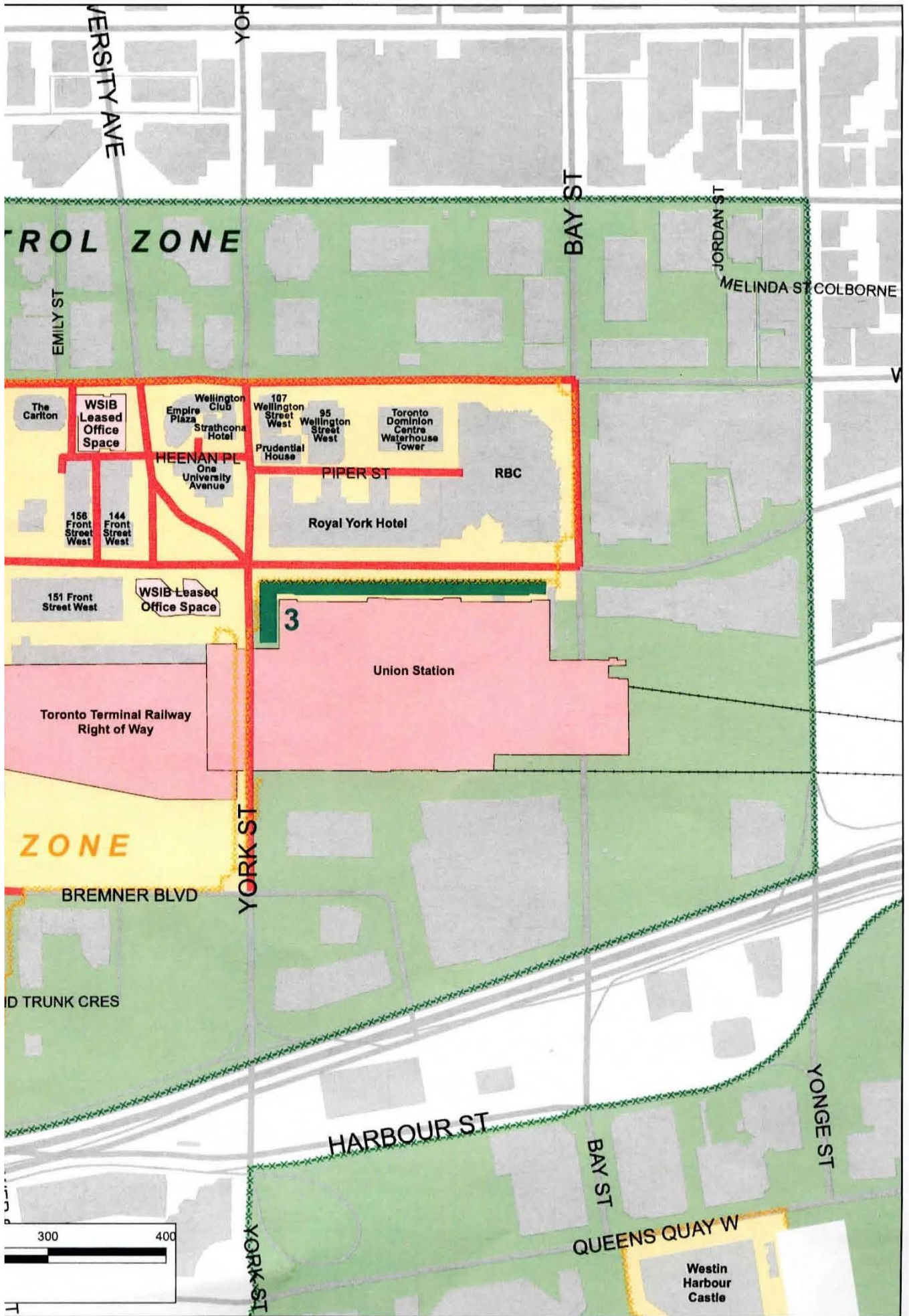


July 23, 2010 v06 2010 07 23

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Appendix E: Response from Ministry of Community Safety and Correctional Services

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels



Office of the Minister

Bureau du ministre

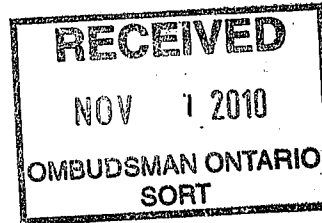
25 Grosvenor Street
18th Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
Fax: 416-325-6067

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél. : 416-325-0408
Télééc. : 416-325-6067

CU10-04906

November 1, 2010

Mr. André Marin
Ombudsman
Office of the Ombudsman of Ontario
10th Floor, South Tower
483 Bay Street
Toronto ON M5G 2C9



Dear Mr. Marin:

Thank you for providing me with your draft report on the investigation of Regulation 233/10 made under the *Public Works Protection Act* (PWWA).

I have thoroughly reviewed the Report and appreciate the concerns you have identified regarding the implementation and communication of Regulation 233/10. In particular, I want to convey my agreement with your view that the ministry could have, and should have, handled the enactment of Regulation 233/10 better. In future, we will take greater care to ensure that the Ontario public is given more adequate notice of regulation changes of this nature.

I would also like to thank you for the recommendations you have provided to address those concerns, and to confirm on behalf of the government my unequivocal commitment to act on each of your four recommendations in a timely manner.

As you have noted in your draft report, I recently asked former Ontario Chief Justice Roy McMurtry to lead a detailed review of the provisions of the PWWA in order to provide recommendations for amendment of the legislation. His mandate allows him to give the government specific advice on the first three of your draft recommendations.

Under the review's terms of reference, Mr. McMurtry has been explicitly asked to consider your report and recommendations in developing his advice to the government. I am confident that your investigation will prove to be a valuable resource to Mr. McMurtry in his review, just as his report will aid in the government's implementation of your recommendations.

With respect to your final recommendation, my ministry is committed to report back to your office at six-month intervals regarding the progress we have made in implementing your recommendations.

Finally, I would also like to offer my personal undertaking, as the Minister of Community Safety and Correctional Services, to clearly and promptly communicate to the public any regulation or other changes to the PWWA that may arise prior to receiving Mr. McMurtry's advice.

Thank you for the opportunity to respond to your report.

Yours sincerely,

A handwritten signature in black ink that reads 'Jim Bradley'.

Jim Bradley
Minister