

Court File No.: CV-24-00095074-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

**EDWARD CORNELL, VINCENT GIRCYS, LINDSAY MILNER, SHAUN ZIMMER,
ANDREW MILLER, JONKER TRUCKING INC., ANDREW FERA, WAYNE NARVEY,
CLAYTON MCALLISTER, KATHLEEN MARKO, NICOLA FORTIN, ARIELLE
FORTIN, THOMAS QUIGGIN, TIMOTHY TIESSEN, O'JAY LAIDLEY, ERIC
BUECKERT, PETER TERRANOVA, NANCY TERRANOVA, RICHARD OCELAK, and
KERRI-ANN HAINES**

Plaintiffs

- and -

**JUSTIN TRUDEAU, CHRYSTIA FREELAND, DAVID LAMETTI, DOMINIC
LEBLANC, BILL BLAIR, MARCO MENDICINO, ATTORNEY GENERAL OF
CANADA, JODY THOMAS, ROYAL CANADIAN MOUNTED POLICE, DENIS
BEAUDOIN, BRENDA LUCKI, STEVE BELL, ROBERT BERNIER, OTTAWA POLICE
SERVICES BOARD, OTTAWA POLICE SERVICE, THE TORONTO-DOMINION
BANK, CANADIAN IMPERIAL BANK OF COMMERCE, BANK OF MONTREAL,
NATIONAL BANK OF CANADA, ROYAL BANK OF CANADA, BANK OF NOVA
SCOTIA (SCOTIABANK), CANADIAN TIRE SERVICES LTD. doing business as
CANADIAN TIRE BANK, MERIDIAN CREDIT UNION, ASSINIBOINE CREDIT
UNION, GULF & FRASER CREDIT UNION, STRIDE CREDIT UNION, SIMPLII
FINANCIAL, CANADIAN ANTI-HATE NETWORK, BERNIE FARBER, JOHN DOE,
and ABC CORP.**

Defendants

AFFIDAVIT OF VINCENT GIRCYS

I, **VINCENT GIRCYS**, of the Village of Fonthill, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a named Plaintiff in the within Action, and as such, I have personal knowledge of the facts and matters deposed to herein except where stated to be based on information and belief, and where so stated I believe the information to be true.
2. I adopt and repeat my Affidavit filed March 9, 2022 in Federal Court File No. T-382-22, wherein I was a named applicant (the “**Judicial Review Affidavit**”). A copy of my Judicial Review Affidavit is attached hereto and marked as **Exhibit “A”** to this Affidavit.
3. My Judicial Review Affidavit was in relation to a Federal Court challenge by myself and others with respect to the invocation of the *Emergencies Act*, RSC 1985, c 22 (4th Supp.) (the “**Emergencies Act**”) by the federal government. The Honourable Mr. Justice Mosley held that, among other things, the invocation of the *Emergencies Act* was unreasonable and that my rights pursuant to the *Canadian Charter of Rights and Freedoms Part I of the Constitution Act, adopted as Schedule B to the Canada Act 1982, 1982, c. 11 (U.K.) (Charter)* were infringed. The Judgment in relation to myself is *Jost v Canada (Governor in Council)*, 2024 FC 32 (the “**Judgment**”). A copy of the Judgment is attached and marked hereto as **Exhibit “B”** to this Affidavit.

Background

4. I am a retired member of the Ontario Provincial Police (“**OPP**”). I served with the OPP from 1982 to 2014.
5. While a member of the OPP, I was a forensic investigator. I estimate that I was involved in more than 5,000 investigations over the course of my career.
6. I am proud to be Canadian. I respect the rule of law and democratic processes. I have devoted large portions of my life to protecting and upholding our fundamental rights and freedoms.
7. I understand that on February 14, 2024, a Notice of Action (the “**Notice of Action**”) was issued, naming the Canadian Anti-Hate Network (“**CAHN**”) and Bernie Farber (“**Mr.**

Farber”) as Defendants. Subsequently, I understand that a Statement of Claim was issued in relation to that Notice of Action on March 15, 2024 (the “**Statement of Claim**”).

8. I adopt the defined terms and their meanings as set out in the Statement of Claim.
9. I further understand from my counsel that none of the Defendants, including CAHN and Mr. Farber, have been served with the Notice of Action and/or the Statement of Claim. CAHN and Mr. Farber have issued an anti-SLAPP motion without having been served by my counsel.
10. I further understand from my review of Richard Warman’s (“**Mr. Warman**”) Affidavit sworn May 31, 2024 (the “**Warman Affidavit**”) that Mr. Warman was made aware of the Notice of Action through a tweet published by me. The Warman Affidavit does not include the specific tweet Mr. Warman is referring to.
11. On February 14, 2024, I published a tweet with an image of the Notice of Action with the Plaintiffs and Defendants listed. I believe this is the tweet Mr. Warman is referring to in the Warman Affidavit. A copy of this tweet is attached hereto and marked as **Exhibit “C”**.
12. I do not know Mr. Warman personally.
13. I do not know Bernie Farber (“**Mr. Farber**”) personally.
14. To my knowledge, I do not know any Board Members, employees, or individuals otherwise associated with CAHN personally.

The Ottawa Protest and Freezing of my Bank Accounts

15. I attended the Ottawa Protest on two separate occasions. I arrived in Ottawa on January 29, 2022 and departed on January 30, 2022. I then returned to Ottawa on February 3 or 4, 2022 and departed sometime during the last week of February 2022.
16. My reasons for attending the Ottawa Protest and the sequence of events following my arrival in Ottawa are set out in my Judicial Review Affidavit at **Exhibit “A”**. While at the Ottawa Protest, I offered humanitarian aid to attendees and security for doctors who were

presenting at a nearby conference. This is explained in further detail in my Judicial Review Affidavit.

17. My experiences at the Ottawa Protest as well as the events of my bank accounts being frozen are also included in my Judicial Review Affidavit at **Exhibit “A”**.
18. On or around February 19, 2022, I learned that my bank accounts were frozen when I received a phone call from an individual with CIBC who told me the accounts were frozen due to a request from the RCMP. Each of my bank accounts were frozen, including:
 - a. CIBC, where I hold a credit and debit card;
 - b. Simplii, where I hold a joint chequing and savings account with my wife; and
 - c. President’s Choice, where I hold a PC Mastercard.
19. On or around February 23, 2022, I had another phone call with an individual from CIBC who informed me that my accounts were unfrozen.
20. Between these dates, I was unable to access my bank accounts. Without the kindness of my fellow Canadians as described in my Judicial Review Affidavit at **Exhibit “A”**, I do not know how I would have returned home. Freezing my accounts meant I had no means to provide necessities for myself. It also impacted my wife, as our joint accounts were frozen and unavailable to her as well.

Defamation by the Canadian Anti-Hate Network

21. The Public Order Emergency Commission (“**POEC**”) held public hearings in October, November, and the early part of December 2022. I followed POEC to learn more about the Ottawa Protest and the invocation of the *Emergencies Act*, as I was personally affected.
22. It was during or after POEC, in or around November or December 2022 that I became aware of defamatory statements made by CAHN and Mr. Farber. I became aware of these statements and the involvement of CAHN in my research into media coverage of the Ottawa Protest. I noticed that CAHN, Mr. Farber, and other individuals associated with CAHN were frequently mentioned in reporting about the Ottawa Protest.

23. I felt at the time that the media reporting of the Ottawa Protests mostly did not accord with my personal experience. I continue to hold this sentiment today.

The January 30, 2022 Interview of Bernie Farber was Defamatory

24. In particular, I became aware in or around November or December 2022 of an interview Mr. Farber gave on January 30, 2022 with CBC (the “**January 30 Farber Interview**”). A video of the January 30 Farber Interview is published on a YouTube Channel for CBC News with the title “Protest convoy had 'worst display of Nazi propaganda in this country,' anti-hate advocate says”. It is my belief that Mr. Farber made defamatory comments about me and all attendees of the Ottawa Protest in the January 30 Farber Interview. Attached hereto and marked as **Exhibit “D”** is a link to the January 30 Farber Interview, which is also included in Mr. Farber’s Affidavit sworn May 31, 2024 (the “**Farber Affidavit**”) at Exhibit A.

25. In the January 30 Farber Interview, Mr. Farber was asked the following question by the CBC host:

... there are people who support this protest because it began as a demonstration against cross-border vaccine mandates and now have have [sic] people joining because they are not extremists, but they don’t want the government to dictate what they should or should not do. What do you say to those people who don’t see themselves as doing any kind of harm, but who have stepped forward to show their support?

26. Mr. Farber gave the following response to that specific question about non-extremists in attendance at the Ottawa Protest, which I believe to be defamatory:

I think that they have to understand that they are marching in the shoes of neo-Nazis, they are giving support and succor to racists and bigots and bullies. I understand that people can have different views on health concerns and on vaccinations. I don’t agree with them, not at all, but they have the democratic right to come and do that. Unfortunately, the extremists have either taken over the agenda or actually helped develop the agenda we don’t really know yet. But we do know what we’ve seen with our own eyes and we do know that we have seen a a [sic] statue of Terry Fox basically defaced. You’ve seen people urinate on the War Memorial. I mean the list goes on and on. What have they accomplished? Nothing more than angering Canadians, the vast majority of whom are supportive of national vaccine mandates and **so yes, let them come and protest the actual health issues,**

but they have to understand that by doing so they have actually walked in the shoes of bullies, racists, bigots, and Nazis.

27. In that response, Mr. Farber asserts that any person in attendance at the Ottawa Protest, including me, was supporting “bullies, racists, bigots, and Nazis” such that they have walked in the shoes of Nazis. This is no different than plainly asserting that all attendees of the Ottawa Protest are “bullies, racists, bigots, and Nazis”, simply for exercising our right to assembly and expression. The specific subject of the above comment was “people joining [the Ottawa Protest] because they are not extremists”, which includes me.

28. As stated above, the video is titled “Protest convoy had 'worst display of Nazi propaganda in this country,' anti-hate advocate says”. Specifically, Mr. Farber stated:

It’s not just a few malcontents or a couple flags. This so-called convoy seeded the ground, in my opinion for the worst display of Nazi and racist propaganda that I have ever seen in this country.

29. Through this statement, Mr. Farber also asserts that all individuals in attendance at the Ottawa Protest both enabled and supported the alleged dissemination of “Nazi and racist propaganda”.

30. The statements made by Mr. Farber in the January 30 Farber Interview are untrue and defamatory.

31. I am not a racist, bigot, bully, neo-Nazi, Nazi or an extremist.

32. I do not walk in the shoes of a racist, bigot, bully, neo-Nazi, Nazi, or an extremist.

33. I do not support racists, bigots, bullies, neo-Nazis, Nazis, or extremists.

34. I did not support, enable, or otherwise approve of any “Nazi and racist propaganda”.

Defamatory Comments by Evan Balgord on Behalf of CAHN

35. After learning of the January 30 Farber Interview, I looked further into CAHN, Mr. Farber, and their comments in relation to the Ottawa Protest. I discovered a campaign of defamation and hate spread by CAHN against me, the attendees of the Ottawa Protest, and others who do not share CAHN’s views.

36. For instance, on January 29, 2022, an article was published on salon.com titled “Canada’s ‘Freedom Convoy’: Is this Jan. 6 for the Great White North?” (the “**Balgord Article**”). The Balgord Article contains a question and answer portion wherein Evan Balgord (“**Mr. Balgord**”), the executive director of CAHN, answered the reporter’s questions about the Ottawa Protest. I understand from my review of CAHN and Mr. Farber’s motion record that the Balgord Article is included in the Warman Affidavit at Exhibit I. A copy of the Balgord Article is also attached hereto and marked as **Exhibit “E”**.
37. Within the Balgord Article, Mr. Balgord makes several statements which I believe to be defamatory, including:
- a. “So the trucking organizations were asking the government to talk about this mandate. **And the far right spotted this and just stole it – stole the idea and decided to have a convoy about it.**”
 - b. “He and some other people got together to do this convoy, **so it’s been a far-right project from day one.**”
 - c. “The irony to me in all this is the truckers actually had a kind of issue. **But because the far right stole the issue, and the convoy has come to represent far-right extremism**, there’s no way those truckers or the trucking organizations can have an adult conversation with our government now. They’ve been totally fucked by this convoy.”
 - d. “In terms of people supporting them, for all intents and purposes, this is an anti-vaccine, anti-lockdown crowd. And we’ve got a lot of them... They’ve thrown their support behind this, **and it’s not just a few bad apples, either. Every single hate group, far-right group we monitor is involved in this in some way, shape or form, pretty vocally.**”
38. During my time at the Ottawa Protest, I did not witness the so-called ‘far-right extremism’ alleged by Mr. Balgord.

39. The comments made by Mr. Balgord in the Balgord Interview assert that the Ottawa Protest were planned, carried out, and ‘stolen’ by the ‘far-right’ in an effort to hijack a grievance of Canadian truckers. By implication, Mr. Balgord is stating that all non-trucker participants in the Ottawa Protest were far-right extremists, me included.

The Article Published by CAHN on February 4, 2022 is Defamatory

40. I am also aware of an article published by CAHN on its website on February 4, 2022 titled “Ottawa Occupation Shows Why We Need Anti-Hate Legislation” (the “**February 4 CAHN Article**”). I understand from my review of CAHN and Mr. Farber’s motion record that the February 4 CAHN Article is included in the Warman Affidavit at Exhibit K. A copy of the February 4 CAHN Article is also attached hereto and marked as **Exhibit “F”**.

41. The following statement is included in the February 4 CAHN Article, which I believe to be defamatory:

The people supporting this far-right occupation are both victims and perpetrators of misinformation... Fellow travellers say the unvaccinated [sic] are being persecuted on the same level as Holocaust victims and that drastic action is necessary. Eventually, they’re angry enough to drive to Ottawa.

It will be difficult, if not impossible, for members of the intertwined antivaxx and far-right movement to come back to reality.

42. This statement portrays attendees of the Ottawa Protest, including myself as being either far-right extremists or someone who has fallen victim to a conspiracy theory such that they are no longer grounded in reality. I am neither of those things.

43. I also note that while the Warman Affidavit attempts to distance CAHN from the federal government, the February 4 CAHN Article explicitly states that “[t]he government asked for our feedback on the technical paper, and for a path forward.” CAHN therefore has, and admits to, its involvement and influence with the government. All such involvement between CAHN and the federal government will become discoverable through this litigation process.

Defamatory Meaning

44. I believe the foregoing statements in bold to be defamatory of me and other attendees of the Ottawa Protest (the “**Defamatory Statements**”). The Defamatory Statements, through their ordinary meaning and by inference falsely portray me as:

- a. A person who bullies others;
- b. A bigot;
- c. A racist individual;
- d. An extremist;
- e. A neo-Nazi;
- f. An actual Nazi;
- g. A supporter of Nazis and/or neo-Nazis;
- h. Someone who walks in the shoes of bullies, racists, bigots, and/or Nazis;
- i. A malcontent;
- j. A bad actor;
- k. A hateful individual;
- l. An unstable person;
- m. An unintelligent person;
- n. A criminal;
- o. A perpetrator of misinformation;
- p. A victim of misinformation;
- q. A propagandist;

- r. A conspiracy theorist; and
- s. Someone not connected to reality.

Mr. Farber Spread False Information about the Ottawa Protest

45. On February 6, 2022, Mr. Farber published a tweet on the social media platform Twitter, which is now known as X (the “**Fake Pamphlet Tweet**”). The Fake Pamphlet Tweet contained text and an attached image. The text stated “Taken by a friend in Ottawa at the Occupation. Apparently in plain sight.” An image of an antisemitic pamphlet (the “**Pamphlet**”) was attached to the Fake Pamphlet Tweet. The Pamphlet contained antisemitic statements and contained a list of United States and corporate officials. A copy of Mr. Farber’s Fake Pamphlet Tweet is attached hereto and marked as **Exhibit “G”**.

46. The same day, a journalist named Jonathan Kay (“**Mr. Kay**”) responded to Mr. Farber’s Fake Pamphlet Tweet (the “**Kay Response**”). The text of the Kay Response stated:

“Wow Bernie, isn’t it incredible that the picture your ‘friend in Ottawa at the Occupation’ sent you is identical to the photo posted on Twitter two weeks ago by someone in Miami, right down to the ceramic design in the background?”.

47. The Kay Response contained an image with a side-by-side comparison of the Fake Pamphlet Tweet with a tweet from an account called “Because Miami @becausemiami”. The Fake Pamphlet Tweet contained the same image of the Pamphlet that had been posted by @becausemiami on January 23, 2022. This side-by-side comparison reveals that the Pamphlet Mr. Farber alleged was in Ottawa was actually distributed in residential areas of Miami and made it’s way onto the internet after the Miami Beach Police Department requested residents notify them if they received the Pamphlet. The Kay Response is included with the Fake Pamphlet Tweet at **Exhibit “G”**.

48. Following the Kay Response, Mr. Farber tweeted again, but instead of issuing a retraction, he tried to continue the false narrative that the Pamphlet was present at the Ottawa Protest. Mr. Farber published two further tweets continuing his false narrative:

- a. “Ok for the record a friend from Ottawa told me they saw an antisemitic flyer & sent [sic] it to me. I posted it. The photo itself was old and originally from Miami. However, they said they saw the same thing. Since I am not in Ottawa I cannot attest to it. 1/2”
- b. “That said racist and antisemitic posters and flyers have now been seen by others. 2/2”

These tweets from Mr. Farber are also included with the Fake Pamphlet Tweet and the Kay Response at **Exhibit “G”**.

49. In the Fake Pamphlet Tweet, Mr. Farber makes reference to an alleged ‘friend’ at the Ottawa Protest. The identity of this alleged ‘friend’ is unknown to me.
50. I did not witness the Pamphlet or any similar material being posted or otherwise distributed at the Ottawa Protest. I was not aware of the Fake Pamphlet Tweet and Kay Response while I was in Ottawa, I learned about it later in my research. I am not aware of anyone other than Mr. Farber’s ‘friend’ who is alleged to have seen the Pamphlet at the Ottawa Protest. I have not come across any report other than Mr. Farber’s that the Pamphlet was present at the Ottawa Protest.
51. Mr. Farber and CAHN are allegedly concerned with misinformation and disinformation, as can be seen in the February 4 CAHN Article.
52. Despite this, Mr. Farber spread false and inflammatory information to assist his and CAHN’s narrative that the attendees of the Ottawa Protest, including myself, were racists and right-wing extremists that presented a threat to Canada.
53. I understand that the Fake Pamphlet Tweet was re-published and commented on by various individuals, including journalists and politicians at the municipal and federal level. On February 7, 2022, an article was published by True North about the false nature of the Fake Pamphlet Tweet and its popularity online. A copy of this article is attached hereto and marked as **Exhibit “H”**.

54. The Fake Pamphlet Tweet and Mr. Farber’s failure to retract, apologize, and/or provide accurate information to his followers supports the fact that Mr. Farber and CAHN are more concerned with villainizing those who have different views than them than they are about eliminating hate and disseminating truthful and accurate information.
55. In fact, I agree with Mr. Farber that “racist and antisemitic posters and flyers have now been seen by others”, due to his own actions. Through the Fake Pamphlet Tweet, Mr. Farber spread false and inaccurate information and increased the reach of the Pamphlet.
56. On April 26, 2022, Mr. Balgord was questioned before the Standing Committee on Public Safety and National Security and asked about the Fake Pamphlet Tweet. Before Parliament, Mr. Balgord repeated the same false and inflammatory information published by Mr. Farber, though Mr. Balgord admitted that CAHN had no evidence of the Pamphlet being at the Ottawa Protest apart from hearsay. Attached hereto and marked as **Exhibit “I”** is the transcript of the Standing Committee on Public Safety and National Security dated April 26, 2022.

Government Influence and Reliance on CAHN for Open-Source Intelligence

57. CAHN and Mr. Farber’s role in the federal government’s invocation of the *Emergencies Act* is well documented.
58. On January 27, 2022, CAHN published an article on its website titled “The ‘Freedom Convoy’ is Nothing but a Vehicle for the Far Right” (the “**January 27 CAHN Article**”). I understand from my review of CAHN and Mr. Farber’s motion record that the January 27 CAHN Article is included in the Warman Affidavit at Exhibit A. A copy of the January 27 CAHN Article is also attached hereto and marked as **Exhibit “J”**.
59. In the January 27 CAHN Article, CAHN asserts, without qualifiers, that the Diagonon network was an “accelerationist movement [who] believe[s] a revolution is inevitable”. Notably, the January 27 CAHN article does not contain correction or retraction regarding CAHN’s false reporting about Diagonon, as of the date of this Affidavit, even though the legitimacy and accuracy of this statement has been questioned by law enforcement.

60. On September 11, 2023, a report titled “The HateGate Affair: Unmasking Canada’s Hate Industry” was published by Caryma Sa’d and Elisa Hategan (the “**HateGate Affair**”). I became aware of this report sometime in 2024 as I was researching in relation to this Action. The HateGate Affair is a report detailing Mr. Farber’s history in the ‘hate industry’, CAHN’s creation, and CAHN’s role in the invocation of the *Emergencies Act*. Attached hereto and marked as **Exhibit “K”** is a copy of the HateGate Affair.
61. The information in the HateGate Affair is sourced from over 1,000 pages of documents obtained from the Royal Canadian Mounted Police (the “**RCMP**”) by virtue of a request under the relevant Freedom of Information and Protection of Privacy legislation (the “**FOIP Documents**”).
62. Within the FOIP Documents, there is a seventeen-page report from the RCMP titled “Diagolon Profile (January/February 2022)” (the “**RCMP Diagolon Profile**”). The RCMP Diagolon Profile and associated RCMP communication from the FOIP Documents are attached hereto and marked as **Exhibit “L”**.
63. The RCMP Diagolon Profile speaks for itself, and as a whole, casts doubt on the accuracy and/or legitimacy of open-source intelligence sourced from CAHN. For example:
- a. The following caveat is included on page 1 (A0778152_1-000446):
 - i. “*All information was obtained through open sources with the caveat that sources are extremely limited and that triangulation has been almost impossible – almost all open sources reference the Canadian Anti-Hate Network as their main source of authority on Diagolon. This has made cross-referencing and verification of information extremely difficult.”
 - b. The following statement is included as an introduction to Diagolon’s ideology and motivation on page 1 (A0778152_1-000446):
 - i. “As evinced in the open sources, there is no strict consensus about the ideology and motivation of Diagolon and its proponents. The divide is largely due to a lack of substantive sources. The Canadian Anti-Hate

Network (CAHN) is consistently cited as an authority by the mainstream media and CAHN's interpretation of the group's ideology and motivation is vehemently denied by the group itself.”

- c. The conclusions of CAHN are questioned on page 10 (A0778152_10-000455):
- i. “The Canadian Anti-Hate Network (CAHN) is cited as the main authority on the group by all major mainstream media outlets; due to the fact that all information traces back to one source, triangulation and the verification of facts is almost impossible at the current time. Based on the information that is publically available, it is difficult to understand how CAHN can confidently assert that Diagonon is an ‘accelerationist movement that believes a revolution is inevitable and necessary to collapse the current government system.’”
64. An email is included in the FOIP Documents wherein an article published by CAHN is circulated as intelligence relating to Diagonon. A copy of this email is included at page at page A0778160_10-000514 of **Exhibit “L”**.
65. From my understanding of the HateGate Affair and the FOIP Documents, including the RCMP Diagonon Profile, a link can be drawn between CAHN and Bernie Farber's reporting on far-right extremism in the Ottawa Protest and the invocation of the *Emergencies Act*, as well as the arrest of Jeremy MacKenzie.
66. In the course of preparing this Affidavit, I learned that despite CAHN's and Mr. Farber's portrayal of Jeremy McKenzie, all charges against him as described in the HateGate Affair have been dropped, stayed or otherwise resolved. Attached hereto and marked as **Exhibit “M”** are two articles: “Judge throws out charges against pair accused of harassing N.S. chief medical officer”, published by the CBC on June 5, 2024 and “Diagonon founder Jeremy Mackenzie's final charges have been stayed”, published by True North on June 10, 2024.
67. In May 2024, an additional report was published by the RCMP regarding the RCMP's response to the Ottawa Protest and the invocation of the *Emergencies Act*, titled “Project

NATTERJACK: National After-Action Review into the RCMP's response to the 2022 Freedom Convoy" (the "**NATTERJACK Report**"). A copy of the NATTERJACK Report is attached hereto and marked as **Exhibit "N"**.

68. The NATTERJACK Report is based on the findings of a survey of over 1,600 RCMP members with an operational role in the response. I note that one of the key findings of the NATTERJACK Report is that survey respondents "remarked that their teams' intelligence reporting was overly reliant on open-source information." This key finding can be found at page 47 of **Exhibit "N"**.

69. Another issue raised in the NATTERJACK Report is that the open-source information was relied upon for decision-making without adequate review of its credibility, validity, and context.

70. The NATTERJACK Report also specifically references the issues with open-source intelligence collection by the RCMP and the "right to freedom of thought, belief, expression, and opinion, and the right to peaceful assembly". This can be found in the discussion of 'Risks to the organization' on page 53 of **Exhibit "N"**.

71. I am also aware of an article titled "RCMP officers uncomfortable with political pressure, Emergencies Act during Freedom Convoy: internal report" published on May 13, 2024 by True North. The article summarizes some of the key findings of the NATTERJACK Report, including issues with over-reliance on open-source information and intelligence protocols. A copy of this article is attached hereto and marked as **Exhibit "O"**.

72. As a former member of law enforcement with forensic investigation experience, it is very concerning to me that unverified and false information sourced from CAHN and Mr. Farber was used by the RCMP and the federal government to inform RCMP and policy decisions. I believe that further evidence of this will be adduced during the discovery phase of this litigation.

CAHN Employs Questionable Practices that Have Attracted Judicial Scrutiny

Use of Fake Accounts

73. Mr. Warman has a well-documented history of engaging in hate speech in a proclaimed effort to eradicate hate. An article published by the National Post titled “Richard Warman’s hate speech quagmire” discusses Mr. Warman’s crusade under the previous section 13 of the *Canadian Human Rights Act* and his use of fake accounts for that purpose (the “**2012 Warman Article**”). Attached hereto and marked as **Exhibit “P”** is a copy of the article, published January 13, 2012.

74. The 2012 Warman Article refers to a case where Mr. Warman’s participation on racist and hateful forums was called “disappointing and disturbing” by the Canadian Human Rights Tribunal. That case is *Warman v Northern Alliance*, 2009 CHRT 10 (“*Warman v Northern Alliance*”). I note from my review of the case that the CHRT questioned the legitimacy of Mr. Warman’s methods and stated the following:

- a. At paragraph 59: “During his cross-examination, Mr. Warman admitted (after initially denying) that he had participated in communicating messages on Internet Websites similar to the Northern Alliance Website utilizing pseudonyms such as “Pogue Mahone”.”;
- b. At paragraphs 60-61: the CHRT excerpted Mr. Warman’s posts, which included the reposting of hateful and vitriolic messages, with his own hateful and vitriolic comments added, including “I agree. Keep up the good work Commander Schoep! 88”;
- c. At paragraph 62: “Mr. Warman stated that the communications quotes in the previous two paragraphs did not “cross the line” into hate messaging nor did they provoke hate messages by others...”;
- d. At paragraph 63: “I do not see any acceptable reason for Mr. Warman to have participated on the Stormfront or Vanguard sites, since there appears to ample easily obtained messages on these sites without his involvement. Moreover, it is possible that his activity in this regard, could have precipitated further hate

messages in response. His explanation for including other hate messages in his postings by mistake seems very weak to me.”; and

- e. At paragraph 64: “...The evidence in this case of his participation on Internet sites similar to the Northern Alliance site is both disappointing and disturbing. It diminishes his credibility...”

Attached hereto and marked as **Exhibit “Q”** is a copy of the *Warman v Northern Alliance* decision.

CAHN has been Found to Fund Antifa

75. Mr. Warman was recently engaged in an unsuccessful defamation claim that involved CAHN. An article about this case was published by True North on November 11, 2022 titled “Court ruling states anti-hate network ‘did in fact assist Antifa’”, which is attached hereto and marked as **Exhibit “R”**.

76. In the decision, cited as *Warman v Kay*, [2022] O.J. No. 5045 (“*Warman v Kay*”), the Court makes a key finding at paragraph 97:

The evidence disclosed that CAHN did in fact assist Antifa and that the movement has been violent. The Kays submission, which I accept, is that a human rights network like CAHN arguably (except in the most extreme circumstances) should not support a violent movement, and to do so, to most reasonable observers, would not be a “good look”.

The *Warman v Kay* decision is attached hereto and marked as **Exhibit “S”**.

77. The Court also made findings which I believe are relevant to this anti-SLAPP motion:

- a. At paragraph 91: “The public has an interest in the fight against hate crime in Canada and the parties involved in that fight, including CAHN and Antifa”; and
- b. At paragraph 101: “While Warman is well known as a righteous crusader against white supremacy and right-wing racist hate and has been recognized and appropriately lauded for his work, he is also a controversial figure and I accept the evidence of the Kays that he has used litigation to silence or intimidate those he sees as his critics, or who oppose his methods of prosecuting hate groups.”

78. I understand this decision was upheld on appeal by the Divisional Court. That decision is cited as *Warman v Kay*, 2024 ONSC 1623, which is included at **Exhibit “S”**.

79. I believe this anti-SLAPP motion to be similar to the tactic acknowledged by the Court in *Warman v Kay* in that CAHN is using litigation to “silence or intimidate” their critics and those seeking to draw attention to their improper conduct.

Allegations against CAHN and Threats of Harm

80. I understand from my review of the Warman Affidavit that Mr. Warman includes evidence of a peace bond he obtained in 2019 as a result of threats made against him. Mr. Warman states in support of the anti-SLAPP motion that allegations against CAHN expose CAHN and its members to harm.

81. I have not issued any threats to Mr. Warman, Mr. Farber, or CAHN. I have no desire to incite violence, hate, or harm.

82. The Warman Affidavit does not provide evidence of harm resulting from the allegations in this Action.

83. I note that the decision of *Warman v Kay* includes, at paragraph 26, following the mention of the peace bond for threats against CAHN, that Mr. Warman “admitted he has received no serious threats in the last 5 years”.

CAHN and Mr. Farber are Politically Motivated and Biased

84. From the Defamatory Statements set out above, it is clear to me that CAHN and Mr. Farber viewed all attendees of the Ottawa Protest with disdain and contempt. CAHN and Mr. Farber seek impunity for their Defamatory Statements and inflammatory conduct that was done with malicious intent to inflict harm upon myself and others which in turn formed part of the foundation for the federal government to invoke the *Emergencies Act* and freeze my bank accounts.

85. CAHN and Mr. Farber did not attempt to disguise their disdain and political motivations. In the January 30 Farber Interview, Mr. Farber says “what have they accomplished?”

Nothing more than angering Canadians, the vast majority of whom are supportive of national vaccine mandates.” Further, Exhibit I of the Warman Affidavit (which is also included at **Exhibit “E”**) includes a quote from Mr. Balgord, stating that the “[b]est-case scenario is they just honk their horns, annoy the hell out of everybody, achieve nothing and then have to go home.” Mr. Balgord’s comments were published just one day before the January 30 Farber Interview.

86. CAHN and Mr. Farber utilized rhetoric which is demeaning to myself and others who sought to exercise our fundamental democratic rights and freedoms.
87. When Mr. Balgord testified before the Standing Committee on Public Safety and National Security, he was asked whether CAHN is an objective organization. In response, Mr. Balgord admitted that CAHN has political and ideological motivations that leads CAHN to focus solely on the far-right, stating that “[w]e wear our biases on our sleeves. We are proudly anti-fascist, and we focus on the far right.” This is included in the transcript attached hereto and marked as **Exhibit “I”**.
88. Mr. Farber has also admitted that CAHN focuses solely on the far-right in response to an inquiry as to why CAHN and Mr. Farber had not spoken about the current Israel and Palestine conflict. True North published an article about these comments from Mr. Farber on November 7, 2023 titled “Federally-funded ‘anti-hate’ group only covers hate from ‘extreme right’, founder says”, which is attached hereto and marked as **Exhibit “T”**.
89. CAHN and Mr. Farber sought to attack the attendees of the Ottawa Protest with alarmist rhetoric simply because CAHN and Mr. Farber disagreed with the attendees’ perceived political views. CAHN and Mr. Farber being recipients of funding from the federal government I believe did so with the intention to purposefully mislead the public and cause harm to myself and others for improper purposes.
90. Additionally, CAHN’s and Mr. Farber’s political motivations can be seen through their disproportionate response to actions that were framed as desecration and extremism when these actions were allegedly perpetrated by attendees of the Ottawa Protest.

91. On January 29, 2022, a journalist tweeted a photo showing the Terry Fox statue that had been adorned with Canadian flags and a protest sign. I saw the Terry Fox statue everyday or nearly everyday while I was in Ottawa, but I did not see the Terry Fox statue decorated on any of those occasions, as in the photo or otherwise. A copy of this tweet and the image is attached hereto and marked as **Exhibit “U”**.
92. In the January 30 Farber Interview, Mr. Farber states that the statue of Terry Fox had been “basically defaced”. In the Farber Affidavit, Mr. Farber deposes that he stands by these views.
93. On November 3, 2023, the National Post published an article titled “The curious lack of outrage at another ‘desecration’ of the Terry Fox statue” that includes an image of the Terry Fox Statute with a keffiyeh draped over it and children hanging on it with Palestinian flags showing a ‘V for victory’ hand gesture. The article discusses the comparative lack of outrage for another ‘defacement’ of the Terry Fox statue. A copy of this article is attached hereto and marked as **Exhibit “V”**.
94. Additionally, on October 18, 2023, the National Post published an article titled “The conspicuous silence of the Canadian Anti-Hate Network”. This article details CAHN’s attacks on the Ottawa Protest as far-right and antisemitic and its silence with regard to antisemitism and hate included in the discourse of the Israel-Palestine conflict. A copy of this article is attached hereto and marked as **Exhibit “W”**.
95. CAHN and Mr. Farber asserted or implied in their Defamatory Statements that all attendees of the Ottawa Protest were supporters of or were themselves far-right extremists. Mr. Farber stated in the January 30 Farber Interview that those attending the Ottawa Protest “have actually walked in the shoes of bullies, racists, bigots, and Nazis”. If CAHN and Mr. Farber believed their stance in principle, then the political leaning of the protest or the protestors should not play a role in their response.
96. On October 23, 2022, CBC published an article titled “Sask. gov’t discourages use of federally funded Canadian Anti-Hate Network toolkit in classrooms” which also speaks to CAHN’s bias. I understand that CAHN received \$268,400 in funding from the federal

government to create this toolkit, but the Saskatchewan Ministry of Education states that “[t]he toolkit does not meet criteria such as being high quality, free from bias as reasonably possible, and having appropriate and significant Saskatchewan context”. The article also refers to the Saskatchewan Ministry of Education criticizing “quite controversial statements without any kind of backup or evidence”. A copy of this article is attached hereto and marked as **Exhibit “X”**.

97. In addition to funding CAHN has already received, CAHN requested \$5 million over the next 5 years from the federal government to allow CAHN to act as a Canadian anti-hate watchdog. Additionally, CAHN requested that the federal government contribute “\$25 million a year for five years to an Anti-Hate Action Program to counter far-right organizing” and “[t]hat the government commit the necessary funding for Statistics Canada to survey Canadians about hate crimes annually”. Attached hereto and marked as **Exhibit “Y”** is a copy of a document titled “Written Submissions for the Pre-Budget Consultations in Advance of the Upcoming Federal Budget” by the Canadian Anti-Hate Network dated August 4, 2023 and a copy of an article titled “Canadian Anti-Hate Network asks feds for \$5M of taxpayers' money: Report” published by the Toronto Sun on September 18, 2023.

CAHN and Mr. Farber Caused Harm

98. I believe from the foregoing information that CAHN’s and Mr. Farber’s defamation and false reports assisted in forming the basis for, or at least played a part in, the invocation of the *Emergencies Act* and the freezing of my bank accounts.

99. I have suffered harm beyond the freezing of my bank accounts, the harm resulting from which should not be understated.

100. It goes without saying that being called or implied to be a Nazi or neo-Nazi or even a supporter of those groups is deeply hurtful and very harmful to my reputation. CAHN and Mr. Farber, through the Defamatory Statements and their conduct, are the source of this allegation or implication. I do not march in the shoes of Nazi’s or neo-Nazi’s as Mr. Farber and CAHN allege.

101. Due to the painting of attendees of the Ottawa Protest as the meanings set out in paragraph 44 above, I have lost several relationships and had a strain placed on other relationships because my friends and family do not want to be associated with these allegations or implications. This includes a strained relationship with my son. This has led me to feel isolated and discouraged about the state of our country.

102. Additionally, I believe it will be proven at trial, following disclosure in this Action, that CAHN and Mr. Farber engaged in a civil conspiracy as alleged in the Statement of Claim, or at the least, that the false allegations and reporting by CAHN and Mr. Farber formed a crucial part of the basis on which the federal government invoked the *Emergencies Act*.

103. There is thus a need for this Action to proceed on the merits. This Action is important to our fundamental rights and freedoms and truth seeking in our justice system.

Conclusion

104. To my knowledge, the Plaintiffs in this Action are not wealthy individuals, but are Canadians from all walks of life who believe in justice and the importance of this Action to society as a whole.

105. I have not previously filed lawsuits in defamation. I have not previously faced an anti-SLAPP motion. I have not been a named Plaintiff to any other action in which CAHN or Bernie Farber were named Defendants.

106. This Action was not filed to limit public participation. On the contrary, I believe the exercise of our right to participate in the democratic process and our freedom of expression and assembly should be protected. It is CAHN who is taking strategic action to limit public participation and to protect their perceived right to defame participants engaged in expression that is contrary to their federally funded political views through this anti-SLAPP motion. This Action and the claims within it demand further inquiry.

107. I believe in upholding and enforcing the law of Canada. I am dedicated to preserving the rights and freedoms we are fortunate to have in this great country.

108. I further believe there is no defence for CAHN or Mr. Farber for their Defamatory Statements and that this matter should proceed on its merits. Further, there is no public interest in CAHN and Mr. Farber alleging that myself and others march in the shoes of neo-Nazi's. Any such public interest in making such false and harmful statements as found in the Defamatory Statements are outweighed by the detrimental effect it has had on my life.

109. I swear this Affidavit in support of the Plaintiffs' response to CAHN's anti-SLAPP motion and for no improper purpose.

SWORN REMOTELY by Vincent Gircys of)
the Village of Fonthill in the Province of)
Ontario before me at the City of Calgary in)
the Province of Alberta, on the 14 day of)
June, 2024, in accordance with O. Reg.)
431/20, *Administering Oath or Declaration*)
Remotely.)



Notary Public in and for the Province of)
Alberta)



Vincent Gircys

Blaise Zak
Student-at-Law

This is **Exhibit "A"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

E D	March 09, 2022 09 mars 2022	O S É
Kevin Lemieux		
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Court File No.: T-3

FEDERAL COURT

BETWEEN:

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

- and -

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS**

Respondents

**APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and
Rules 301 of the *Federal Courts Rules*.**

AFFIDAVIT OF VINCENT GIRCYS

I, VINCENT GIRCYS, a retired member of the Ontario Provincial Police of the
City of Niagara, in the Province of Ontario, SWEAR THAT:

Background

1. I am one of the named Applicants herein, and as such I have personal knowledge of the facts and matters herein deposed to except where based on information and belief in which case, I believe the same to be verily true.
2. I am 60 years old.
3. I am a retired member of the Ontario Provincial Police (the "OPP") where I was employed from 1982 to 2014.
4. While a member of the OPP, I was a forensic investigator where I estimate that I was involved in over 5,000 investigations during my career.
5. As a member of the OPP, I received numerous accolades including an exemplary

BWB 1 VE1.

service medal (the "**Exemplary Service Medal**"). Attached and marked hereto as **Exhibit "A"** to this Affidavit is a copy of the Exemplary Service Medal.

6. In October of 2012, I was awarded the Auxiliary Liaison Officer of the Year Award by the OPP (the "**Officer of the Year Award**"). Attached and marked hereto as **Exhibit "B"** to this Affidavit is a picture of the Officer of the Year Award.

Involvement with the "Freedom Convoy"

7. I do not recall when I first heard about the so called "Freedom Convoy". I believe that I first heard about it through independent media sources.
8. I first began speaking out against what I perceived to be federal and provincial government overreach when the Adamson Barbecue restaurant in Ontario was shut down and its owner arrested in November of 2020, for remaining open to the public.
9. When I made the decision to go to Ottawa to attend the Freedom Convoy protests beginning on January 29, 2022 (the "**Protests**") it was because I believed in the spirit of necessity to do so.
10. I became involved in the Protests on the first day. That Saturday afternoon on the first day of the Protests, I met with former Royal Canadian Mounted Police ("**RCMP**") Corporal, Danny Bulford. He was there working at a setup operations centre as a facilitator between the truckers and the police to ensure the Protests would be done safely and to provide humanitarian aid.
11. My role in providing humanitarian aid involved coordinating the placement of additional toilets for the truckers and protestors, providing necessities such as food, water, and gasoline along with other general humanitarian aid (the "**Humanitarian Aid**").
12. I also assisted Danny Bulford, along with other current active and retired police officers to provide what is commonly known in the policing community as "**VIP Security**".

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13. The VIP Security entailed assisting with general security for Dr. Alexander and Dr. Hodkinson who were presenting at a conference at the Sheraton Hotel in Ottawa during the Protests.
14. It is my understanding and belief that Dr. Alexander and Dr. Hodkinson had received at least one or more death threats (the "Death Threats").
15. Beyond assisting with the Humanitarian Aid and providing VIP Security to protect Dr. Alexander and Dr. Hodkinson from the Death Threats, I also made myself available if necessary to assist Danny Bulford and the other retired and active police officers with general crowd control and security related issues ("Potential Security Issues").
16. No Potential Security Issues came to my attention or arose at any time during my attendance at the Protests.
17. I remained at the Protests for approximately two to three weeks while providing the VIP Security and Humanitarian Aid.
18. My own personal observations of the Protests are that it was the most beautiful, peaceful, and inclusive protest I have ever seen. I personally observed zero animosity between anyone in attendance, the Protests were about airing legitimate grievances by Canadians from all walks of life and backgrounds.
19. I personally observed the Protests to be similar to a gathering that is standard at any Canadian exhibition or fair grounds.
20. My own personal observations of the Protests were that it was about us as Canadians getting our freedoms back and our constitutional rights upheld.

Types of Police Involved at the Protests

21. I personally observed two different types of police officers at the Protests.

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22. The first were regular uniformed officers with standard issued uniforms and shoulder insignias marking which police forces they were employed by (the "Standard Police Units"). I further witnessed police officers wearing tactical gear without shoulder flashes or insignias (the "Tactical Police Units").
23. I have personal knowledge and understanding of the differences between the Standard Police Units and the Tactical Police Units that were present. I have this knowledge and understanding based on my background as a retired OPP forensic investigator, and my police training which included training in tactical type police units.
24. Prior to February 18, 2022, the presence of the Tactical Police Units was relatively minimal. I would describe it as at most there were two groups of approximately 10 members of the Tactical Police Units throughout the entire area of the Protests. I estimate this area to be approximately 10 city blocks by 3 city blocks around Wellington Street and they were walking together as a group (the "Area").
25. Prior to February 18, 2022, the presence of the Standard Police Units was more noticeable than the Tactical Police Units. I estimate that any time prior to February 18, 2022, there would be approximately 100 to 150 officers from the Standard Police Units in the Area at a given time.
26. My observations of the interactions I had personally, and what I witnessed with the Standard Police Units prior to February 18, 2022, would be described as positive, friendly, and generally cordial interactions. Several officers from the Standard Police Units told me that they agreed with many of the grievances that were being aired at the Protests.
27. Prior to February 18, 2022, despite the positive, friendly, and cordial interactions, I would describe the number of officers in the Standard Police Units as being high given the general peace and tranquility amongst the Protestors, observers, and civilians in the Area.

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28. I observed a build up in terms of the presence of the Tactical Police Units beginning on February 18, 2022.
29. On February 19th and 20th, 2022, the build up of the Tactical Police Units became even more noticeable.
30. By February 19th and 20th, 2022, it was nearly entirely Tactical Police Units present with the Standard Police Units only present in the far outer perimeter of the Area.
31. I also further observed that certain areas within the Area specifically around the intersections of Metcalfe Street and Albert Street along with the areas of Wellington Street and Elgin Street were being blocked off by the Tactical Police Units (the "Tactical Police Unit Blockades").
32. The Tactical Police Unit Blockades were done by the Tactical Police Units in groups of 200 to 250 officers creating advancing human shield walls supported by officers behind them. These human shield walls entailed members of the Tactical Police Units forming a wall with approximately 150 officers supported by 50 to 100 officers behind them with some facing the other way.
33. I observed at least 4 to 6 separate Tactical Police Unit Blockades. I witnessed approximately 1,000 Tactical Police Unit officers on February 19th and 20th, 2022. Based on my observations, I estimate given the number that I personally witnessed, that there would have been approximately 2,000 Tactical Police Unit officers in total. I base this estimate on my knowledge and understanding from my policing experience as it pertains to the number of officers who would need to be on standby and for shift changes.
34. I decided to leave the Protests when I began fearing for my life after I observed what I describe as police brutality, particularly from the Tactical Police Units on February 19th

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and 20th, 2022 in the Tactical Police Unit Blockades areas.

35. I observed several members of the Tactical Police Units possessing a level of weaponry and displaying a level of aggression that was uncalled for in the circumstances. Specifically, I observed the Tactical Police Units carrying:
- a. a standard issued sidearm;
 - b. 36-inch-long batons with square unstained natural wood cuts on the edges rather than the typical round edges seen on 24-inch-long black batons (the **"Unstained Square Wooden Dowels"**)
 - c. C8 semi-automatic rifles with high capacity 5.56 x 44mm NATO military standard bullets;
 - d. an abundance of high-capacity 5.56 x 44mm NATO military standard magazines affixed to their body armour; and
 - e. semi-automatic shotguns for firing rubber bullet launchers that I had never seen before.
36. The Tactical Police Unit blockades engaged in an aggressive technique towards the Protestors and observers commonly known as **"Snatching"**.
37. What Snatching entails is one of the officers in the human wall from the Tactical Police Unit Blockades breaking formation and grabbing a single individual Protestor or observer and pulls them behind the Tactical Police Unit Blockades line before the rest of the human wall reforms (the **"Snatched Individual"**).
38. The Snatched Individual is then beaten and arrested by the Tactical Police Unit officers who are behind the human wall in the Tactical Police Unit Blockades.
39. I personally observed or understand that on several occasions a Snatched Individual was beaten by the Tactical Police Unit officers with the butt end of their C8 semi-automatic rifles and struck with the Unstained Square Wooden Dowels.

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40. I did not witness anyone who was a Snatched Individual display or commit any acts of violence towards the Tactical Police Unit officers or the Tactical Police Unit Blockades.
41. Due to my own training, I could not understand why this level of aggression was being taken against non-violent protestors and observers.
42. I was a former Emergency Response Team personnel member of the OPP at one point during my service, which can accurately be described as a type of tactical police unit, and as such I understand the importance of crowd control and restraint.
43. I personally witnessed Tactical Police Unit officers striking non-violent protestors and observers with their Unstained Square Wooden Dowels.
44. I personally witnessed police horses trampling through crowds of non-violent protestors and observers.
45. I tried to reason with the Tactical Police Units on February 19th and 20th. I spoke with the members of the Tactical Police Units about section 52 of the *Constitution Act* and them being in violation of it. From my perspective, the Tactical Police Units had a clear reason to step back from these altercations on February 19th and 20th (the "Conversations").
46. The Conversations were ignored by the Tactical Police Units, and they threatened to arrest me if I continued to express my constitutional rights.
47. I did not view myself as a protestor, but rather an observer who was there to provide the Humanitarian Aid and VIP Security.
48. I returned to Ottawa on March 5th and 6th, 2022, and I noticed that Wellington Street has a sealed steel fence erected and the streets around it had concrete barriers around all potential entrance points. I further observed that it is a highly controlled area where

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only pedestrians can get through.

49. I personally observed that my movement throughout Ottawa was more difficult on March 5th and 6th, 2022, than it was at any point prior to February 19th, 2022.

Emergencies Act and Frozen Bank Account

50. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the "*Emergencies Act*") in response to the Protests.
51. I have been directly and substantially harmed by the *Emergencies Act* for my involvement in the Protests.
52. On Saturday, February 19, 2022, I received a voicemail from CIBC stating for me to call back and that there was a problem with my account (the "Voicemail"). I have saved and kept an original copy of the Voicemail. The number that called and left the Voicemail was 1-800-465-2255.
53. On Saturday, February 19, 2022, I spoke with an individual from CIBC who stated to me that my accounts were frozen (the "Feb 19. Phone Call"). The individual I spoke with was apologetic and stated to me that it was not their doing, and that the request came from the RCMP. The individual I spoke with further informed me that my account would not be unfrozen until the *Emergencies Act* declaration was over or until the RCMP would allow my account to be unfrozen. Attached and marked hereto as Exhibit "C" to this Affidavit is a screenshot of call log for the Feb. 19 Phone Call.
54. From February 19, 2022, until February 22, 2022, I was unable to access or use funds from my:
- a. CIBC credit card;
 - b. CIBC debit card; and
 - c. Simplii Financial debit card.

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(collectively, the "Seized Bank Accounts").

55. When I logged into the Seized Bank Accounts on CIBC, what showed up was a screen where all the monetary amounts under my different accounts showed a small dash for each amount without the actual dollar amounts. Regrettably, I did not save a screenshot of this at the time, but I wish I had.
56. On February 23, 2022, I once again spoke with an individual from CIBC about the Seized Bank Accounts. I was informed by this individual that the call was being recorded. She claimed that the RCMP had asked CIBC yesterday to unfreeze the Seized Bank Accounts and she was giving me notice to that effect (the "Feb. 23 Phone Call"). Attached and marked hereto as Exhibit "D" is a screen shot of the call log for the Feb. 23 Phone Call.

Irreparable Harm and Lasting Effects


57. My experience with the Seized Bank Accounts has been traumatic and personally devastating.
58. I had, at the time of the Seized Bank Accounts, approximately \$20 in cash with me and I was approximately 6 hours away from home.
59. I was forced to reach out to people I did not even know, and who through their own acts of kindness offered me some cash so I could put fuel in my vehicle to get home and have something to eat (the "Kind-hearted Canadians").
60. If it was not for the Kind-hearted Canadians, I do not know how I would have been able to get home or feed myself.
61. All my bills and accounts from the Seized Bank Accounts were generally paid in full and on time.


62. What happened to me was that the federal government locked me out of putting food in my mouth, gas in my vehicle, and my ability to pay for my hotel.
63. I could not at the time understand why this happened to me. I still do not understand why the Seized Bank Accounts happened to me.
64. I attended the Protests to provide the Humanitarian Aid and VIP Security. My only explanation for why the Seized Bank Accounts happened to me is because I was speaking out about my constitutional rights.
65. I view the Seized Bank Accounts as an act by the federal government in conjunction with our police agencies and banking institutions to punish and target myself personally.
66. The Seized Bank Accounts and my experiences from this has me terrified. I do not know what will happen to me next.
67. I have lost my faith in our banking system, our policing system, and our federal government. I am contemplating selling my home and leaving Canada permanently, but I do not know if I can sell my home. I worry that my accounts will be frozen again like they were during the time of the Seized Bank Accounts.
68. I do not believe I did anything to warrant the Seized Bank Accounts and the federal government needs to be held accountable for what they did to me.
69. I am not a criminal.
70. I am not a terrorist.
71. I am a retired Canadian citizen who honourably served his country as a police officer and member of the OPP.

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72. As a former forensic investigator with the OPP, I conducted hundreds of death investigations and homicides. This included dealing with and investigating cases where bodies were dismembered.
73. Nothing in my experience as a member of the OPP, including my role as a former forensic investigator, has ever caused me the level of fear and psychological trauma that my experiences with the Seized Bank Accounts has.
74. My ongoing fear as a direct result of the Seized Bank Account is detrimentally affecting my sleep. This trauma is ongoing, and I do not know if it will ever subside.
75. I have served my country well, and the citizens of this country are where my loyalty is. I do not lean towards any political party. My attendance at the Protests was not political. I just wanted to provide Humanitarian Aid, VIP Security, and my freedoms back which I am continuing to see a complete erosion of.
76. I believe that I was personally targeted by the federal government and knowing that I was targeted by the federal government is harming my well being.
77. I hope that no Canadian in the future goes through what I have gone through and am continuing to go through as a result the Seized Bank Accounts.
78. I make this affidavit in support of an application under sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and Rule 301 of the *Federal Courts Rules* and for no improper purpose.

Sworn before me in the City of Calgary in the Province of Alberta on March 8th 2022


Commissioner for Taking Affidavits
(or as the case may be)
BATH-SHEBA VAN DEN BERG
Student-at-Law
Notary Public
A Commissioner for Oaths
In and for the Province of Alberta


(Signature of Deponent)
VINCENT A. GIROUX

Bv/aB 11

VG

Index

Description of Exhibits	Exhibit #
Copy of the Exemplary Service Medal	A
Picture of the Officer of the Year Award	B
Screenshot of the call log for the Feb 19 Phone Call	C
Screenshot of the call log for the Feb 23 Phone Call	D

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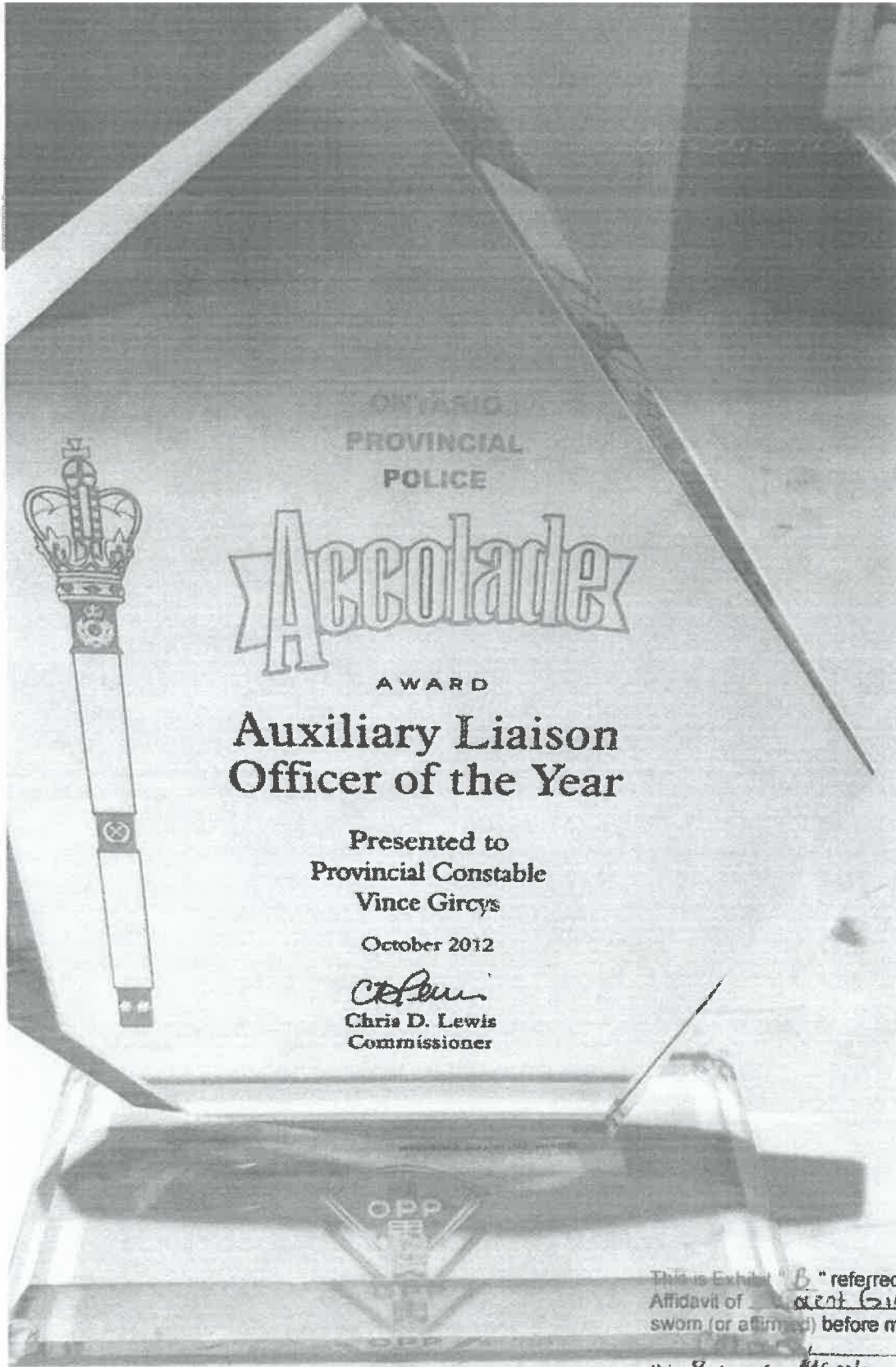
BATH-SHÉBA VAN DEN BERG
Student-at-Law
Notary Public
A Commissioner for Oaths
In and for the Province of Alberta

This is Exhibit "A" referred to in the
Affidavit of Vincent Giroux
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March, 2022
Bath Shéba van den Berg
A Commissioner for Oaths in and for the Province of Alberta



Bu/AB VG

Bu/AB VG



This is Exhibit "B" referred to in the Affidavit of Vince Gircys sworn (or affirmed) before me at _____ AB this 8 day of March 2022

BATH-SHÉBA VAN DEN BERG
Student-at-Law
Notary Public
A Commissioner for Oaths
In and for the Province of Alberta

Bath-Shéba van den Berg
A Commissioner for Oaths in and for the Province of Alberta

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10:24 PM 20%

× Call details



1 800-465-2255



Outgoing call

2m 46s

Saturday, February 19, 2022, 2:42 PM



Copy number



Edit number before call



Delete

This is Exhibit "C" referred to in the
Affidavit of Vincent Guys
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March 2022

Bath-Sheba Van Berg
A Commissioner for Oaths in and for the Province of Alberta

BATH-SHÉBA VAN DEN BERG
Student-at-Law
Notary Public
A Commissioner for Oaths
In and for the Province of Alberta

B/SVB VCB



Call details



+1 800-465-2255



Incoming call

3m 36s

Wednesday, February 23, 2022, 11:25 AM



Copy number



Edit number before call



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This is Exhibit "O" referred to in the
Affidavit of Vincent Carey's
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March, 2022
Bath-Shéba Van Den Berg
A Commissioner for Oaths in and for the Province of Alberta

BATH-SHÉBA VAN DEN BERG
Student-at-Law
Notary Public
A Commissioner for Oaths
In and for the Province of Alberta

Bu/ab VGR



Court File No.: T-382-22

FEDERAL COURT

B E T W E E N :

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS

Respondents

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and
Rules 301 of the *Federal Courts Rules*.

I, **BATH-SHEBA VAN DEN BERG**, of the City of Calgary, in the Province of Alberta,
CERTIFY:

1. That I am a Commissioner of Oaths in and for Alberta, and I am satisfied that the process under NPP#2020-02 and the Federal Court Practice Direction (COVID-19): Update #7 (January 18, 2021) paragraphs 19 and 20 was necessary to swear the Affidavit of Vincent Gircys, Applicant, in the herein proceedings on March 8th, 2022, because it was impossible or unsafe, for reasons of provincial border lockdowns, location, and health, for Vincent Gircys, Applicant, and myself to be physically present together.
2. The two copies of the Affidavits are attached hereto as required by paragraph 8 of the NPP#2020-02.

Dated on March 8th, 2022, at Calgary, Alberta.



BATH-SHEBA VAN DEN BERG

Court File No.: T-382-22

FEDERAL COURT

B E T W E E N :

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS

Respondents

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and
Rules 301 of the *Federal Courts Rules*.

AFFIDAVIT OF VINCENT GIRCYS

I, VINCENT GIRCYS, a retired member of the Ontario Provincial Police of the
City of Niagara, in the Province of Ontario, SWEAR THAT:

Background

1. I am one of the named Applicants herein, and as such I have personal knowledge of the facts and matters herein deposed to except where based on information and belief in which case, I believe the same to be verily true.
2. I am 60 years old.
3. I am a retired member of the Ontario Provincial Police (the "OPP") where I was employed from 1982 to 2014.
4. While a member of the OPP, I was a forensic investigator where I estimate that I was involved in over 5,000 investigations during my career.
5. As a member of the OPP, I received numerous accolades including an exemplary

By/ab

service medal (the “**Exemplary Service Medal**”). Attached and marked hereto as **Exhibit “A”** to this Affidavit is a copy of the Exemplary Service Medal.

6. In October of 2012, I was awarded the Auxiliary Liaison Officer of the Year Award by the OPP (the “**Officer of the Year Award**”). Attached and marked hereto as **Exhibit “B”** to this Affidavit is a picture of the Officer of the Year Award.

Involvement with the “Freedom Convoy”

7. I do not recall when I first heard about the so called “Freedom Convoy”. I believe that I first heard about it through independent media sources.
8. I first began speaking out against what I perceived to be federal and provincial government overreach when the Adamson Barbecue restaurant in Ontario was shut down and its owner arrested in November of 2020, for remaining open to the public.
9. When I made the decision to go to Ottawa to attend the Freedom Convoy protests beginning on January 29, 2022 (the “**Protests**”) it was because I believed in the spirit of necessity to do so.
10. I became involved in the Protests on the first day. That Saturday afternoon on the first day of the Protests, I met with former Royal Canadian Mounted Police (“**RCMP**”) Corporal, Danny Bulford. He was there working at a setup operations centre as a facilitator between the truckers and the police to ensure the Protests would be done safely and to provide humanitarian aid.
11. My role in providing humanitarian aid involved coordinating the placement of additional toilets for the truckers and protestors, providing necessities such as food, water, and gasoline along with other general humanitarian aid (the “**Humanitarian Aid**”).
12. I also assisted Danny Bulford, along with other current active and retired police officers to provide what is commonly known in the policing community as “**VIP Security**”.

Bv/aB

13. The VIP Security entailed assisting with general security for Dr. Alexander and Dr. Hodkinson who were presenting at a conference at the Sheraton Hotel in Ottawa during the Protests.
14. It is my understanding and belief that Dr. Alexander and Dr. Hodkinson had received at least one or more death threats (the "**Death Threats**").
15. Beyond assisting with the Humanitarian Aid and providing VIP Security to protect Dr. Alexander and Dr. Hodkinson from the Death Threats, I also made myself available if necessary to assist Danny Bulford and the other retired and active police officers with general crowd control and security related issues ("**Potential Security Issues**").
16. No Potential Security Issues came to my attention or arose at any time during my attendance at the Protests.
17. I remained at the Protests for approximately two to three weeks while providing the VIP Security and Humanitarian Aid.
18. My own personal observations of the Protests are that it was the most beautiful, peaceful, and inclusive protest I have ever seen. I personally observed zero animosity between anyone in attendance, the Protests were about airing legitimate grievances by Canadians from all walks of life and backgrounds.
19. I personally observed the Protests to be similar to a gathering that is standard at any Canadian exhibition or fair grounds.
20. My own personal observations of the Protests were that it was about us as Canadians getting our freedoms back and our constitutional rights upheld.

Types of Police Involved at the Protests

21. I personally observed two different types of police officers at the Protests.

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22. The first were regular uniformed officers with standard issued uniforms and shoulder insignias marking which police forces they were employed by (the “**Standard Police Units**”). I further witnessed police officers wearing tactical gear without shoulder flashes or insignias (the “**Tactical Police Units**”).
23. I have personal knowledge and understanding of the differences between the Standard Police Units and the Tactical Police Units that were present. I have this knowledge and understanding based on my background as a retired OPP forensic investigator, and my police training which included training in tactical type police units.
24. Prior to February 18, 2022, the presence of the Tactical Police Units was relatively minimal. I would describe it as at most there were two groups of approximately 10 members of the Tactical Police Units throughout the entire area of the Protests. I estimate this area to be approximately 10 city blocks by 3 city blocks around Wellington Street and they were walking together as a group (the “**Area**”).
25. Prior to February 18, 2022, the presence of the Standard Police Units was more noticeable than the Tactical Police Units. I estimate that any time prior to February 18, 2022, there would be approximately 100 to 150 officers from the Standard Police Units in the Area at a given time.
26. My observations of the interactions I had personally, and what I witnessed with the Standard Police Units prior to February 18, 2022, would be described as positive, friendly, and generally cordial interactions. Several officers from the Standard Police Units told me that they agreed with many of the grievances that were being aired at the Protests.
27. Prior to February 18, 2022, despite the positive, friendly, and cordial interactions, I would describe the number of officers in the Standard Police Units as being high given the general peace and tranquility amongst the Protestors, observers, and civilians in the Area.

Bv/aB

28. I observed a build up in terms of the presence of the Tactical Police Units beginning on February 18, 2022.
29. On February 19th and 20th, 2022, the build up of the Tactical Police Units became even more noticeable.
30. By February 19th and 20th, 2022, it was nearly entirely Tactical Police Units present with the Standard Police Units only present in the far outer perimeter of the Area.
31. I also further observed that certain areas within the Area specifically around the intersections of Metcalfe Street and Albert Street along with the areas of Wellington Street and Elgin Street were being blocked off by the Tactical Police Units (the **"Tactical Police Unit Blockades"**).
32. The Tactical Police Unit Blockades were done by the Tactical Police Units in groups of 200 to 250 officers creating advancing human shield walls supported by officers behind them. These human shield walls entailed members of the Tactical Police Units forming a wall with approximately 150 officers supported by 50 to 100 officers behind them with some facing the other way.
33. I observed at least 4 to 6 separate Tactical Police Unit Blockades. I witnessed approximately 1,000 Tactical Police Unit officers on February 19th and 20th, 2022. Based on my observations, I estimate given the number that I personally witnessed, that there would have been approximately 2,000 Tactical Police Unit officers in total. I base this estimate on my knowledge and understanding from my policing experience as it pertains to the number of officers who would need to be on standby and for shift changes.
34. I decided to leave the Protests when I began fearing for my life after I observed what I describe as police brutality, particularly from the Tactical Police Units on February 19th

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and 20th, 2022 in the Tactical Police Unit Blockades areas.

35. I observed several members of the Tactical Police Units possessing a level of weaponry and displaying a level of aggression that was uncalled for in the circumstances. Specifically, I observed the Tactical Police Units carrying:
- a. a standard issued sidearm;
 - b. 36-inch-long batons with square unstained natural wood cuts on the edges rather than the typical round edges seen on 24-inch-long black batons (the **“Unstained Square Wooden Dowels”**);
 - c. C8 semi-automatic rifles with high capacity 5.56 x 44mm NATO military standard bullets;
 - d. an abundance of high-capacity 5.56 x 44mm NATO military standard magazines affixed to their body armour; and
 - e. semi-automatic shotguns for firing rubber bullet launchers that I had never seen before.
36. The Tactical Police Unit blockades engaged in an aggressive technique towards the Protestors and observers commonly known as **“Snatching”**.
37. What Snatching entails is one of the officers in the human wall from the Tactical Police Unit Blockades breaking formation and grabbing a single individual Protestor or observer and pulls them behind the Tactical Police Unit Blockades line before the rest of the human wall reforms (the **“Snatched Individual”**).
38. The Snatched Individual is then beaten and arrested by the Tactical Police Unit officers who are behind the human wall in the Tactical Police Unit Blockades.
39. I personally observed or understand that on several occasions a Snatched Individual was beaten by the Tactical Police Unit officers with the butt end of their C8 semi-automatic rifles and struck with the Unstained Square Wooden Dowels.

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40. I did not witness anyone who was a Snatched Individual display or commit any acts of violence towards the Tactical Police Unit officers or the Tactical Police Unit Blockades.
41. Due to my own training, I could not understand why this level of aggression was being taken against non-violent protestors and observers.
42. I was a former Emergency Response Team personnel member of the OPP at one point during my service, which can accurately be described as a type of tactical police unit, and as such I understand the importance of crowd control and restraint.
43. I personally witnessed Tactical Police Unit officers striking non-violent protestors and observers with their Unstained Square Wooden Dowels.
44. I personally witnessed police horses trampling through crowds of non-violent protestors and observers.
45. I tried to reason with the Tactical Police Units on February 19th and 20th. I spoke with the members of the Tactical Police Units about section 52 of the *Constitution Act* and them being in violation of it. From my perspective, the Tactical Police Units had a clear reason to step back from these altercations on February 19th and 20th (the "**Conversations**").
46. The Conversations were ignored by the Tactical Police Units, and they threatened to arrest me if I continued to express my constitutional rights.
47. I did not view myself as a protestor, but rather an observer who was there to provide the Humanitarian Aid and VIP Security.
48. I returned to Ottawa on March 5th and 6th, 2022, and I noticed that Wellington Street has a sealed steel fence erected and the streets around it had concrete barriers around all potential entrance points. I further observed that it is a highly controlled area where

only pedestrians can get through.

49. I personally observed that my movement throughout Ottawa was more difficult on March 5th and 6th, 2022, than it was at any point prior to February 19th, 2022.

Emergencies Act and Frozen Bank Account

50. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the "**Emergencies Act**") in response to the Protests.
51. I have been directly and substantially harmed by the *Emergencies Act* for my involvement in the Protests.
52. On Saturday, February 19, 2022, I received a voicemail from CIBC stating for me to call back and that there was a problem with my account (the "**Voicemail**"). I have saved and kept an original copy of the Voicemail. The number that called and left the Voicemail was 1-800-465-2255.
53. On Saturday, February 19, 2022, I spoke with an individual from CIBC who stated to me that my accounts were frozen (the "**Feb 19. Phone Call**"). The individual I spoke with was apologetic and stated to me that it was not their doing, and that the request came from the RCMP. The individual I spoke with further informed me that my account would not be unfrozen until the *Emergencies Act* declaration was over or until the RCMP would allow my account to be unfrozen. Attached and marked hereto as **Exhibit "C"** to this Affidavit is a screenshot of call log for the Feb. 19 Phone Call.
54. From February 19, 2022, until February 22, 2022, I was unable to access or use funds from my:
- a. CIBC credit card;
 - b. CIBC debit card; and
 - c. Simplii Financial debit card.

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(collectively, the “**Seized Bank Accounts**”).

55. When I logged into the Seized Bank Accounts on CIBC, what showed up was a screen where all the monetary amounts under my different accounts showed a small dash for each amount without the actual dollar amounts. Regrettably, I did not save a screenshot of this at the time, but I wish I had.
56. On February 23, 2022, I once again spoke with an individual from CIBC about the Seized Bank Accounts. I was informed by this individual that the call was being recorded. She claimed that the RCMP had asked CIBC yesterday to unfreeze the Seized Bank Accounts and she was giving me notice to that effect (the “**Feb. 23 Phone Call**”). Attached and marked hereto as **Exhibit “D”** is a screen shot of the call log for the Feb. 23 Phone Call.

Irreparable Harm and Lasting Effects

57. My experience with the Seized Bank Accounts has been traumatic and personally devastating.
58. I had, at the time of the Seized Bank Accounts, approximately \$20 in cash with me and I was approximately 6 hours away from home.
59. I was forced to reach out to people I did not even know, and who through their own acts of kindness offered me some cash so I could put fuel in my vehicle to get home and have something to eat (the “**Kind-hearted Canadians**”).
60. If it was not for the Kind-hearted Canadians, I do not know how I would have been able to get home or feed myself.
61. All my bills and accounts from the Seized Bank Accounts were generally paid in full and on time.

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62. What happened to me was that the federal government locked me out of putting food in my mouth, gas in my vehicle, and my ability to pay for my hotel.
63. I could not at the time understand why this happened to me. I still do not understand why the Seized Bank Accounts happened to me.
64. I attended the Protests to provide the Humanitarian Aid and VIP Security. My only explanation for why the Seized Bank Accounts happened to me is because I was speaking out about my constitutional rights.
65. I view the Seized Bank Accounts as an act by the federal government in conjunction with our police agencies and banking institutions to punish and target myself personally.
66. The Seized Bank Accounts and my experiences from this has me terrified. I do not know what will happen to me next.
67. I have lost my faith in our banking system, our policing system, and our federal government. I am contemplating selling my home and leaving Canada permanently, but I do not know if I can sell my home. I worry that my accounts will be frozen again like they were during the time of the Seized Bank Accounts.
68. I do not believe I did anything to warrant the Seized Bank Accounts and the federal government needs to be held accountable for what they did to me.
69. I am not a criminal.
70. I am not a terrorist.
71. I am a retired Canadian citizen who honourably served his country as a police officer and member of the OPP.

BUAB

72. As a former forensic investigator with the OPP, I conducted hundreds of death investigations and homicides. This included dealing with and investigating cases where bodies were dismembered.
73. Nothing in my experience as a member of the OPP, including my role as a former forensic investigator, has ever caused me the level of fear and psychological trauma that my experiences with the Seized Bank Accounts has.
74. My ongoing fear as a direct result of the Seized Bank Account is detrimentally affecting my sleep. This trauma is ongoing, and I do not know if it will ever subside.
75. I have served my country well, and the citizens of this country are where my loyalty is. I do not lean towards any political party. My attendance at the Protests was not political. I just wanted to provide Humanitarian Aid, VIP Security, and my freedoms back which I am continuing to see a complete erosion of.
76. I believe that I was personally targeted by the federal government and knowing that I was targeted by the federal government is harming my well being.
77. I hope that no Canadian in the future goes through what I have gone through and am continuing to go through as a result the Seized Bank Accounts.
78. I make this affidavit in support of an application under sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and Rule 301 of the *Federal Courts Rules* and for no improper purpose.

Sworn before me in the City of Calgary in the Province of Alberta on March 8th 2022

Commissioner for Taking Affidavits
(or as the case may be)

(Signature of Deponent)

BU/B

Index

Description of Exhibits	Exhibit #
Copy of the Exemplary Service Medal	A
Picture of the Officer of the Year Award	B
Screenshot of the call log for the Feb 19 Phone Call	C
Screenshot of the call log for the Feb 23 Phone Call	D

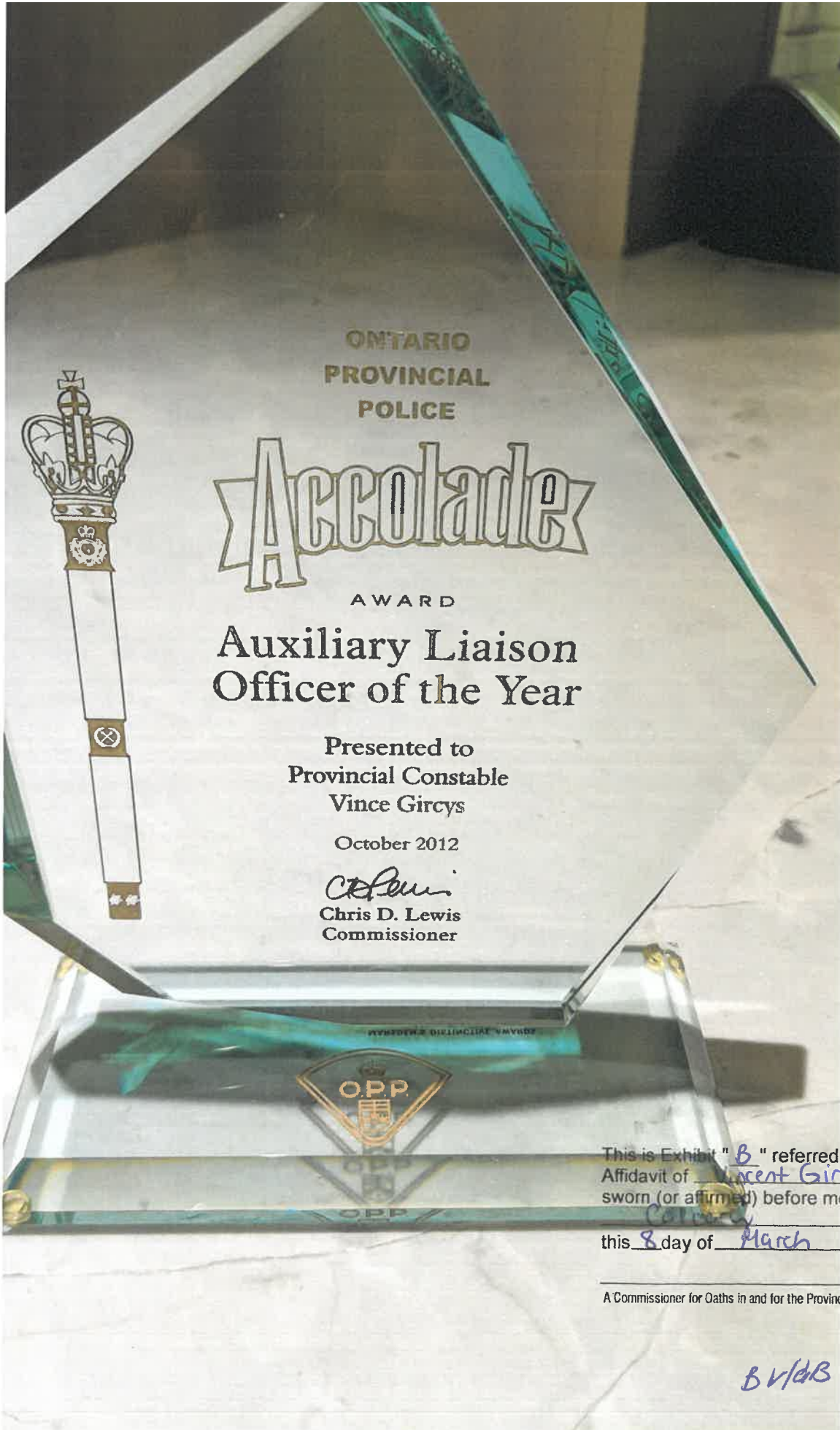
Bija B

Affidavit of Vincent Carey
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March 2022

A Commissioner for Oaths in and for the Province of Alberta

B 498





This is Exhibit "B" referred to in the Affidavit of Vince Gircys sworn (or affirmed) before me at Calgary, AB this 8 day of March 2022

A Commissioner for Oaths in and for the Province of Alberta

B v/d/B

× **Call details**



1 800-465-2255



Outgoing call

2m 46s

Saturday, February 19, 2022, 2:42 PM



Copy number



Edit number before call



Delete

This is Exhibit "C" referred to in the
Affidavit of Vincent Giroux
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March 2022

A Commissioner for Oaths in and for the Province of Alberta

B/d/B



Call details



+1 800-465-2255



Incoming call

3m 36s

Wednesday, February 23, 2022, 11:25 AM



Copy number



Edit number before call



Delete

This is Exhibit "D" referred to in the
Affidavit of Vincent Giroux
sworn (or affirmed) before me at
Calgary, AB
this 8 day of March 2022

A Commissioner for Oaths in and for the Province of Alberta

Bv/ab.



This is **Exhibit "B"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Federal Court



Cour fédérale

Date: 20240123

Docket: T-382-22

Citation: 2024 FC 32

Ottawa, Ontario, January 23, 2024

PRESENT: The Honourable Mr. Justice Mosley

BETWEEN:

**JEREMIAH JOST, EDWARD CORNELL,
VINCENT GIRCYS AND HAROLD RISTAU**

Applicants

and

**GOVERNOR IN COUNCIL, HIS MAJESTY IN
RIGHT OF CANADA, ATTORNEY GENERAL
OF CANADA, AND MINISTER OF PUBLIC
SAFETY AND EMERGENCY
PREPAREDNESS**

Respondents

JUDGMENT

UPON an Application for Judicial Review pursuant to section 18.1 of the *Federal Courts Act*, RSC 1985, c. F-7 in respect of the *Proclamation Declaring a Public Order Emergency*, SOR/2022-20 (*Proclamation*), made pursuant to s. 17(1) of the *Emergencies Act*, RSC 1985, c. 22 (4th Supp.) (the “*Act*”) and regulations made pursuant to s. 19(1) of the *Act*: the *Emergency*

Measures Regulations, P.C. 2022-107, SOR/2022-21 (*Regulations*), and the *Emergency Economic Measures Order*, P.C. 2022-108, SOR/2022-22 (*Order*);

AND UPON the motion of the Respondent to strike the application for judicial review on the grounds that it was moot as the *Proclamation* had been revoked and the associated *Regulations* and *Order* had been terminated by operation of law and that the Applicants, save for Messrs. Cornell and Gyrcis, lacked standing to challenge the *Proclamation*, *Regulations* and *Order* as they were not directly affected by them within the meaning of subsection 18.1(1) of the *Federal Courts Act*;

AND UPON considering the material filed by the parties and hearing the oral arguments of Counsel at a hearing in the City of Ottawa, Ontario on April 3-5, 2023;

AND UPON determining that Messrs. Jost and Ristau lack standing to start the application for judicial review;

AND UPON determining that Messrs. Cornell and Gyrcis do have direct standing to start the application for judicial review as persons affected by the decision to invoke the *Proclamation*.

AND UPON determining that while the application is moot, the Court should exercise its discretion to hear it;

AND UPON determining that the decision to issue the *Proclamation* and the associated *Regulations* and *Order* was unreasonable and *ultra vires* the *Act*;

AND UPON determining that the *Regulations* infringed section 2(b) of the *Canadian Charter of Rights and Freedoms Part I of the Constitution Act, 1982 adopted as Schedule B to the Canada Act 1982, 1982, c. 11 (U.K.) (Charter)* and that the *Order* infringed section 8 of the *Charter* and that neither infringement was justified under section 1 of the *Charter*;

AND UPON considering that the Applicants, Messrs. Cornell and Gyrcis, requested costs in their Notice of Application and having succeeded on key elements.

THIS COURT ORDERS that:

1. The Respondent's motion for an order striking the application for judicial review is granted in part and the Court exercises its discretion to determine the matter notwithstanding that it is moot in view of the revocation of the *Proclamation* and termination of the associated *Regulations* and *Order*;
2. The Applicants Jeremiah Jost and Harold Ristau lack standing and their applications for judicial review are dismissed;
3. The Applicants, Edward Cornell and Vincent Gyrcys, have direct standing and their applications are granted in part;

4. It is declared that the decision to issue the *Proclamation* and the associated *Regulations* and *Order* was unreasonable and *ultra vires* the *Emergencies Act*;
5. It is declared that the *Regulations* infringed section 2 (b) of the *Charter* and declared that the *Order* infringed section 8 of the *Charter* and that neither infringement was justified under section 1;
6. The Applicants, Edward Cornell and Vincent Gircys, are awarded costs of the hearing;
7. The Respondent and Messrs. Cornell and Gircys may make a joint submission on a reasonable cost award for the hearing, including disbursements; and
8. In the absence of an agreement as to costs, the parties have thirty days from the date of the receipt of this judgment to submit written representations, not exceeding five pages in length, for the Court to determine an appropriate award.

"Richard G. Mosley"

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: T-382-22

STYLE OF CAUSE: JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS AND HAROLD RISTAU v GOVERNOR IN COUNCIL, HIS MAJESTY IN RIGHT OF CANADA, ATTORNEY GENERAL OF CANADA, AND MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: APRIL 3-5, 2023

JUDGMENT: MOSLEY J.

DATED: JANUARY 23, 2024

APPEARANCES:

Bath-Sheba van den Berg
Blair D. Ector

FOR THE APPLICANTS

Christopher Rupar
John Provart
David Aaron
Kathleen Kohlman

FOR THE RESPONDENTS

SOLICITORS OF RECORD:


Loberg Ector LLP
Calgary, Alberta

FOR THE APPLICANTS

Attorney General of Canada
Toronto, Ontario

FOR THE RESPONDENTS

This is **Exhibit "C"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Vincent Gircoys on X: "TRUDEAU" x +

x.com/VGircys/status/1757913730774692128

Post

Vincent Gircoys @VGircys

TRUDEAU et all be advised, It's done.
History in the making!

Court File No.:

ONTARIO

SUPERIOR COURT OF JUSTICE

BETWEEN:

EDWARD CORNELL, VINCENT GIRCYS, LINDSAY LEBLANC-MILNER, SHAUN ZIMMER, ANDREW MILLER, JONKER TRUCKING INC., ANDREW FERA, WAYNE NARVEY, CLAYTON MCALLISTER, KATHLEEN MARKO, NICOLA FORTIN, THOMAS QUIGGIN, TIMOTHY TIESSEN, O'JAY LAIDLEY, ERIC BUECKERT, PETER TERRANOVA, NANCY TERRANOVA, RICHARD OCELAK, and KERRI-ANN HAINES Plaintiffs

- and -

JUSTIN TRUDEAU, CHRYSITIA FREELAND, DAVID LAMETTI, DOMINIC LEBLANC, BILL BLAIR, ANITA ANAND, MARCO MENDICINO, ATTORNEY GENERAL (CANADA), STEVE BELL, OTTAWA POLICE SERVICES BOARD, ONTARIO PROVINCIAL POLICE, ROYAL CANADIAN MOUNTED POLICE, DENIS BEAUDOIN, BRENDA LUCKI, THE TORONTO-DOMINION BANK, CANADIAN IMPERIAL BANK OF COMMERCE, BANK OF NOVA SCOTIA, BANK OF MONTREAL, NATIONAL BANK OF CANADA, ROYAL BANK OF CANADA, SCOTIA BANK CANADA, MERIDIAN CREDIT UNION, ASSINIBOINE CREDIT UNION, GULF & FRASER CREDIT UNION, STRIDE CREDIT UNION, CANADIAN ANTI-HATE NETWORK, and BERNIE FARBER Defendants

NOTICE OF ACTION

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421 Reposts **38** Quotes **1,514** Likes **49** Bookmarks

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Former @OPP Forensic Investigator I support The Accountability Project TAPCAN.org and Police for Freedom Canada policeforfreedom.org

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This is **Exhibit "D"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Protest convoy had 'worst display of Nazi propaganda in this country,' anti-hate advocate says

VIDEO LINK

This is **Exhibit "E"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

INTERVIEW

Canada's "Freedom Convoy": Is this Jan. 6 for the Great White North?

Canada's trucker protest won't lead to major violence, says expert. But some folks up north want their own Jan. 6

By **KATHRYN JOYCE**
Investigative Reporter

PUBLISHED JANUARY 29, 2022 8:00AM (EST)



Police officers stop traffic as people gather along the Trans-Canadian highway to show support for the "Freedom Convoy," protesting against COVID-related mandates in Rigaud, Quebec, on Jan. 28. (Andrej Ivanov/AFP via Getty Images)

1.1K



Long "Freedom Convoy" of 50,000 Canadian truckers, plus millions of their supporters, will converge in Ottawa — our northern neighbor's capital — for a mass protest that will gridlock the city until all of the country's vaccine mandates are repealed.

The anti-vaccination convoy movement has raised some [\\$7 million](#), and earned the [support](#) of Canadian conservative Parliament leader Erin O'Toole, who says he [plans](#) to meet with the truckers, as well as prominent American conservatives or libertarians from [Donald Trump Jr.](#) and [Tucker Carlson](#) to [Elon Musk](#). Videos of the convoy have proliferated online, most depicting lines of tractor-trailers driving across Canada, variously set to dramatic film scores or [Twisted Sister](#), and cheered on by throngs of spectators waving the Maple Leaf flag on highway shoulders and overpasses. Other images and videos have popped up too, showcasing the efforts of convoy supporters, including a sort of [women's auxiliary](#) unit singing "O Canada" while assembling sandwiches for the truckers.

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But in the last couple of days, research and reporting has emerged that suggests the convoy, ripe as it is for gags about the polite or earnest nature of Canadians, could spell trouble. On

Security officials at Canada's House of Commons warned that demonstrators have been searching for the home addresses of members of Parliament. Groups that track the far right have warned that the convoy movement is sparking violent rhetoric online, including [calls](#) for the demonstration to replicate the U.S. Capitol attack of Jan. 6, 2021, and for drivers to use their trucks to ram into the barricades around the Parliament building.

RELATED: Tucker Carlson's Hungarian rhapsody: A far-right manifesto for waging the "demographic war"

[Reporters](#) and [researchers](#) have also pointed out that the convoy movement is inextricably tied to Canadian far-right groups, including members of radical, neo-Nazi-linked "[accelerationist](#)" networks, Holocaust deniers and supporters of the white nationalist Great Replacement theory, "sovereign citizen" types with quixotic plans to dissolve the Canadian government and, of course, QAnon adherents.

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As one leading Canadian research group, the Canadian Anti-Hate Network (CAHN), noted in an [article](#) published Thursday, "Since the start of the pandemic, COVID conspiracies have been bringing various fringe and far-right elements together. The [close connections](#) between the People's Party of Canada, the young white supremacists of Canada First, and the Diagonon network is one example. This convoy is another."

with Salon.

So what's going on with this convoy?

I'll dispel one myth right away. A lot of folks are saying that this was some sort of trucker convoy that was hijacked by the far right. That's not actually true. Canada was going to have a requirement that cross-border truck drivers get vaccinated. We already have a mandate that some public servants have to be vaccinated, like nurses and doctors, and that's fairly uncontroversial. But a small number of truckers and some trucking organizations pointed out that, because the average Canadian trucker is alone in their trucks all day, why do they have to get vaccinated when they're largely self-isolating because of their work? Agree with it or not, that seems like a reasonable thing to have a conversation about. So the trucking organizations were asking the government to talk about this mandate. And the far right spotted this and just stole it — stole the idea and decided to have a convoy about it.

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About two years ago, [the organizers] had another convoy called United We Roll. It was a far-right convoy. It was all the same kind of people that we monitor at CAHN. So they stole this grievance and put together this convoy. We have these organizers on record making Islamophobic statements. One of the loudest, Pat King, has made many racist and antisemitic statements and called for violence in the past. One of the main organizers of the group that's sort of behind the convoy, Canada Unity, is run in part by a guy named James Bauder, who was involved in our Yellow Vest Canada movement. He's previously expressed support for a

arrested and charged with treason. He and some other people got together to do this convoy, so it's been a far-right project from day one.

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Now their GoFundMe has raised around \$7 million, and the actual convoy is about to descend on Ottawa. Of course it's not 50,000 trucks or whatever ridiculous thing Fox News was saying. It's probably 100 to 200 actual trucks and then a bunch of other vehicles. But it's significant. Some people are saying they want it to be Canada's Jan. 6. So it's concerning.

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What should people expect to see in Ottawa this weekend?

I'll make one hard prediction. The irony to me in all this is the truckers actually had a kind of issue. But because the far right stole the issue, and the convoy has come to represent far-

conversation with our government now. They've been totally fucked by this convoy.

If you look at the list of demands that Canada Unity put out in this memorandum of understanding, they're asking that the vaccine passport system and mandates just be done away with across Canada. That's everything from getting on a plane to eating at a restaurant. There's just no way that our government is going to do that. Then they've added on all these other grievances. Some people want to see a Jan. 6. Some people want Trudeau tried for treason. Some people showing up are "sovereign citizens," who believe that using some magic combination of words and pseudo-legal paperwork is going to dissolve the government. And of course, there's the others who are just saying no vaccine mandates whatsoever. None of this is going to happen. So one prediction I'm damn sure of is that they're not going to achieve anything, public policy-wise.

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But in terms of what actually happens — it's not like we don't have people who want to do a Jan. 6 here. We do, and they're always around. I don't think something like that is going to happen. Jan. 6 was fairly well planned. Not everybody there was part of that plan, and different groups had different plans, but there was significant planning behind it. I don't know that that planning is taking place here. Then there's the fact that all of our lawmakers and our prime minister aren't actually there right now. And in Ottawa, on Parliament Hill, we have concrete barriers to prevent ramming attacks and a gigantic lawn in front of our Parliament building. All of which, I believe, means it's a lot harder to storm.

outside if they can avoid it. I feel really awful giving that advice. But, you know, there are people among this big convoy who are racists. There are people in this convoy who want to do violence to others. I'm not saying everybody's like that. But they'll be finally reaching their target, the thing they're maddest at, Ottawa, and there's a crowd, there's a mob. So you don't know how things can go.

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Maybe there's some violence. Hopefully not. Best-case scenario is just they honk their horns, annoy the hell out of everybody, achieve nothing and then have to go home. A lot of businesses are actually closing up for the day. And there's no public washrooms in Ottawa. They're not going to have anywhere to poop. Sorry to be crass about it. But they're not going to find a warm reception there.

There are a lot of videos online that claim to show hundreds or thousands of trucks on their way to Ottawa. And there are videos claiming to show sympathy protests in different countries around the world. How accurate are the depictions of this movement on social or right-wing media?

I have no idea of anything else happening in other countries. I certainly haven't seen any evidence of that. In terms of people supporting them, for all intents and purposes, this is an anti-vaccine, anti-lockdown crowd. And we've got a lot of them, just like the States has a lot of them, just like many countries have a lot of them. They've thrown all their support behind this,

involved in this in some way, shape or form, pretty vocally.

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There's very much two Canadas right now. There's the Canada that is for health and public science and all of that. And then there's the far right, which is not. But if anyone's talking about massive levels of support, I'd point out that 90% of our truckers are vaccinated. A lot of our truckers here are South Asian, and I don't see them participating in this convoy in numbers that would be representative. So this isn't about truckers, or the specific issue that truckers had. It's just a far-right thing.

Is this America's fault? Did we do this to you guys?

Not entirely. Canada has had its own unique hate ecosystem forever. What you do in the States does definitely strongly impact us. Of course it does. But it works both ways. I mean, stop me if you've heard the names Gavin McInnes, Lauren Southern, Faith Goldy or Stefan Molyneux before. And you know, AltRight.com, the website, was created in a Toronto apartment; Richard Spencer was living in Toronto at the time. Canada has a disproportionate impact on the States and the rest of the world when it comes to putting out thought leaders in these fascist movements as well. So it's not just the States' fault. We have to own up to our own racist, genocidal history and the systems of white supremacy that we have here as well.

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But for American readers, describing the people on the overpasses — they're somewhere between, or an amalgamation of, MAGA and Jan. 6. Meaning, with Jan. 6, there were some people that got really organized and wanted to do what happened, or even worse. And then there were plenty of people who were just there and got swept up and started to participate because somebody lit that match. With the convoy, it's similar: Not everybody that's there is a racist who wants to do violence. But there's elements of that in there. Every single hate group and insurrectionary element that we have in our country is there, or is supporting it from the sidelines. So it does create a volatile situation. I don't think we're quite at critical mass. We don't have all the right ingredients, I think, to make this a Jan. 6. But the point is, there's people here who want it to be.

Read more from Kathryn Joyce on North America's far right:

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- [How Christian nationalism drove the insurrection: A religious history of Jan. 6](#)

By **KATHRYN JOYCE**

Kathryn Joyce was an investigative reporter at Salon, and the author of two books: "[The Child Catchers: Rescue, Trafficking and the New Gospel of Adoption](#)" and "[Quiverfull: Inside the Christian Patriarchy Movement](#)."

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sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

[News](#) > **Ottawa Occupation Shows Why We Need Anti-Hate Legislation**

OTTAWA OCCUPATION SHOWS WHY WE NEED ANTI-HATE LEGISLATION

Every day the government allows social media companies to self-regulate, Canadians are getting misled, enraged, and absorbed into the far-right and Covid conspiracy movement. Now a far-right mob has occupied the capital.

Posted on February 4, 2022

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Canadian Anti-Hate Network



Ottawa has now been occupied for a week with no end in sight. They are led by a cadre of organizers and streamers who are connected with [Islamophobia, antisemitism, racism, and incitements to violence](#). Many among them want to see the Prime Minister and public health officials put on trial for treason, or executed.

would directly confront passer-by, physically attack journalists, wave a Nazi flag, or assault a houseless person, hurl racial slurs, and take food from a soup kitchen.

The people supporting this far-right occupation are both victims and perpetrators of misinformation. Most of them find their way to the movement beginning on mainstream social media platforms. The algorithms notice they engage with conspiracy content and far-right content, feeds them more, and suggest groups for them to join. Fellow travellers say the unvaccinated are being persecuted on the same level as Holocaust victims and that drastic action is necessary. Eventually, they're angry enough to drive to Ottawa.

It will be difficult, if not impossible, for members of the intertwined antivaxx and far-right movement to come back to reality. New people are finding them every day. With online harms legislation, we may be able to disrupt that pipeline by making it harder for dis/misinformation to find people. We may be able to build a fence of protection both online and offline around the groups that the far-right slanders, harasses, threatens, and attacks. We have to try.

We urge you to contact your MP, send them this article, and tell them it's time to make the social media platforms be at least a little socially responsible.

The government was proposing a complicated regulator that would try to address several kinds of online harm, like child sexual exploitation. Its thorniest and most controversial issue was that of regulating hate speech. The technical paper envisioned a body that would hear complaints about pieces of hate content and issue rulings on whether each post stays up or comes down.

The government received a lot of critical feedback on its plan. We had our issues with the technical paper too.

We urge the government to look at the convoy outside the window to understand why we cannot put this issue on the back burner. We must push forward with a better and (hopefully) more popular plan.

One in five Canadians are directly affected by online hate; harassers use hate speech to silence and scare women, BIPOC, LGBTQ+, First Nations, Métis, and Inuit peoples, and others.

It's important to note that 80 per cent of Canadians want legislation to curb online hate. However, the average person is not writing a feedback letter to the government about a technical paper. Some of the critical letters are coming from the companies themselves, which should frankly be thrown out – they demonstrably can't be trusted. But more of that criticism is coming from dogmatic free speech academics and organizations.

These civil liberties advocates aren't trying to do harm, or do nothing, but they seem not to understand that the prevalence of hate speech and how it silences people is the free expression issue of *this* generation. We would rather see a small amount of posts that are not-quite hate speech be a casualty of any legislation rather than have hate speech continue to attack and silence women, BIPOC, LGBTQ+, First Nations, Métis, and Inuit peoples, and others. It's time for the speech of equity seeking groups to be prioritized over racists, abusers, and neo-Nazis.

unwarranted police involvement in the process / with the regulator, and the complaints regime being wielded against them by bad actors. They're right and we should all be listening.

Additionally, and fundamentally, the plan put forward in the technical paper seems to address the wrong problem.

The problem is not that the complaints mechanisms on Facebook and other platforms are slow and poorly adjudicated. We shouldn't be handing victims a homework assignment to get hate content taken down long after it's already done its damage anyway. The problem is that there are people who want to harass, abuse, and incite violence with hate speech, and that platforms have decided to allow it to be posted in the first place, and even amplify it.

Like everyone says, we really need to go after the business model of these companies, which have decided to prioritize engagement at the cost of our democracy and the safety of our neighbours. The platforms have been purposely getting people angry and funnelling them into dangerous echo chambers.

We sat with this for a while, and we think we have a solution.

We're calling it the ombudsperson approach.

We're recommending that the government create an ombudsperson/regulator, with broad investigatory powers. They can compel evidence and testimony from the social media companies and take a hard look at their algorithms and business practices. They can also issue recommendations.

Facebook's own employees warned that after it changed how it measured the success of a post in 2018, it incentivized angry engagement and misinformation. In 2021, another employee found that new users were being quickly pushed by their algorithms towards QAnon groups. Internally, Facebook staff have been warning about problems and proposing solutions for years. We also know, thanks to Facebook whistleblower Frances Haugen, that the company chooses not to implement any fixes (in any reasonable time frame) that would hurt engagement.

Meanwhile, hundreds and thousands of people were being radicalized into the far-right, estranging them from their families, and movements were recruiting people on Facebook that would culminate in murders and mass murders and incidents like January 6th and the Ottawa convoy.

If the ombudsperson had access to this information in real-time, they could, for example, issue a timely recommendation that the company has to undo the algorithmic changes that incentivized angry, divisive posts and misinformation.

We propose that if the company doesn't want to follow a recommendation, the ombudsperson be empowered to apply to a court to make it an order. The court would apply two tests. First, is the order consistent with the goals of the regulator. Second, is it consistent with the Charter and previous rulings. Here, groups can intervene and put their arguments to the court.

If the order is granted, and the company doesn't follow the order, we propose that they face significant fines (the same as envisioned in the technical paper).

Of course, this is just a starting point and a framework. But we would like to keep it simple and move it along.

contentious police involvement and 24-hour takedown pieces, and isolated free speech vs. hate speech arguments can be had later, in front of a court.

We urge you to [contact your MP](#), send them this article, and tell them it's time to make the social media platforms be at least a little socially responsible.

The government asked for our feedback on the technical paper, and for a path forward. This is what we sent them.

CAHN RESPONSE TO PROPOSED ONLINE HARMS LEGISLATION

WHAT WE LIKE ABOUT THE PROPOSALS SO FAR:

We like that the government is taking the issue of online harms seriously.

We like that the government is intending to establish a new regulatory body responsible for this issue. We also like the idea of an Advisory Board, although we would probably construct it somewhat differently than how it's described in the technical paper.

We like the emphasis, in the technical paper, on creating new requirements for transparency from platforms, and creating new reporting requirements.

We like the requirement to make it easier for users to report harmful content.

WHAT WE DON'T LIKE:

We are concerned that the proposed approach to handling online harms doesn't seem to be rooted in a government-wide strategy for digital overall. The government has a number of initiatives underway that touch on digital matters, including this new approach to handling online harms, new privacy legislation, changes to the Broadcasting Act, and an initiative related to the funding of journalism. All these efforts need to be animated by a coherent strategy, and we are concerned that they are not. At this point, it is not clear what the government's vision is for Canada's digital future. That's a problem. It's hard to imagine us making much progress if it's not clear where we're trying to go.

As imagined to date, the proposed approach to handling online harms is fundamentally reactive in nature. It is aimed at identifying and removing harmful material after it has been published. We think this is fundamentally the wrong approach because it is unresponsive to the true nature of the problem. The reality is that there is a continuous firehose of harmful material being posted to the internet by many different bad actors, and there is a multitude of harmful content available online at any given moment in time. Any approach that aims to solve this problem reactively, by creating a process for the evaluation and removal of individual pieces of content post-publication, will fail. It will fail because i) it will rely too much on individuals reporting harmful material, which is an inappropriate burden on those people, ii)

that provides sufficient protections against unjustified takedowns and also speedily removes content that is actually harmful, iv) it will require the creation of an enormous bureaucratic machinery and will impose serious administrative burden on many different parties, and v) it does nothing to change the incentives for the platforms, which currently have a strong business incentive to continue allowing sensationalist material, including hate speech and other harmful content. Additionally, any approach primarily or solely focused on content takedowns will inevitably trigger serious free speech concerns, as we have seen.

We don't like the 24-hour takedown requirement. Civil liberties groups are concerned that the 24-hour takedown creates a requirement for platforms to remove/take down online speech. They believe all speech is good speech, and ought not to be constrained. That is not our concern. Our concern is narrower and more specific. We don't like the 24-hour takedown because we believe it will have the unintended consequence of providing a mechanism enabling bad actors to make false reports of hate speech against material posted by equity-seeking groups, resulting in that material being taken down. To be clear: Our concern is that the 24-hour takedown will be abused, resulting in platforms taking down material that is not hate speech, and which should not be taken down.

We don't like automatic/mandatory reporting to law enforcement. Law enforcement has existing avenues for accessing the information they need to do their work, and we don't believe massively increasing the amount of information to them, in an automatic/mandatory way, is necessary or would be net beneficial.

WHAT WE THINK SHOULD BE CONSIDERED GOING FORWARD:

We believe the best path forward would focus on the creation of a new regulatory body, with three main emphases, as follows.

- 1 A solid emphasis on creating new transparency and reporting requirements for platforms. The platforms are currently a black box. Their practices, and the societal implications of their practices, are not yet well understood. Other jurisdictions have been significantly ramping up transparency and reporting requirements, and Canada should do this too.
- 2 The creation of a new affirmative obligation for platforms at a high level, requiring them to consider the societal effects of their practices and take steps to mitigate harms in the public interest. This is a practical acknowledgement that the platforms know more (and will always know more) about their operations than any regulatory body can possibly hope to know. We have learned from whistleblowers that there are people and divisions inside social media companies whose responsibilities include user protections, and that those people and divisions are routinely overruled in favour of what best serves the companies' business interests. In creating affirmative obligations to consider user interests, we would be aiming to add weight to those internal user advocates, to tilt the balance internally towards better user protections, and better protection of the public.

investigate emergent harms and create orders protecting against societal harms. For the purposes of this note, we are calling this "the Ombudsperson approach." It is further detailed below.

THE OMBUDSPERSON APPROACH

We have been socializing the idea of an ombudsperson approach with other civil society groups, and it's finding support. Some of the ideas here are, in fact, already in the technical paper.

Here's what we've been imagining:

The ombudsperson (and their office) would be empowered with broad investigatory powers so that they can compel evidence and testimony from large online platforms.

They would be empowered to make public recommendations, in keeping with a charter of values.

Where the companies do not follow the recommendations, the ombudsperson may apply to a court to make those recommendations into orders.

The court has a short time window to apply a two-pronged test. First, does the proposed order align with the charter of values? Second, is the proposed order in keeping with the Charter and previous jurisprudence around hate speech?

Interveners could make submissions at this stage.

If the order is granted, and the company or companies do not comply, they will be subject to the same strict financial penalties laid out in the technical paper.

The ombudsperson may take complaints as evidence of an issue, but does not address individual pieces of content.

In an emergency situation (eg. Jan 6th), the ombudsperson may make an emergency order which goes into effect immediately, but also convenes an emergency hearing with the court to either uphold or quash the order.

We would leave it at that. The ombudsperson approach would move things forward in a real way, while kicking individual issues that are causing so much opposition to the ombudsperson, interveners, and the court at a future date.

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Jonathan Kay @jonkay · Feb 6, 2022

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Taken by a friend in Ottawa at the Occupation. Apparently in plain sight



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Jonathan Kay @jonkay · Feb 6, 2022
oh gee, what a shocker. it was retweeted by @notandrea, the same journo who gave us that "I'm a white supremacist" video nonsense from last week.
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Taken by a friend in Ottawa at the Occupation. Apparently in plain sight.

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Post

Jonathan Kay @jonkay · Feb 6, 2022

Yes how terrifying. I guess we need a parliamentary motion denouncing all the nazis at Del Boca Vista phase 3

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Post

Jonathan Kay @jonkay · Feb 6, 2022
Anchor and reporter for CTV

x.com/kateygoalie/st...

Angie Seth @kateygoalie · 26s
This is both disgusting and horrifying...

BernieFarber @BernieFarber · 1h
Taken by a friend in Ottawa at the Occupation. Apparently in plain sight.

STILL ~~BEING~~ CARRYING OUT THE WILL OF ~~THE~~ ~~SYSTEM~~ ~~ELITES~~, WITTINGLY OR UNWITTINGLY.' A small logo for 'GOYIMTV.TV' is also visible."/>

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The screenshot shows a Twitter interface. On the left is a navigation menu with icons for Home, Explore, Notifications, Messages, Grok, Lists, Bookmarks, Communities, Premium, Profile, and More. The main content area shows a tweet from Jonathan Kay (@Jonkay) dated Feb 6, 2022, mentioning Kyle Harrietha. Below it is a retweet from Kyle Harrietha (@KyleHarrietha) with a reply from BernieFarber (@BernieFarber) stating it was taken by a friend in Ottawa. The central image is a conspiracy theory poster titled "EVERY SINGLE ASPECT OF THE COVID AGENDA IS JEWISH:" with a list of names and titles, including "BLACKROCK AND VANGUARD ARE THE TWO LARGEST SHAREHOLDERS OF BOTH PFIZER AND GLAXOSMITHKLINE, AS WELL AS PRACTICALLY ALL OF THE MSM". The poster also includes a Star of David and a Star of Balthazar. The right sidebar shows a search bar, a user profile for Charlie Angus (@CharlieAngusNDP), and a "What's happening" section with trending topics like #AssassinsCreed, Harry Potter, and #abstorm.

x.com/jonkay/status/1490444076885422084?s=20&t=4oIDWFjJyJOVY0D-3nwbw

Jonathan Kay @jonkay · Feb 5, 2022
chair of the toronto board of health

[x.com/joe_cressy/sta...](#)

Joe Cressy @joe_cressy · 1h
Don't look away. This vile anti-Semitic hate is being distributed in plain sight.

It has no place on the streets of Canadian cities. It has no place anywhere.

Call it out, condemn it, don't associate with it, and shut this type of hatred down.

BernieFarber @BernieFarber · 1h
Taken by a friend in Ottawa at the Occupation. Apparently in plain sight.

EVERY SINGLE ASPECT OF THE COVID AGENDA IS JEWISH:

- CDC DIRECTOR - ROCKELLE WALKER - JEWISH
- CDC CHIEF OF STAFF - ANNE SCHUCHAT - JEWISH
- CDC CHIEF OF STAFF - SARAH ROSEN - JEWISH
- CDC CHIEF MEDICAL OFFICER - MICHAEL WOLIN - JEWISH
- CDC DIRECTOR AND CHIEF OF STAFF - ROY REEDER - JEWISH
- COVID CLINIC - JEFF DODD - JEWISH
- COVID SURVIVAL ADVISOR - AMY SILBERT - JEWISH
- WHO SECRETARY - TAVIUS BRIDGES - JEWISH
- WHO SECRETARY HEALTH SECRETARY - RACHEL LEVINE LA TRAMONTOANA - JEWISH
- WORLD OF PFIZER - ALBERT BOONICK - JEWISH
- WORLD OF PFIZER - MIRIAM DILSTON - JEWISH
- PFIZER CHIEF SCIENTIST - TAL ZAM - JEWISH
- AMERICAN CHIEF SCIENTIST - TAL ZAM - JEWISH
- BLACKROCK CEO - LARRY FINK - JEWISH
- BLACKROCK PRESIDENT - BOB KLAPETZ - JEWISH
- VANGUARD CEO - MORTIMER J. BUCKLEY - SHABAZI, ISRAELI

BLACKROCK AND VANGUARD ARE THE TWO LARGEST SHAREHOLDERS OF BOTH PFIZER AND GLAXOSMITHKLINE, AS WELL AS PRACTICALLY ALL OF THE MSM.

REMEMBER - THOSE WHO ARGUED THAT IF YOU'RE AGAINST LOCKDOWNS, YOU'RE AGAINST STATE POWER WERE LITERALLY SHABBED OUT OF CARRYING OUT THE WILL OF THE PEOPLE, WITTINGLY OR UNWITTINGLY.

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5 replies, 28 retweets, 119 likes

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danielle
@dstrumpet19

Post



Jonathan Kay
@jonkay

chair of the toronto board of health

[x.com/joe_cressy/sta...](#)



Joe Cressy
@joe_cressy · 1h

Don't look away. This vile anti-Semitic hate is being distributed in plain sight.

It has no place on the streets of Canadian cities. It has no place anywhere.

Call it out, condemn it, don't associate with it, and shut this type of hatred down.

BernieFarber
@BernieFarber · 1h

Taken by a friend in Ottawa at the Occupation. Apparently in plain sight.



2:55 PM · Feb 6, 2022

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BernieFarber

@BernieFarber

Follow

Ok for the record a friend from Ottawa told me they saw an antisemitic flyer & sent it to me. I posted it. The photo itself was old and originally from Miami. However, they said they saw the same thing. Since I am not in Ottawa i cannot attest to it. 1/2

3:30 PM - 6 Feb 2022

1 Retweet 1 Like



1 1 1



BernieFarber @BernieFarber · 49s

That said racist and antisemitic posters and flyers have now been seen by others. 2/2

1 1 1



This is **Exhibit "H"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law



Anti-semitic leaflet was a hate hoax pushed by legacy media and left-wing politicians

By **Jonathan Bradley** - February 7, 2022



A report of an anti-Semitic document supposedly found at the Freedom Convoy in Ottawa has been debunked as a hoax, despite being pushed by legacy media and politicians as fact.

In a now-deleted tweet, Canadian Anti-Hate Network (CAHN) chair Bernie Farber posted a photo of an anti-Semitic flyer he claimed "a friend" had found at the site of the Ottawa freedom protests.

"Taken by a friend in Ottawa at the Occupation," said Farber in a since-deleted tweet on Sunday. "Apparently in plain sight."



Quillette associate editor Jonathan Kay debunked the flyer, however, pointing out the photo was identical to one from the US.

“Wow Bernie, isn’t it incredible that the picture your ‘friend in Ottawa at the Occupation’ sent you is identical to the photo posted on Twitter two weeks ago by someone in Miami, right down to the ceramic design in the background?” said Kay in a tweet.

Farber tried to justify his previous tweet, saying a friend saw a similar flyer at the protest.

“The photo itself was old and originally from Miami,” he said. “However, they said they saw the same thing.”

Kay compiled a list of various legacy media journalists and left-wing politicians who had fallen for the hoax by chiming in to voice their displeasure.

disgusting and horrifying.”

Hill Times columnist Erica Ifill also fell for it.

“There is no white supremacy that doesn’t start with anti-Semitism and anti-Blackness,” [said](#) Ifill.

Toronto city councillor Joe Cressy said the flyer has no place in Canada, saying “people need to “call it out, condemn it, don’t associate with it and shut this type of hatred down.”

“Don’t look away,” [said](#) Cressy. “This vile anti-Semitic hate is being distributed in plain sight.”

NDP MP Charlie Angus also attributed the document to the Ottawa protest.

“The #ottawaoccupation gang came to Ottawa with swastikas scrawled on Canadian flags,” [said](#) Angus. “This shit isn’t hidden, it’s right there in the open.”

Rebel News [reported](#) in 2020 that the Canadian government gave the CAHN \$268,400 in funding for a project called Containing and Countering Hate Groups.

This project, [said](#) the Ministry of Canadian Heritage, would help CAHN fight online hate “by hiring four team members to carry out the monitoring of extreme-right groups, report on their activities and file complaints with law enforcement.”

Author



Jonathan Bradley

This is **Exhibit "I"** to the Affidavit of **Vincent Girceys**
sworn remotely by Vincent Girceys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

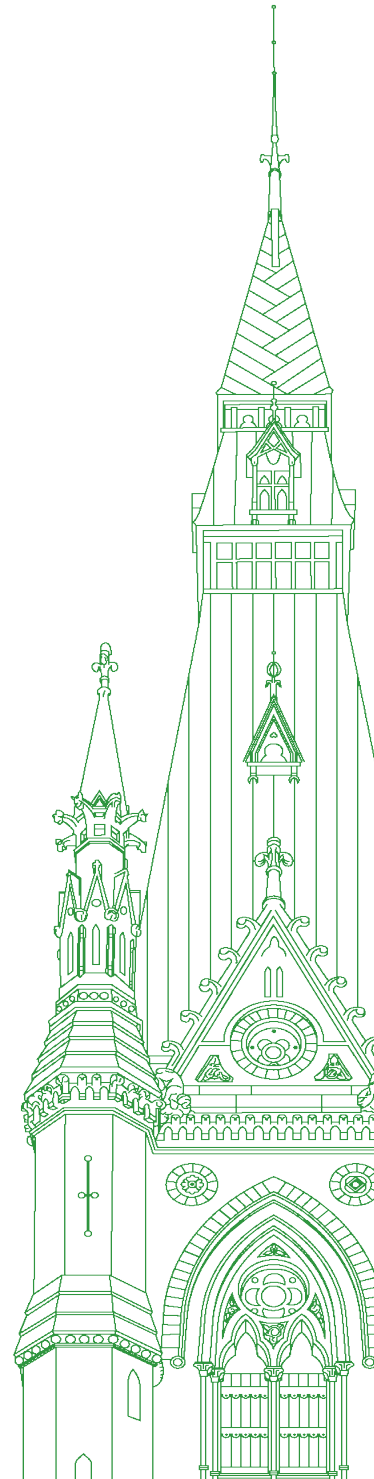
Standing Committee on Public Safety and National Security

EVIDENCE

NUMBER 019

Tuesday, April 26, 2022

Chair: The Honourable Jim Carr



Standing Committee on Public Safety and National Security

Tuesday, April 26, 2022

• (1100)

[English]

The Chair (Hon. Jim Carr (Winnipeg South Centre, Lib.)):
Good morning, everybody.

I call the meeting to order. Welcome back. I hope everybody took full value of the two weeks back home staying in touch with constituents or finding a few days to do something completely different. Here we are back at work.

Welcome to the 19th meeting of the House of Commons Standing Committee on Public Safety and National Security. We will start by acknowledging we're meeting on the traditional unceded territory of the Algonquin people.

Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely using the Zoom application. Members and witnesses participating virtually may speak in the official language of their choice. You have the choice at the bottom of your screen of floor, English or French.

Pursuant to Standing Order 108(2) and the motions adopted by the committee on Thursday, February 17, 2022, the committee is resuming its study of the rise of ideologically motivated violent extremism in Canada.

With us today by video conference we have Evan Balgord, executive director of the Canadian Anti-Hate Network; Barbara Perry, director, Ontario Tech University, Centre on Hate, Bias and Extremism; and Dr. Heidi Beirich and Wendy Via, Global Project Against Hate and Extremism.

Welcome to all. Up to five minutes will be given for opening remarks after which we will proceed with rounds of questions.

I now invite Mr. Balgord to make an opening statement of up to five minutes.

Mr. Balgord, the floor is yours.

Mr. Evan Balgord (Executive Director, Canadian Anti-Hate Network): Thank you very much.

My name is Evan Balgord. I'm the executive director of the Canadian Anti-Hate Network.

We're an anti-fascist and an anti-racist non-profit organization. Our mandate is to counter, monitor and expose hate-promoting movements, groups and individuals in Canada. We focus on the far right because it gives rise to the most issues of ideologically motivated violent extremism.

Today, I'm going to give a recent history of the far-right movement to explain in part how it escalated to the convoy and the occupation, and then I will describe the threat we are currently facing today.

I started doing this work originally as a journalist about five or six years ago. Today, our far-right movement was really born out of a racist anti-Muslim movement. We had hate groups spring up that were emboldened by Trump's election and his rhetoric about Muslims, and then they took to the streets to protest against our Motion No. 103, which was to broadly condemn Islamophobia.

At the time there were groups involved that you might recognize, like the Proud Boys and the Soldiers of Odin, and there were two threats largely emerging out of this space. The first was that they were assaulting people at demonstrations. Those could get quite violent. The second was that they were harassing Muslims in their places of worship, which was quite concerning to them.

Of course, Motion No. 103 passed and the sky didn't fall, so they needed a new issue. They rebranded and started calling themselves Yellow Vests Canada. When they did that, they added new grievances. They said it's not just Muslims, but also about oil and gas, and western separation. But, of course, make no mistake: If you went into the Facebook groups at those times, you would find regular occurrences of largely anti-Muslim racism—although you'll find every form of racism and anti-Semitism present—and you would also find calls for violence, oftentimes towards politicians.

They also had a convoy, interestingly enough, called United We Roll. A lot of people who organized that convoy would later organize the more successful occupation of Ottawa. You can see how you can draw a straight line from one thing to the other.

This was also around the time we saw the rise of livestreamers and content creators being more important than "hate" groups. These are individuals like Pat King, who would go on to have an oversized impact on the occupation.

Their convoy, United We Roll, was a bit of a flop. It did not meet their expectations, and the Yellow Vests Canada movement dwindled, although they were still holding weekly demonstrations in most of our cities. Then came the pandemic, which was like manna from heaven for these groups.

Far-right groups and racist groups are also conspiratorial groups at their core, right? They believe there's this Muslim or this Jewish or this globalist takeover of Canada or of the world. At their core, they are conspiracists. So, when COVID came around, they very genuinely adopted COVID conspiracy theories. But this was also very dangerous and led to very awful second-order effects, because regular people were being fed misinformation and disinformation about COVID, and they would go out and find groups of like-minded people. Who were those groups of like-minded people? Well, they were started by our right-wing extremists here. We had more normal people coming into contact with our far-right movement. That was bad because a lot of those people got radicalized and we started to have marches in the hundreds and the thousands in our cities to protest things like public health measures. That all kind of culminated with the convoy, and we saw that they were now capable of occupying Ottawa.

One of the things I want to point out moving forward is those people haven't gone anywhere. They're back to their regularly scheduled programming. They are still holding their large demonstrations in various cities and some of them are returning this weekend to Ottawa as part of a Rolling Thunder convoy, which will not be as significant, but the point is that this just continues and it grows.

I want to describe two threats we're facing today. We are talking about ideologically motivated violent extremism. That means extremism that gets violent or criminal. That's a lot of what we're talking about here. We have threats like the threats of a terrorist attack or the threat of a mass violence incident. We have the threat that this movement of convoy-supporting COVID conspiracists. They're not all racists; they're not all violent. Not all the people on January 6 were either. There were groups in those midst that decided they were going to try to do a coup, and they swept up a lot of the other people there.

The same thing is kind of happening here. We have more extreme elements of our far-right movement than others, but as a whole they are becoming a threat to our democracy. The goal of the whole thing is an undemocratic overthrow of the government so that they can take power and persecute their perceived political enemies. That would mean putting doctors, journalists and politicians on trial and perhaps executing them. That's what a lot of them want to do.

• (1105)

That's a pretty significant threat. That's the ecosystem threat, right? We can't just talk about ideologically motivated violent extremists in a vacuum—

The Chair: You have 10 seconds left, sir.

Mr. Evan Balgord: Certainly.

I'll just end by saying that we need to be focusing on shrinking the size of that far right ecosystem, because then we'll have fewer IMVE threats coming out of it.

The Chair: Thank you very much.

I would now like to invite Ms. Perry to speak for up to five minutes in her opening comments.

Ms. Perry, the floor is yours.

Dr. Barbara Perry (Director, Ontario Tech University, Centre on Hate, Bias and Extremism): Thank you very much, and thanks for the opportunity.

Evan, thanks for providing a good segue for me. I really want to emphasize the lessons we can learn about the far right movement more broadly from their engagement in the convoys or the occupation.

There are really four points I want to stress here. One is what it tells us about their organizational capacity. We really saw the capacity to organize, in a Canadian context, unlike we've ever seen it before, on a large scale, largely facilitated by both the encrypted and unencrypted social media platform. That theme will sort of be running through what I say today, because that was also the venue through which they were able to display this adeptness that they really have in terms of their ability to exploit broader popular concerns, grievances and anxieties and weave them into their own narratives. As well, there are the implications of social media platforms for the deployment and, disturbingly, the ready acceptance of the sorts of disinformation, conspiracy theories, etc. that we see underlying much of far-right activism but particularly in the context of the convoy and COVID much more broadly, as Evan suggested.

The convoy and the occupation also tell us a great deal about the risks and threats associated with the right-wing movement in Canada. Obviously we have the threats to public safety, as we saw in Ottawa in particular, not just in terms of the disruption of the whole downtown community but also in terms of the harassment, the hate crime, the threats, the intimidation of people of colour or LGBTQ+ people or even people who were wearing masks in the downtown area.

We see threats to national security. Obviously the fact that they occupied that space so close to Parliament Hill is paramount, but also very important to keep in mind is the threat to border security that we saw in the border blockades, especially with the discovery of the artillery and weapons in Coutts associated with far-right groups.

On dangers to democracy, there's obviously the threat that Evan referred to in terms of attempts to overthrow a democratic government, but even more broadly than that the far right in this context is also very concerned with enhancing that erosion of an array of key institutions—surely the state but also science, media and education and academe as well.

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The next point, the final key point in terms of the pattern, is the failure of law enforcement in this context to properly evaluate and prepare and understand the risks associated with the far right and, more broadly again, their failure to intervene and counter right-wing extremism generally. In fact, in the convoy and in other contexts, we've seen sympathy for the far right, and here, with the fundraising donations coming from law enforcement. We've seen social media platforms and pages that are devoted to law enforcement also sharing some of these conspiracy theories and this disinformation.

The last point I want to make is about what the points of intervention are, given what I've identified here as some of the key lessons. The first is the need to enhance not just critical digital literacy but civic literacy as well. There was an awful lot of misinformation and misunderstanding about the nature of the charter, about the role of the Governor General, about how governments operate generally. Both of those pieces are important.

Another point of intervention is around the law enforcement/intelligence community enhancing their awareness, their capacity and their willingness to intervene around right-wing extremism.

Finally, there is a need to create opportunities and incentives to engage in civil dialogue and engage across partisan sides whether we are talking about the general public or whether we are talking about politics.

I will end there. Thank you.

● (1110)

The Chair: Thank you very much.

I would now invite either Ms. Via to give us an opening statement for five minutes.

Ms. Wendy Via (Co-Founder, Global Project Against Hate and Extremism): Good morning, committee members. Thank you for the honour of inviting us to speak today on the important issue of ideologically motivated extremism.

My name is Wendy Via, and I'm joined by my colleague, Heidi Beirich. We co-founded the Global Project Against Hate and Extremism, an American organization that counters ideologically motivated extremism and promotes human rights that support flourishing, inclusive democracies. We particularly focus on the transnational nature of extremist movements and the export of hate and extremism from the United States.

The United States, Canada and many countries are currently awash in hate speech and conspiracy theories like QAnon, anti-vax, election disinformation and "the great replacement" spreading on poorly moderated social media. It is indisputable that social media companies are major drivers of the growth of global hate and extremist movements, conspiracy theories, the radicalization of individuals and organization of potentially violent events.

The consequence of this spread is a polarization of our societies and violence in the form of rising hate crimes and terrorist attacks. The tragedies of the Quebec City mosque shooting, the Toronto van attack and others, such as the shootings at the Tree of Life synagogue in Pittsburgh and the mosques in Christchurch, are a horrific reminder of the toll that hate and online radicalization can take.

These movements also manifest in direct threat to our democracies, as we've seen so clearly with the January 6 insurrection and the trucker occupation that held Ottawa hostage for weeks.

Canada and the United States have long had similar and intertwined white supremacist, anti-government and other hate movements. In recent years we have seen American hate and militia organizations, including the neo-Nazi The Base, the anti-government Three Percenters, the misogynistic and racist Proud Boys and others establish themselves on both sides of the border. Because these organizations attempt to infiltrate key institutions, both countries are facing the issue of extremists in the military and the police, though to varying degrees.

In the U.S. and other countries, political figures and media influencers with tremendous online reach, and in particular, former president Donald Trump, have legitimized hate and other extremist ideas, injecting them into the mainstream political discourse and legitimizing bigoted and fringe ideas across borders. Research shows that Trump's campaign and politics galvanized Canadian white supremacist ideologies and movements, and his endorsement of the trucker convoy, along with media personalities like Tucker Carlson, undoubtedly contributed to the influx of American donations to the trucker siege.

In addition to the key role of social media, a more systemic driver of extremism is the growing demographic diversity in both countries which, along with histories of white supremacy, though different in each country, fuel nostalgic arguments that a more successful white past is being erased and intentionally reconstituted with communities who do not belong. The movements pushing these ideas will likely become stronger in the years to come, as they have a historical foundation and sympathy that other extremist movements will never achieve. It is for this reason that countering them is of the utmost importance.

If I may, I'll offer some recommendations here with a broader list in our written testimony.

This growing problem will not be solved without taking on the online social media and financial spaces. Absent a domestic law with teeth, tech companies will not reform their practices. Importantly, the tech companies must be held to account in all languages, not just American English. A sovereign democracy cannot thrive when there are massive ungovernable spaces. Most research into the impact of social media on our democracies and societies is generated by civil society and focuses on the U.S.

Independent research of online harms should be funded. We should improve cross-border co-operation, particularly in terms of transnational travel and sharing of intelligence and threat assessments. We should fully implement the Christchurch Call commitments, of which Canada was an original signatory. We should put in place and enforce strong policies against extremism in the military and police forces, from recruitment to active duty to veteran status.

Finally, extremist movements are emboldened by endorsement of their ideas from influential people. They can also be diminished by public rejection and publicly and forcefully condemning hate, extremism and disinformation whenever possible.

I hope these suggestions will be helpful.

Thank you.

• (1115)

The Chair: Thank you very much.

We'll now move to our first round of questions from colleagues around the table.

We will begin with Mr. Lloyd.

Sir, you have six minutes. The floor is yours.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

My first question is to Mr. Balgord from the Canadian Anti-Hate Network.

Mr. Balgord, would you say that your organization is an objective organization?

Mr. Evan Balgord: We wear our biases on our sleeves. We are very proudly anti-fascist, and we focus on the far right. We focus on the far right because, if you speak with anybody who is a researcher of this or an expert in national security threats, they will agree that ideologically motivated violent extremists and threats to day are primarily coming out of far-right organizing.

Thank you.

Mr. Dane Lloyd: I appreciate the honesty, Mr. Balgord. It's important. I'm not diminishing some of the work that you do.

I come from an area where last summer we had a hundred-year-old church burn to the ground, and dozens of people had to be evacuated from an apartment building close by, which nearly went up in flames and killed dozens of people, but you just don't hear it talked about in this country. I understand that it's not your organization's mandate to talk about these things. As you've said, you're clearly focused on the far right.

During the convoy protests, your executive director—I believe that's his position—Bernie Farber, posted a tweet with a photo of a vile anti-Semitic flyer and claimed that this was a picture of the flyer being circulated in Ottawa among the trucker protesters. Upon further examination, it was proven that this exact same photo was taken in Miami, Florida, weeks before the protests ever began.

Can you explain why the executive director of your organization was claiming that this photo was being circulated at the protests

when, in fact, it was a photo that was from a completely different country weeks before the protests?

Mr. Evan Balgord: Thank you very much for giving me a way to address this.

First off, that was our chair. I'm the executive director. I was privy to the email chain that led to him tweeting that out. What had occurred was that somebody in Ottawa had reached out and said that they saw that flyer there, and they provided the photo. At that moment, Bernie was not aware that the photo itself was taken from an American source.

What the person was trying to communicate to our organization was that they saw the same flyer, but they had attached the photo from the States. It was our error in not communicating that more clearly, where the photo itself originated from. What the person was reporting to us was that they had seen the same flyer in Ottawa.

Thank you.

• (1120)

Mr. Dane Lloyd: You have no evidence other than hearsay that the flyer was being distributed in Ottawa, correct?

Mr. Evan Balgord: That is correct. We took the report from somebody on the ground, and our chair put the information out there.

I would say that we did see very similar messaging in Toronto. There was somebody who was wearing a billboard with essentially the same messaging.

Mr. Dane Lloyd: Let's move on here. We're talking about the Ottawa protest, but I appreciate your clarification on that matter.

You've raised some pretty disturbing allegations about the potential for a terrorist attack, a mass violence event. I think we can all be thankful that this didn't happen during the protests, and I think it sort of undermines the argument that was being made by many, including by organizations such as yours, that this protest had violent motivations, that they had a desire to commit violence. The fact that we didn't see a terrorist attack or mass violence event sort of undermines the claim.

You've connected the United We Roll protest, which came to Ottawa in 2018, I believe.... A lot of people from western Canada concerned about the carbon tax, pipelines being blocked.... How do you draw this connection between white supremacy and fascism with people who are concerned about protecting their livelihoods?

Mr. Evan Balgord: We don't, and I am always very careful at every juncture to point out that not everybody who was involved in the convoy is necessarily racist or necessarily violent.

Mr. Dane Lloyd: There's a broad generalization here about a protest in saying that it was organized by the same people—

Mr. Evan Balgord: Yes.

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Mr. Dane Lloyd: —and that this is a conspiracy to spread white supremacist and fascist views under the guise of pipeline and carbon tax politics. What evidence do you have to back up that claim?

Mr. Evan Balgord: If you look back at the Yellow Vests Canada movement, and this is well documented, you'll find hundreds of examples of death threats and racist comments towards Muslims. That's the Yellow Vests Canada movement that I just addressed.

In terms of your earlier comment about the organizers and how we make statements of that nature, I point to one of the key influencers and organizers of the convoy, Pat King, who said the mandate would only “end with bullets”.

We saw other organizers who had previously made Islamophobic statements—

Mr. Dane Lloyd: Nobody had ever heard of this Pat King fellow before these convoy protests in Ottawa, yet you're saying that these people were involved with the United We Roll protests in 2018.

Mr. Evan Balgord: That's correct.

Mr. Dane Lloyd: Do you have any evidence of a direct connection? Can you provide that evidence, since you've made this claim?

Mr. Evan Balgord: Sure.

Tamara Lich was in fact an organizer of United We Roll and she was one of the key organizers of the convoy. That's one example.

Pat King [*Inaudible—Editor*] at the time of the convoy.

Mr. Dane Lloyd: Can you make a submission to the committee and provide us with this evidence? You've said it and I guess I'll take you at your word for now.

Can you actually provide us with written evidence to back up these claims?

Mr. Evan Balgord: Yes, we have.

I'd be happy to share some of the articles we've already written on the subject with the committee.

Mr. Dane Lloyd: Do these articles contain primary sources that back up the evidence or are these opinion articles written by your admittedly not objective organization?

The Chair: Give a 10-second answer, please.

Mr. Evan Balgord: Yes. Everything is demonstrated in the articles.

Thank you.

The Chair: I would now invite Mr. Chiang to begin his six-minute line of questioning.

The floor is yours, sir.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair.

I'd like to thank all the witnesses for their time and sharing their expertise with us.

My question is directed to Mr. Balgord.

In your opinion, are Canada's national security agencies adequately focused on the far-right threats? If not, what recommendations do you have for these agencies?

Mr. Evan Balgord: I'm not privy to how they make their decisions, of course.

From what we can observe from the outside, there certainly seems to be much more of a focus on right-wing extremism and the ideologically motivated violent extremism that comes from it.

I can't answer that question in depth. You'd have to ask our national security agencies themselves.

• (1125)

Mr. Paul Chiang: Thank you so much.

Does your organization have any sort of tracking for hate-based extremism incidents?

What are some ways the federal government might improve data collection related to extremism in order to better understand and combat this issue?

Mr. Evan Balgord: We do not collect that kind of data ourselves. There are two sources of that data in Canada.

The first is police-reported hate crime statistics. These are flawed because they don't capture a lot of the data.

The best way we can measure hate crime and hate incidents in Canada is simply by asking Canadians if they've been the victim of it. That's what we do through the general social survey. Every five years there is this portion on victimization where we simply ask people if they have been the victim of a hate crime and collect some surrounding information on it. That gives us our best snapshot of where we are at in Canada in terms of hate crime.

I would respectfully submit that every five years is too infrequent for collecting that data. We've been long advocating that Statistics Canada should be collecting that data on an annual basis.

Mr. Paul Chiang: Thank you, Mr. Balgord.

Dr. Perry, your bio describes you as a primary national authority on far-right extremism in Canada.

Could you elaborate on the work you have done in this field and some of your findings related to the risk of right-wing extremism in Canada?

Dr. Barbara Perry: I have been studying far-right extremism in the Canadian context since about 2012-13. I had done a little work previously in this space in the U.S. in the mid mid-nineties or so, but I have been working more broadly in the area of hate studies for about 30 years now.

In 2015, we published a report coming from a study that was funded by Public Safety Canada, which was really the first comprehensive academic approach to understanding right-wing extremism in Canada. We have just finished another three-year study, which is an update of that.

What we have found in that report in 2015—and I can share it or the subsequent book that came out of that—was a very conservative estimate of about 100 active groups across Canada. We could document through open-source data that there were over 100 incidents of violence of some sort associated with the far-right in Canada. Just to put that in context, during the same period of time there were about eight incidents of Islamist-inspired extremism, which is what the focus was at the time.

What else did we find there? In the update, we have found in the last couple of years in particular over 300 active groups associated with the far-right and, of course, just in the last seven years or so we have seen now 26 murders, 24 of those mass murders, motivated by some variant of right-wing extremism.

What else are we finding? One of the things that was alluded to earlier was the idea of the shifting demographics within the movement as well. I think that as we saw with the convoy, it is a much older demographic than what we were seeing previously, where it was not wholly but predominantly a youth movement—Skinheads, neo-Nazis, those traditional sorts of groups—but we're now seeing an older, better educated demographic being brought to the movement as well. Certainly, it is a movement that is much more facile and ready to use social media in very ironic, as well as very open, ways to share their narratives.

Mr. Paul Chiang: Thank you, Dr. Perry.

Next, do you have any recommendations for this committee regarding the deradicalization of people with extremist views? How can we get people out of extremist groups once they have joined? How can we prevent people from joining these groups in the first place?

Dr. Barbara Perry: These are the easy questions, I think.

With respect to deradicalization, there's a lot of controversy about that term. We can bring people out of the movement. It doesn't necessarily mean that if they come out of the movement, they put aside those narratives. Sometimes these narratives stay with them for a long time, but these people at least desist from engaging in spreading those narratives or engaging in any sort of violence or harassment.

• (1130)

The Chair: Wrap it up in 10 seconds, please.

Dr. Barbara Perry: There are a number of organizations with that task, both to counter the mobilization to the movement and to help people come out—life after hate and exit programs, and those sorts of things.

The Chair: Thank you very much.

I would now like to invite Ms. Michaud to begin her six minutes of questioning.

The floor is yours.

[Translation]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

I thank the witnesses for joining us.

I will address Mr. Balgord.

In an article from September about protests during the election campaign, you said that protest groups were organizing their activities through online groups, including on platforms like Facebook. I assume something similar happened with the “freedom convoy”. You talked a bit about that earlier.

Do you think platforms like Facebook are doing enough with their service policies to counter those activities? Do you think they are helping hate groups get organized?

[English]

Mr. Evan Balgord: Through all of the whistle-blower data that has come out and from the whistle-blowers themselves who have told the story of what happens behind the scenes at Facebook, we've seen pretty conclusively that they identify problems like polarization and hate speech. When they propose solutions, they're told by their executives not to do them because it would hurt engagement or they discover that some of the things they do to increase engagement are in fact driving polarization. They move forward with those decisions because engagement is money for them. Platforms like Facebook and Twitter have more of a built-in incentive to drive engagement at all costs.

No, they are not doing enough to combat things. I know that right now the government is looking at an online safety piece of legislation. That would have been very effective five years ago. It's still going to be effective and it's important because when people get involved in ideologically motivated violent extremism or far-right organizing or COVID conspiracies, they don't start doing that on the weird fringe platforms like Telegram. They start on the Facebooks and the Twitters of the world.

If we can stop people from connecting with that misinformation and disinformation, we can help a lot of families who are dealing with their grandmother, their uncle or their aunt who's been swept up into this alternate reality that's causing a lot of trouble.

There's still a lot that we can accomplish with the platforms, but we need to change the incentives. We need to make it so that they act responsibly.

They've had 10 years to figure out how to do it themselves. Unfortunately, nobody really likes the idea of government having to step in and tell an industry what to do. Everybody rankles at that here and there, but we have to because, quite frankly, the status quo is untenable.

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[Translation]

Ms. Kristina Michaud: Thank you.

I especially like how you concluded your comments. No one likes it when the government interferes in these kinds of things, but we cannot always rely on organizations' good faith.

What do you think the government should do? Do you think the legislation Europe recently adopted on problematic content on major platforms could be a good solution for Canada? Should we adopt that kind of a model here?

[English]

Mr. Evan Balgord: As far as I can tell, none of the legislation that has tried to address online harms has made a difference to people who are victimized by it. I mean, platforms may point and say they did this and they did that, but I dare say that if you ask people who use these platforms, they will not perceive that there's much of a difference in their safety or how they perceive these platforms.

Of course, we run into opposition to doing anything about online harms, so I think we should be moving forward with a different model. I don't think we should have a complicated model that looks at censoring or taking down individual pieces of content. I think that we should have an ombudsperson model.

The basic idea is that you have an ombudsperson that is a well-resourced regulator with investigatory powers, so they can kick down the door of Facebook and take its hard drives. I'm being a little hyperbolic here, but we know that these platforms hide data from us and lie to journalists, so we do need broad investigatory powers to investigate them.

I believe that this ombudsperson should be able to issue recommendations on the platforms about the algorithms and things like that. That would be very similar to what their own employees kind of want to do behind the scenes. Like, if they learn that something drives polarization and negative engagement and is leading to hate speech, they suggested to maybe do this instead, or put this in as a stopgap measure.

If we had an ombudsperson who could look at what was happening under the hood and make recommendations on the platforms, that's the direction we want to go. Where the platforms do not take those recommendations, we feel that the ombudsperson should be able to apply to a court. The court can measure what the ombudsperson is recommending versus all the charter implications. If the court decides that it's a good measure and it's charter consistent, then the court can make it an order. Then if the platforms don't follow it, they could face a big fine.

This is a much more flexible way to move forward because it means that any particular arguments we might have against free speech versus hate speech, etc., are taken out of the hands of government and instead happen with a bunch of intervenors in front of a court and a judge. That's how we would move forward because it's kind of flexible. We can put it in place now and we can defer some of those arguments and have them in front of a court where they belong.

• (1135)

[Translation]

Ms. Kristina Michaud: I can't help but take the time I have left to ask you a question about Elon Musk's recent purchase of Twitter.

We know that algorithms play an important role on those types of platforms to spread disinformation and hateful content. This morning, I read in the media that the richest troll on earth has taken over that social media site and wants to make the algorithm public. What do you think about that? Should we be concerned about it?

[English]

Mr. Evan Balgord: It's just a great example of how a lot of people who do not actually believe in free speech and free expression hide behind those arguments.

We've seen Elon Musk, on a personal level, try to censor or sue people who say things he doesn't like. It's very concerning when somebody like that would have so much power over a social platform that we all use everyday and we have to use for work reasons.

The Chair: You have 10 seconds, please.

Mr. Evan Balgord: So no, I think it's an incredibly terrible development, but I don't know what we do about it.

Thank you.

The Chair: Thank you very much.

I would now like to invite Mr. MacGregor to take the last six-minute slice of this round.

Mr. MacGregor, the floor is yours, sir.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Chair.

Thank you to all of our witnesses who are aiding our committee in this study.

Mr. Balgord, maybe I'll start with you. On the subject of Elon Musk, I was reading some of his tweets. In one that stuck out with me, he likened Twitter to sort of being the next iteration of the "public town square", and how in this digital space it was important to protect people's abilities to voice their opinions and to enshrine free speech.

I guess the main issue with social media on a variety of platforms is that it allows users to cloak themselves in anonymity. For example, I can't just go out among the public and start shouting obscenities and directing hate speech against identifiable groups, because I'll be held liable. People will see who I am. I can be held to account for my actions. But the cloak of anonymity is very prevalent on many social media platforms. There have also been problems with fake accounts being set up, and with troll factories, bot farms and so on.

If social media companies to date have been wildly unsuccessful at tackling that problem, could you perhaps offer some comments on whether or not you foresee the role of the ombudsperson that you mentioned tackling that issue? Perhaps you could expand a bit more on that theme.

Mr. Evan Balgord: On the issue of anonymity, I think you are entirely correct in how you've kind of diagnosed it. Our public square is more socially located and more democratic, in a sense. If you go spout off in your local Starbucks or Tim Hortons or whatever, you might be held socially responsible for it, whereas you are not online. Of course, now we have the social media companies that are very much not a democratic space. They can make unilateral decisions over who gets to speak, and how and when.

On the issue of anonymity, I do very much take your point that people are more likely to troll and be abusive anonymously. However, we have to look at the case of perhaps a trans teenager whose parents are not supportive and they're looking to connect with a community online. Anonymity for them is safety, as it is for a woman who is perhaps fleeing a domestic violence situation who wants to engage with a social network online. In some cases, anonymity is absolutely the most valuable thing to people who are vulnerable. In the case of individuals overseas as well, where they face very real and very direct persecution by the government, anonymity is the only thing that keeps them safe.

So I don't think making the Internet not anonymous is necessarily the way to go, because there are all these cases where it has unintentional consequences on people who do need safety.

• (1140)

Mr. Alistair MacGregor: I appreciate your raising that point. I think that is a very fair consideration. Perhaps the focus should be exclusively on the content.

I'd like to turn my next question to the Global Project Against Hate and Extremism.

In your opening remarks, you were talking about the fact that we do have to take social media companies on "with teeth". In previous testimony from other witnesses in front of this committee, we heard a little bit about how far right and extremist groups are using different avenues to monetize their hate. For example, they may be using platforms like Amazon and Etsy to sell paraphernalia and raise funds that way.

With the work that your organization does, is there anything on that particular subject you can inform our committee on that would help us produce some recommendations to the federal government?

Ms. Wendy Via: Perhaps I could just clarify the question. Are you talking about their ability to fundraise on some of these online platforms?

Mr. Alistair MacGregor: Yes. We saw examples of them raising funds through selling paraphernalia on various platforms. Could you help illuminate anything on that particular subject?

Ms. Wendy Via: For platforms like Amazon and eBay, they have put in place rules that prohibit items from being sold if they meet a certain threshold in terms of inspiring hate and violence. The challenge is that it's not always well enforced. I think when

we're talking about making rules or creating legislation to combat this, it's the enforcement that is the real challenge.

We see that with the companies themselves. They have these rules. Twitter, Facebook, YouTube—all of them have rules about what can be aired on their platforms, but it's the enforcement. It is unequally enforced. It is inadequately enforced. There is not enough staff. There's not enough cultural and language competency in order for that to happen.

So I think it is the enforcement. That's the teeth we were talking about in the opening remarks.

The Chair: Thank you very much.

Colleagues, a quick look at the clock tells me that if I cut everybody's allotment in half in the second round, we'll finish exactly on time. Let's proceed with that.

I would now invite Ms. Dancho to go ahead with a two-and-a-half-minute round.

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Mr. Chair.

Ms. Perry, you were talking about disinformation and conspiracy theories of actors online. You mentioned that they're "associated with the right wing" in Canada. Now, I'm a Conservative. I would consider myself on the right wing of the spectrum. I took issue with your characterization of that.

I'm not sure if you misspoke or if you meant to say that the extremist elements are on the right side. I'd just like you to correct the record, if you wish.

Dr. Barbara Perry: Well, there are two points there. I think I really was speaking more to the extremist state. I should also stress that conspiracy theories run the gamut from left to right, but there are some that seem to be particularly associated with the far right in the Canadian context.

Ms. Raquel Dancho: Thank you for that clarification. I would agree that there seem to be conspiracy theories across the spectrum. We need to pay special attention to that, certainly.

My next question is for you, Mr. Balgord. You mentioned that you have concerns with regard to algorithms and how they drive extremism and what we see or what comes up on our social media platforms. One of the key things that Elon Musk has talked about concerning Twitter is to make the algorithms more public so that we understand why we're seeing what we're seeing. Would you not agree that this is a good idea?

Mr. Evan Balgord: Yes. That actually is something that I would support.

Ms. Raquel Dancho: Great.

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You mentioned also the town square platform in general and the bots. Elon Musk has also talked significantly about addressing the bots issue. Do you believe that bots drive polarization as well, and that Elon Musk's idea in this regard is a good idea?

Mr. Evan Balgord: Yes; bots kind of do two things. First, they can be weaponized by non-state actors to exacerbate social conflict within countries. That, of course, is not something we want foreign state actors doing. The second thing they do, of course, is more like marketing—hijacking, trying to grift and make money.

Neither is good. Of course, we would like bots to be removed from the platform. The social media companies today actually try fairly hard to keep bot accounts off and haven't had a lot of success at it. Improvements there would be welcome.

• (1145)

Ms. Raquel Dancho: You mentioned that you took issue with Elon Musk perhaps suing others—I'm not sure of the context—for perhaps defaming him, or perhaps he accused them of libel. I would assume that those contexts were when people were attacking his company or his reputation personally. Do you see that as different from him protecting free speech on a digital town square? I personally do see that differently.

The Chair: Please make it a 10-second answer.

Mr. Evan Balgord: I would just say this. We see his comments in regard to free speech as maybe concerning because his personal opinion on free speech and the one he's putting forward publicly for the platform seem to be at odds with each other.

The Chair: Thank you very much.

Mr. McKinnon, I will turn to you now for a two-and-a-half-minute round, sir.

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Thank you, Mr. Chair.

I'll start with you, Ms. Via. A lot of the testimony today has been focused on right-wing extremism. I'm wondering if you can discuss the other areas of extremism that we might be concerned about and that we should be aware of.

Ms. Wendy Via: Do you mean areas other than far-right extremism?

Mr. Ron McKinnon: Yes. We've been focused a lot on right-wing extremism, but Dr. Perry mentioned that it's right across the spectrum. I'm wondering if there are other general aspects or categories that we should be aware of and that we should be taking note of.

Ms. Wendy Via: There have certainly been incidents of extremism on the far left, particularly, related to climate or animal protection. However, that is not as much of an issue today as it was, say, in the nineties. The incidents that we see and the violence that we see today are primarily coming from the far-right extremist element. That is why we focus on it; because it is the primary source.

Mr. Ron McKinnon: Okay. Thank you very much.

I'd like to extend that same question to Dr. Perry as well. Can you please expand on the nature of extremism and whether there are other categories that we should be aware of and taking note of?

Dr. Barbara Perry: My response will be very similar to Wendy's in that the nature and extent of the violence that we see coming from other sectors in the Canadian context, specifically, are dwarfed by what we see from the far right. I gave some examples earlier on of the mass murders that we've seen in Canada and across the globe.

Again, specific to the Canadian context, that's really where the predominant threat is in terms of violence, but also in terms of the visibility and extent of their attempts to recruit and to expand their narratives across the nation.

Mr. Ron McKinnon: Thank you. I believe that's my time.

The Chair: I'll immediately invite Ms. Michaud, who has all of one and a half minutes.

Go ahead.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

Ms. Perry, you are part of a group of researchers. Do you have any research data on the social, family or individual factors associated with the emergence of extremist groups in Canada?

Do you know or are you discovering what the deepest causes of the emergence of such groups are in the Canadian context?

[*English*]

Dr. Barbara Perry: I'm a sociologist by training, so most of the work I do is really looking more at the context in which hate crime emerges from extremism. However, I have been working with some colleagues, in particular at Yorktown Family Services, who take a very different approach. It is one that looks at what the concentric circle is.

What are the individual challenges that those who are vulnerable might be experiencing? What's their family context? What's their broader peer context? What's the broader social context? We're looking at the ways that all of those pieces intercept.

I think that this organization is one that you might like to connect with.

[*Translation*]

Ms. Kristina Michaud: Do you think the COVID-19 pandemic has exacerbated those behaviours among people who may have already been susceptible to getting involved in those kinds of movements?

• (1150)

[*English*]

Dr. Barbara Perry: Again, it's at both ends of the spectrum in terms of increasing individual anxieties—

The Chair: Answer in 10 seconds, please.

Dr. Barbara Perry: —as well as exacerbating the polarization that also feeds into right-wing extremisms. They're being fed the anti-Asian conspiracy theory.

The Chair: Thank you very much.

Mr. MacGregor, you have a minute and a half, sir.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Maybe I'll direct the one question I have to Ms. Perry.

A lot of the things that we're contemplating, policy-wise, are essentially reactive in nature, so I'm more interested in the proactive end of the spectrum. How can we properly address people's legitimate grievances and their frustrations with the way things in life are going right now?

Also, with respect to our youth, we know education is largely within the provincial domain, but do you have any recommendations that our committee could make about what could be done at the federal level to ensure that young Canadians are aware of the narratives used by radical and extremist groups? Do you have any strategies we can use at the federal level to counteract that?

Dr. Barbara Perry: Thank you for the opportunity to address that question. That's something I talk an awful lot about: the capacity of the federal government to support the work of grassroots, community-based and civil society organizations that are doing a lot of that work on the ground.

Whether it's working in partnership with boards of education or even particular teachers to develop curricula, or whether it is developing programs that might be offered in the community through partnerships with other community groups, for me, the key is enhancing the capacity of community-based organizations with expertise in this area.

The Chair: Thank you very much.

Mr. Lloyd, it's over to you, sir, for a two-and-a-half-minute round.

Mr. Dane Lloyd: My question is for Ms. Via. Something that you said in your recommendations related to monitoring and recruiting members of the armed forces, particularly the veteran side of the question. Are you recommending that this committee proposes that the government proactively monitor the political activities of Canada's veterans?

Can you clarify what you meant?

Ms. Wendy Via: No, I wasn't recommending that.

What I was trying to say is that the programs that are put into place should address the military and police officers at all stages of their careers, including veterans. Veterans are vulnerable to recruitment by extremist organizations because of their experience and the tactics they have learned, often in weapons and bomb making. They need to be protected from that recruitment.

Mr. Dane Lloyd: I appreciate that clarification.

I wonder about your term "vulnerable". It seems to me like the more accurate term is that they would be desirable targets. What would you say makes them vulnerable targets?

Are you suggesting that veterans have something inherent in them that makes them more susceptible to being recruited by these organizations?

Ms. Wendy Via: I think that they are both desirable recruits and vulnerable. Some studies here in the United States, and some of the work we've done here, show that when active duty members separate from the armed forces, there is a transition period, particularly if there has been anything unpleasant about the separation during that transition period. There's also the sense of community, the sense of being a part of something and the sense of protecting your country. These are things that can make a veteran, in this case, vulnerable.

Mr. Dane Lloyd: In my final time, would you suggest a good recommendation would be that the government should seek out better ways to keep veterans integrated in their military communities and to improve their transition to minimize the threat that this recruitment could happen? Is that a recommendation that you would propose?

The Chair: Give a 10-second answer please.

Ms. Wendy Via: Yes.

The Chair: There are nine seconds left on the clock. I'll save them.

Ms. Damoff, you will take us to the top of the hour and the end of this portion of our meeting. You have two and a half minutes.

● (1155)

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you so much, Chair.

Thank you to all our witnesses for being here today.

Dr. Perry, thank you for coming to our committee again today. It's wonderful to have your insight.

You spoke at your last appearance at the public safety committee about rise of the incel movement. I wondered if you could update us on that and the role that the incel movement plays within IMVE.

Dr. Barbara Perry: If we think about IMVE, it includes gender-motivated extremism, so incel certainly falls under that. However, there's also some intersection very often between incel and what we might think of as more traditional elements of the far right—even white supremacist groups, for example—in that there is also inbred misogyny and traditional fascination with or commitment to traditional gendered roles and gender values within many elements of the far right. They find, I think, a natural affinity among one another.

We're seeing more activity among incels, whether related to far-right groups or not, but we're, thankfully, also seeing far more research in that space that helps us to understand both the peculiarities and the similarities with the far right.

Ms. Pam Damoff: Is there anything the government should be doing? You mentioned research, but is there anything that we can be doing to counter the rise of the incel movement?

Dr. Barbara Perry: Again, it comes back to what I was saying earlier on about supporting some of the great work that is going on at the community level. That's an important area of intervention.

I am gratified that gender is included in the understanding of IMVE. I think that goes a long way to enhancing our recognition as a society that violence against women and gender non-conforming people is also a part of this continuum of hatred, hostility and violence.

Ms. Pam Damoff: I have 15 seconds left. I think I'll give them back to you, Chair.

The Chair: Thank you very much.

Everybody has been generous with their time this morning, particularly the witnesses. On behalf of the committee and all parliamentarians, I want to thank you for bringing all of this experience to a very important subject that the committee is studying now and on your behalf. Thank you very much.

Colleagues, we will now take a five-minute suspension to change panels and take a bit of a break. We'll see everybody in five.

• (1155) _____ (Pause) _____

• (1200)

The Chair: I call the meeting back to order.

Colleagues, we're ready to resume with our second panel. With us this second hour, we have Ilan Kogan, data scientist at Klackle. From Meta Platforms, we have Rachel Curran, public policy manager of Meta Canada, and David Tessler, public policy manager. From Twitter Inc., we have Michele Austin, director of public policy for the U.S. and Canada.

I would like to invite our guests to give an opening statement of up to five minutes. I will begin with Mr. Kogan.

Mr. Kogan, the floor is yours.

Mr. Ilan Kogan (Data Scientist, Klackle, As an Individual): Mr. Chair, members of the committee, I would like to thank you for inviting me today to discuss artificial intelligence and social media regulation in Canada.

I begin with an oft-quoted observation: "For every complex problem, there is a solution that is clear, simple and wrong."

Canada is not the first country to consider how to best keep the Internet safe. In 2019, for instance, the French Parliament adopted the Avia law, a bill very similar to the online harms legislation that the Canadian government considered last year. The bill required social media platforms to remove "clearly illegal content", including hate speech, from their platforms. Under threat of significant monetary penalties, the service providers had to remove hate speech within 24 hours of notification. Remarkably, France's constitutional court struck the law down. The court held that it overly burdened free expression.

However, France's hate speech laws are far stricter than Canada's. Why did this seemingly minor extension of hate speech law to the online sphere cross the constitutional line? The answer is what human rights scholars call "collateral censorship". Collateral censorship is the phenomenon where if a social media company is punished for its users' speech, the platform will overcensor. Where there's even a small possibility that speech is unlawful, the intermediary will err on the side of caution, censoring speech, because the cost of failing to remove unlawful content is too high. France's constitutional court was unwilling to accept the law's restrictive impact on legal expression.

The risk of collateral censorship depends on how difficult it is for a platform to distinguish legal from illegal content. Some categories of illegal content are easier to identify than others. Due to scale, most content moderation is done using artificial intelligence systems. Identifying child pornography is relatively easy for such a system; identifying hate speech is not.

Consider that over 500 million tweets are posted on Twitter every day. Many seemingly hateful tweets are actually counter-speech, news reporting or art. Artificial intelligence systems cannot tell these categories apart. Human reviewers cannot accurately make these assessments in mere seconds either. Because Facebook instructs moderators to err on the side of removal, counterintuitively, online, the speech of marginalized groups may be censored by these good-faith efforts to protect them. That is why so many marginalized communities objected to the proposed online harms legislation that was unveiled last year.

Let me share an example from my time working at the Oversight Board, Facebook's content moderation supreme court. In August 2021, following the tragic discovery of unmarked graves in Kamloops, British Columbia, a Facebook user posted a picture of art with the title "Kill the Indian, Save the Man", and an associated description. Without any user complaints, two of Facebook's automated systems identified the content as potentially violating Facebook's policies on hate speech. A human reviewer in the Asia-Pacific region then determined that the content was prohibited and removed it. The user appealed. A second human reviewer reached the same conclusion as the first.

To an algorithm, this sounds like success, but it is not. The post was made by a member of the Canadian indigenous community. It included text that stated the user's sole purpose was to bring awareness to one of the darkest periods in Canadian history. This was not hate speech; it was counter-speech. Facebook got it wrong, four times.

You need not set policy by anecdote. Indeed, the risk of collateral censorship might not necessarily preclude regulation under the charter. To determine whether limits on free expression are reasonable, the appropriate question to ask is, for each category of harmful content, such as child pornography, hate speech or terrorist materials, how often do these platforms make moderation errors?

Although most human rights scholars believe that collateral censorship is a very significant problem, social media platforms refuse to share their data. Therefore, the path forward is a focus on transparency and due process, not outcomes: independent audits; accuracy statistics; and a right to meaningful review and appeal, both for users and complainants.

This is the path that the European Union is now taking and the path that the Canadian government should take as well.

Thank you.

● (1205)

The Chair: Thank you very much.

I would now like to invite Ms. Curran to take up to five minutes for an opening statement.

The floor is yours.

Ms. Rachel Curran (Public Policy Manager, Meta Canada, Meta Platforms): Thank you, Mr. Chair.

We'll start with my colleague, Mr. Tessler.

Mr. David Tessler (Public Policy Manager, Meta Platforms): Thank you, Mr. Chair.

Thank you for the invitation to appear before the committee today to talk about the important issue of ideologically motivated violent extremism in Canada.

My name is David Tessler and I am the public policy manager on Meta's counterterrorism and dangerous organizations and individuals team.

With me today is Rachel Curran, public policy manager for Canada.

Meta invests billions of dollars each year in people and technology to keep our platform safe. We have tripled to more than 40,000 globally the number of people working on safety and security. We continue to refine our policies based on direct feedback from experts and impacted communities to address new risks as they emerge. We're a pioneer in artificial intelligence technology to remove harmful content at scale, which enables us to remove the vast majority of terrorism- and organized hate-related content before any users report it.

Our policies around platform content are contained in our community standards, which outline what is and what is not allowed on our platforms. The most relevant sections for this discussion are entitled "violence and incitement" and "dangerous individuals and organizations".

With respect to violence and incitement, we aim to prevent potential offline harm that may be related to content on Facebook, so we remove language that incites or facilitates serious violence. We

remove content, disable accounts and work with law enforcement when we believe there's a genuine risk of physical harm or direct threats to public safety.

We also do not allow any organizations or individuals who proclaim a violent mission or who are engaged in violence to have a presence on our platforms. We follow an extensive process to determine which organizations and individuals meet our thresholds of "dangerous", and we have worked with a number of different academics and organizations around the world, including here in Canada, to refine this process.

The "dangerous" organizations and individuals we focus on include those involved in terrorist activities, organized hate, mass or serial murder, human trafficking, organized violence or criminal activity. Our work is ongoing. We are constantly evaluating individuals and groups against this policy as they are brought to our attention. We use a combination of technology reports from our community and human review to enforce our policies. We proactively look for and review reporting of prohibited content and remove it in line with our community standards.

Enforcement of our policies is not perfect, but we're getting better by the month. We report our efforts and results quarterly and publicly in our community standards enforcement reports.

The second important point, beyond noting that these standards exist, is that we are always working to evolve our policies in response to stakeholder input and current real-world contexts. Our content policy team works with subject matter experts from across Canada and around the world who are dedicated to following trends across a spectrum of issues, including hate speech and organized hate.

We also regularly team up with other companies, governments and NGOs because we know those seeking to abuse digital platforms attempt to do so not solely on our apps. For instance, in 2017, we, along with YouTube, Microsoft and Twitter, launched a Global Internet Forum to Counter Terrorism, GIFCT. The forum, which is now an independent non-profit, brings together the technology industry, government, civil society and academia to foster collaboration and information sharing to counter terrorism and violent extremist activity online.

Now I'll turn it over to my colleague, Rachel.

● (1210)

Ms. Rachel Curran: Thanks, David.

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In Canada, in 2020, in partnership with Ontario Tech University Centre on Hate, Bias and Extremism, led by Dr. Perry, who you just heard from, we launched the Global Network Against Hate. This five-year program will help advance the centre's work and research on violent extremism based on ethnic, racial, gender and other forms of prejudice, including how it spreads and how to stop it.

The Global Network Against Hate also facilitates global partnerships and knowledge sharing focused on researching, understanding and preventing hate, bias and extremism online and off. Our partnerships with the academics and experts who study organized hate groups and figures help us stay ahead of trends and activities among extremist groups. Our experts are able to share information with us on how these organizations are adapting to social media and to give us feedback on how we might better tackle them.

Based on this feedback, in Canada we've designated several Canadian hate organizations and figures in recent years, including Faith Goldy, Kevin Goudreau, the Canadian Nationalist Front, Aryan Strikeforce, Wolves of Odin and Soldiers of Odin. They've all been banned from having any further presence on Facebook and Instagram.

We also remove affiliate representation for these entities, including linked pages and groups. Recent removals include Alexis Cossette-Trudel, Atalante Québec and Radio-Québec—

The Chair: Finish in 10 seconds, please.

Ms. Rachel Curran: —and QAnon-affiliated pages and organizations.

To sum up, we've banned 250 white supremacist organizations from our platforms. We're constantly engaged with this work in conjunction with Canadian law enforcement and intelligence agencies.

The Chair: Thank you very much.

Ms. Austin, you have five minutes to make your opening comments. The floor is yours.

Ms. Michele Austin (Director, Public Policy (US & Canada), Twitter Inc.): Thank you very much, Chair and members of the committee, for the opportunity to be here, and thank you for your service.

I'd also like to acknowledge the political staff who are in the room and thank them for their service and support.

Twitter's purpose is to serve the public conversation. People from around the world come together on Twitter in an open and free exchange of ideas and issues they care about. Twitter is committed to improving the collective health, openness and civility of public conversation on our platform. We do this work with the recognition that freedom of expression and safety are interconnected.

Twitter approaches issues such as terrorism, violent extremism and violent organizations through a combination of interventions, including the development and enforcement of our rules, product solutions and work with external partners such as government, civil society and academia.

For my opening remarks, I will focus on our work with partners and, in particular, the Government of Canada.

Twitter shares the Government of Canada's view that online safety is a shared responsibility. Digital service providers, governments, law enforcement, digital platforms, network service providers, non-government organizations and citizens all play an important role in protecting communities from harmful content online. Twitter is grateful for the Government of Canada's willingness to convene honest and sometimes difficult conversations through venues such as the Christchurch call to action and organizations such as Five Eyes.

Through our joint work on the Global Internet Forum to Counter Terrorism, commonly known as GIFCT, which my colleague Mr. Tessler referred to in his remarks, we have made real progress across a wide range of issues, including establishing GIFCT as an independent, non-government organization; building out GIFCT's resources and impact; forming the independent advisory committee and working groups; and implementing a step change on how we respond to crisis events around the world.

In Canada, the Anti-terrorism Act and the Criminal Code of Canada provide measures for the Government of Canada to identify and publicly list known terrorist and violent extremist organizations. Twitter carefully monitors the Government of Canada's list, as well as other lists from governments around the world. The last time that list was updated was on June 25, 2021. We also collaborate and co-operate with law enforcement entities when appropriate and in accordance with legal processes. I also want to acknowledge the regular and timely dialogue I have with officials across government working on domestic issues related to these files.

In addition to governments, Twitter partners with non-government organizations around the world to help inform our work and to counter online extremist content. For example, we partner closely with Tech Against Terrorism, the global NGO, to share information, knowledge and best practices. We recently participated alongside the Government of Canada in the Global Counterterrorism Forum's workshop to develop a tool kit to focus on countering racially motivated violent extremism.

Our approach is not stagnant. We aggressively fight online violent extremist activity and have invested heavily in technology and tools to enforce our policies. As the nature of these threats has changed, so has our approach to tackling this behaviour. As an open platform for free expression, Twitter has always sought to strike a balance between the enforcement of our own rules covering prohibited behaviour and the legitimate needs of law enforcement with the ability of people to express their views freely on Twitter, including views that people may disagree with or find offensive.

I would like to end my testimony with a quote from Canada's Global Affairs Minister, the Honourable Mélanie Joly, on March 2 of this year. She said:

More than ever, social media platforms are powerful tools of information. They play a key role in the health of democracies and global stability. Social media platforms play an important role in the fight against disinformation....

Twitter agrees.

I'm happy to answer any questions you might have on policies, policy enforcement, product solutions and the ways in which we're working to protect the safety of the conversation on Twitter.

Thank you.

• (1215)

The Chair: Thank you very much. You won't have long to wait, because the first round of questions will start right now.

We'll begin by asking Ms. Dancho to take us through the first six minutes of questioning in this round.

Ms. Raquel Dancho: Thank you, Mr. Chair.

Thank you to the witnesses for being here. My first question is for Twitter.

Today in committee, as you may have heard, we talked a lot about right-wing opinion and left-wing opinion, sharing online, and the harmful content from extreme elements of both. I'm sure you're also aware that Conservatives sometimes comment how they feel unfairly targeted by social media censorship.

In that same vein, in your joint statement with Elon Musk, he explained his motivation for wanting to buy Twitter and take it private. He said, "Free speech is the bedrock of a functioning democracy, and Twitter is the digital town square where matters vital to the future of humanity are [being] debated". Elon Musk, as you know, has also said he wants to enhance Twitter with new features, "making the algorithms open source to increase [user] trust, defeating the spam bots, and authenticating all [human users]."

Do you feel that Mr. Musk can achieve these goals, and do you feel that will ensure all sides of the political spectrum, so to speak, including Conservatives, are better protected to share their opinions freely on your platform?

Ms. Michele Austin: Twitter is certainly living up to its moniker. Twitter seems to be what's happening right now. It's a very exciting place to work. Partners can continue to expect our best-in-class customer service, client solutions and our commitment to safety.

Yesterday, Twitter was a publicly traded company. Today, Twitter is still a publicly traded company. I cannot speculate on what Elon Musk is proposing or what changes he might make. For now, there will be no changes as a result of the announcement. Any changes will be publicly communicated on Twitter. You can actually follow on Twitter the entire company meeting that we had yesterday with regard to this.

Ms. Raquel Dancho: Thank you very much.

My next question is for Facebook.

Thank you, Ms. Curran, for being here today.

I want to talk a bit about what happened in Australia. As you know, the Australian government brought forward legislation that would force Facebook to pay publishers of news media if Facebook hosted, or users shared, news content. As you know, Facebook retaliated and banned news links from being shared by Facebook users in Australia, and shut down Australian news pages hosted on the Facebook platform, in a protest to the Australian law that the government was looking to bring forward. Ultimately, Facebook had cut off the ability to share news publications online from users or otherwise. An agreement was reached shortly afterwards, but it did take this extraordinary step to ban the sharing of news publications.

We know that the Liberal government brought forward a similar bill to what the Australian government did. Bill C-18 has some similarities. It's called, in short, the online news act. You may be familiar with it. There's also Bill C-11, which aims to control what Canadians see when they open their social media apps such as Facebook, Twitter and the like.

Ms. Curran, is it reasonable to believe that Facebook could do the same thing in Canada as it did in Australia and prohibit the sharing of news, should the Liberal government move forward with bills such as Bill C-18 or other iterations of it?

• (1220)

Ms. Rachel Curran: The short answer is that we're still evaluating that legislation. We didn't know the scope of it until it was tabled very recently.

We have some pretty serious concerns. Our view is that when publishers place links to their content on our platforms, they receive significant value from doing that. We don't actually control when or how or to what degree they post news material on our platforms.

I will say this. We're committed to fuelling innovative solutions for the news industry and to the sustainability of the news industry in Canada. That's why we've entered into a number of partnerships to support that kind of work.

I can't comment definitively on our future action with respect to that bill specifically, since we're still evaluating it.

Ms. Raquel Dancho: Thank you, Ms. Curran.

You would say—perhaps I'm putting words in your mouth—and maybe you could clarify, that it's not off the table that you would take the similar action that Facebook did in Australia in response to Bill C-18.

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Ms. Rachel Curran: I would say that we're still looking at all of the options based on our evaluation of the legislation. We're still going through that in detail. We were not consulted on the content of it, and so we need to review it in pretty close detail before we decide what our future response will be.

Ms. Raquel Dancho: Thank you very much.

I'll go back to Twitter.

Perhaps you could comment on Bill C-18 as well. Do you feel that news publications benefit from being shared on Twitter's platform? Do you have any concerns, similar to those of Facebook's, with it?

Ms. Michele Austin: I agree with Rachel that we're still in the early stages of analysis.

There are a couple of things to say with regard to Bill C-18.

Twitter, like the news industry, does not make a lot of money on news. In fact, we have nobody in Canada who is selling news content. If you see news advertised on Twitter, it is largely self-serving. The news organizations have chosen to advertise on their own.

We are also what's called a "closed" platform. When you link to news on Twitter, you have to leave the site. That is not necessarily the case with the other platforms.

The thing we're most concerned about is with regard to scope and transparency. The question is whether or not Twitter is scoped in under that bill. That is very unclear. I understand that there will be quite an extensive GIC coming out after the bill is passed.

I am more than happy to meet with anybody to discuss the content of Bill C-18.

Ms. Raquel Dancho: Thank you very much, Ms. Austin.

Ms. Curran, if you would like to add anything further on the government's approach to censoring or regulating the Internet, you can have my last 10 seconds.

Ms. Rachel Curran: Again, I would just reiterate that we have some fairly significant concerns with Bill C-18.

We think it should take into account the way the Internet actually works when it comes to linking to views on our websites. We hope we're able to engage in a good conversation with the government about that.

The Chair: Thank you very much.

Ms. Damoff, I will turn the floor over to you for a six-minute block of questions. Go ahead.

Ms. Pam Damoff: Thank you so much, Chair.

I'm going to start with Twitter. We have heard a lot in this study about the radicalization of individuals to ideologically motivated violent extremism through social media. You know, you've said that you're grateful to the Government of Canada for having conversations with platforms like yours, and yet you've also compared our draft proposal to regulate online harms to policies in Iran and North Korea. Do you think it's appropriate for a private company that has a financial stake in the legislation to make comments like that?

• (1225)

Ms. Michele Austin: Your question is with regard to the proposal put forward by the Government of Canada to create the position of a digital safety commissioner who would have the ability to block Internet platforms. We made a submission that has been made public—which is great, and I'm very grateful for that access to information request—stating that this kind of activity, as it was proposed, was very similar to the activity we experience in those countries: China, Iran and North Korea.

I don't think it's irresponsible to make a comparison when we're asked by the Government of Canada to give our input. We tried our best to make a very thoughtful submission and to make the recommendations that are contained in that submission of how to do things differently. Blocking Internet sites is contrary to Twitter's position on the open Internet.

Ms. Pam Damoff: Your site uses algorithms to drive traffic to information and other tweets, correct? Why are those algorithms, as we've heard from other witnesses, driving individuals like me more likely to the far right than to the centre or far left? We know that those kinds of things are more likely to go viral and get more engagement, but your algorithms are not public, and yet you're driving people to the far right, which in turn can lead to radicalization.

Ms. Michele Austin: Twitter actually has much less algorithmic content than our competitors. The main indicator that we use with regard to our algorithm is who the user chooses to follow. I would also remind you that you can turn off the algorithm on your home timeline on Twitter. You can choose to see tweets in reverse chronological order, or you can turn the algorithm back on and ask us to surface tweets that we think you would be interested in.

Open AI, open machine learning—I think that is the future of this policy discussion, and we're very much looking forward to it.

Ms. Pam Damoff: Thank you.

I'm going to turn to Facebook and Meta. Last year your revenue was \$117 billion U.S. The year before that, it was \$86 billion U.S. The company has been quite successful in increasing its revenue. I understand that's mostly through running advertisements. How do you decide what advertisements I see when I go on your platforms?

Ms. Rachel Curran: Thank you for that question. It's actually a very good question.

On this question of algorithms, what you see in your newsfeed, including advertising, depends on a number of what we call “signals”. Those signals include what you have liked before, what kinds of accounts you follow, what you have indicated your particular interests are, and any information that you have given us about your location, who you are and your demographic information. Those all act to prioritize, or not, particular information in your newsfeed. That will determine what you see when you open it up. It's personalized for each user.

Ms. Pam Damoff: My understanding from other witnesses who have come forward, though, is that, for example, if I search for coronavirus or COVID-19, I very quickly end up on conspiracy sites. A lot of those conspiracy sites were also linked with the far right. Do your algorithms work quite quickly to be able to direct me to those sites?

Ms. Rachel Curran: No, that's untrue. If you search for anything about COVID-19 or coronavirus, part of what you will be directed to is our COVID-19 hub, which contains credible information, including from the Public Health Agency of Canada, on the coronavirus and vaccines. We're really thrilled about the fact, actually, that 90% plus of Facebook users in Canada have indicated that they are supportive of vaccination and wish to find out more information about vaccines.

• (1230)

Ms. Pam Damoff: I have only 45 seconds left.

One of the issues with the convoy that happened in Ottawa was these Facebook groups that started up—and remained up, quite honestly. How did you monitor those during the convoy?

Ms. Rachel Curran: Yes, that's a really good question.

We had a 24-7 monitoring effort during the convoy protest, which we set up almost immediately. We were looking at groups, accounts and discussions on the platform to monitor them for any breach of our community standards. We removed material that was in violation of our community standards. Again, that was an around-the-clock effort on our part.

The Chair: Thank you very much.

I would now like to invite Ms. Michaud for her six-minute block.

The floor is yours, Ms. Michaud.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I thank the witnesses for joining us.

I will first go to Ms. Austin, from Twitter.

A little earlier, we discussed with the previous panel Mr. Musk's purchase of Twitter. Those people carried out two surveys in March to ask users whether they felt that Twitter's algorithm should be open source code and whether freedom of expression was respected. Those surveyed answered yes to the first question, and no to the second. Of course, Mr. Musk accused the platform of applying censorship.

Do you think Mr. Musk's taking over Twitter may lead to changes in some of the platform's policies and ways of operating?

The fact that people could speak out more may unfortunately encourage the spread of disinformation and hate speech.

[English]

Ms. Michele Austin: I can't speculate on what Mr. Musk will or will not do until that deal closes, which could take months. I can only comment on our current approach, which will continue.

With regard to open-source code, Mr. Dorsey, the former CEO of Twitter, tweeted extensively yesterday with regard to open-source code and algorithms and his support of those. Twitter has traditionally supported the open Internet and efforts to open-source code. We have a number of experiments under way with regard to that, but I wouldn't be in a position to speculate any more than that.

[Translation]

Ms. Kristina Michaud: Thank you.

For the benefit of the committee and the people listening to us, could you tell us in more detail what the impact would be on the dissemination of harmful content if Twitter's algorithm was open source code? I am not an expert on algorithms. As many people have probably never heard of open source code, I would like you to tell us what would happen, in concrete terms, if Twitter made that change.

[English]

Ms. Michele Austin: Just so that people watching and listening understand, as you said, algorithms are used for some of the most basic services by companies around Canada. I would suggest to the committee that, when you speak about open algorithms, you want to think about specifically what the algorithm is trying to solve for rather than just saying generally, “please open up your algorithms”.

We also rely on human curation and not algorithms to produce Twitter moments. Let me give you an example. We are partnering with Openminded, which is an open-source, non-profit organization. We're looking at machine learning and privacy-enhancing technologies, or PETs, to pioneer new methods of public accountability and access to data in a manner that respects and protects the privacy of people who use our service.

[Translation]

Ms. Kristina Michaud: Thank you very much.

I will now turn to the Meta Platforms representative.

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In October 2021, a former Facebook data scientist told members of the U.S. Congress that Facebook knows the algorithms its platforms use are causing harm, but it refuses to change them because eliciting negative emotions in people encourage them to spend more time on sites or to visit them more often, which helps sell advertising. To reduce that harm without hurting Facebook's profits, she suggested that posts be displayed in chronological order instead of allowing the algorithm to anticipate what will engage the reader. She suggested that an additional step be added before people can share content.

What do you think of those accusations?

What would be the consequences of removing the engagement prediction function from a platform like Facebook?

• (1235)

[English]

Ms. Rachel Curran: The assertion that we algorithmically prioritize hateful and false content because it increases our profits is just plain wrong. As a company, we have every commercial and moral incentive to try to give the maximum number of people as much of a positive experience as possible on the platform, and that includes advertisers. Advertisers do not want their brands linked to or next to hateful content.

Our view is that the growth of people or advertisers using our platforms means nothing if our services aren't being used in ways that bring people closer together. That's why we take steps to keep people safe, even if it impacts our bottom line and even if it reduces their time spent on the platform. We made a change to News Feed in 2018, for instance, which significantly reduced the amount of time that people were spending on our platforms.

Since 2016, we've invested \$13 billion in safety and security on Facebook, and we've got 40,000 people working on safety and security alone at the company.

[Translation]

Ms. Kristina Michaud: Thank you.

I have a bit of time left to put a brief question to you.

Once you have detected potentially problematic content or activities on your platform, approximately how much time do you need to decide to block or hide that content?

[English]

Ms. Rachel Curran: That's a great question.

Normally, it takes a matter of hours. If a more nuanced review is required and if it needs to go to one of our human reviewers, it might take a little bit longer, but we normally have material that's in breach of our community standards down within 24 to 48 hours at a maximum.

The Chair: Thank you very much.

Mr. MacGregor, we'll go over to you, sir, for your six-minute block of questioning.

Mr. Alistair MacGregor: Thank you very much, Mr. Chair.

I'll start my line of questioning with Meta.

Ms. Damoff, my colleague on the Liberal side, already identified the significant profits that your company has made, the majority of which come from advertising revenue. With respect to what you've already said about your algorithms, is it also true that your algorithms are also designed with a profit motive in mind?

Ms. Rachel Curran: No. That's incorrect. They're designed to give our users and our community the most value possible, the best possible experience. We want them to see things that are useful to them and that are relevant to them. We want them to enjoy their experience on our platform. Otherwise, they're not going to come back and spend time there.

That's really our priority. It's to make sure that our users—

Mr. Alistair MacGregor: I'd like to reclaim my time—

Ms. Rachel Curran: —are enjoying their time spent on our platform.

Mr. Alistair MacGregor: With respect, though, those algorithms, while promoting all of these positive things that you've said, have also had the added benefit of raising an obscene amount of money for your company. I guess what I'm trying to figure out here is how much that profit motive and the incredible sums of money that your company is able to make off these algorithms.... We know, from the research that is out there and from what this committee has already heard, that emotionally provocative content that reinforces what we already believe works better than factual information.

When we as a committee are looking at the increasing ad revenues that your company is making, when we know that emotionally provocative content can trump factual information and when we see the very obvious role that social media has played in increasing misinformation and disinformation out there, with very real-world consequences, how can we have assurances that your company is actually taking this seriously when there are all of these competing priorities grabbing your attention?

Ms. Rachel Curran: Yes, I understand that. We do make money from advertising. That's true. However, a lot of that money gets reinvested into securing the safety of our community. As I've talked about, we've invested over \$13 billion in this area since 2016 alone.

The other thing I would say is that I know it's sort of superficially attractive to say that social media is kind of the reason for division or polarization or some of these things we've seen. The latest research actually doesn't indicate that. In many countries where polarization is increasing, that started long before the advent of social media. In other countries with really significant or heavy social media use, polarization is lower and actually decreasing. Research doesn't back up the contention that social media is actually the cause of increased polarization or increasing divisiveness.

That said, all of our work is to amplify the good that comes from these platforms and try to minimize the bad. Maybe my colleague David can weigh in on this a little bit more—

• (1240)

Mr. Alistair MacGregor: My time is limited.

Ms. Rachel Curran: A lot of the work we do is to minimize the harmful stuff that you've talked about.

Mr. Alistair MacGregor: Thank you for that.

I'd like to go to the previous conversation you had with respect to the convoy that made its way to Ottawa and then turned itself into an illegal occupation. When we had GoFundMe before our committee, they pointed out that any fundraising campaigns relating to misinformation, hate speech, violence or more are prohibited by their terms of service. Yet, their fundraising platform, their crowd-funding, allowed this convoy to raise money all the way up until they shut it down on February 4, despite factual evidence that misinformation was floating everywhere for the previous two weeks.

I want to know from Meta's perspective what you were doing during the time that you were monitoring these Facebook groups. How did you change tactics when GoFundMe stopped the fundraiser, when Ottawa declared a local state of emergency on February 6, when the Province of Ontario followed suit on February 11, and when finally the federal government was forced to do so on February 14? How did your company escalate its actions in that regard?

Ms. Rachel Curran: Throughout the convoy protests in Ottawa, we actually saw a very small amount of funds raised in Canada on our platforms. It was under \$10,000. So we weren't a big player in the fundraising issue.

That said, as soon as the Emergencies Act was declared, we started analysis of what we needed to do to comply with that. We have a payment processor called Stripe that works with us. We worked with our legal counsel and with Stripe to figure out what our obligations would be.

Mr. Alistair MacGregor: Thank you, but with respect, you're talking about the fundraising aspect. With the misinformation that was being posted on the various pages hosted by your platform, fundraising aside, how did your company escalate its monitoring and intervention when there was a very clear escalation in not only what the convoy was doing to the city of Ottawa, to its residents and its small businesses and workers, but also in the subsequent municipal, provincial and federal responses and interventions?

Ms. Rachel Curran: We had a 24-7 monitoring effort and operational group internal to Meta that was going right from the moment the protests started.

The Chair: You have 10 seconds, please.

Ms. Rachel Curran: We had eyes on accounts, pages and material related to the convoy protests around the clock. We were also in contact with the Ottawa police and the RCMP—

The Chair: Thank you.

Ms. Rachel Curran: —and were responding to requests from them.

The Chair: Thank you very much.

Colleagues, we will now move into the second round of questions. I did the same calculation: If I cut everybody's time in half, then we'll be right on time.

Mr. Lloyd, you have two and a half minutes.

Mr. Dane Lloyd: Thank you, Mr. Chair.

Mr. Kogan, you haven't been asked any questions, so I'll start with you. Do you think the activities of the social media giants to essentially sterilize their platforms from extremist views—I don't disagree, as that is necessary—has an effect of pushing extremist groups onto less regulated or unregulated platforms? What's the impact of that?

Mr. Ilan Kogan: I'm not an expert on terrorism in particular. However, I will note, from the empirical research that I've seen, that there seems to not be a clearly established causal link between removing such content from social media platforms and public safety. There are a few reasons for that. The first is the reason you mentioned, which is that these users might go into darker enclaves on the web that are greater echo chambers. In addition, it is more difficult for law enforcement to monitor some other regions of the Internet.

Finally, one of the issues that has been raised is the idea that if you kick users off of these platforms inaccurately, it might disenfranchise and marginalize those communities, which could lead to violence as well.

Mr. Dane Lloyd: Thanks for that.

Following up on that, what do you think can be done as a step before possibly sterilizing this content from these platforms? Do you think there are steps that can be taken? I think we can all agree that we want these people to rejoin society, to end their extremist views and to be contributing members of society. What recommendations would you have to help deradicalize potential extremists?

• (1245)

Mr. Ilan Kogan: I think a lot of the conversation thus far has been about the algorithms. Unfortunately, I don't think changing the algorithms is a silver bullet. Part of the reason for this is that if these platforms were able to identify terrorist content in the first place, they would take it down. It's very clearly against their policies. The problem is that they have a lot of trouble identifying such content.

What I would suggest instead is more of a focus on due process rights. But if you are interested in modifying the algorithms, I think a digital service—

Mr. Dane Lloyd: Thanks. I appreciate that.

With my last 30 seconds, I'll go to Ms. Curran and Ms. Austin.

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Do you believe, as has been claimed, that your platforms are driving the growth of far-right extremism in Canada or across the world? Is there any evidence to back up those claims—yes or no, to each of you?

Ms. Rachel Curran: I'll answer that first. Thank you, Mr. Lloyd.

No. There is no evidence to back up those claims as far as Meta Platforms is concerned.

The Chair: Thank you very much.

Now I will move to Mr. Zuberi.

Sir, you have two and a half minutes in this round. The floor is yours.

Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.): Thank you, Mr. Chair, and thanks to the witnesses for being here.

I'd like to start off with Twitter.

A December 2018 report by Amnesty International said that Twitter, as a company, is failing in its responsibility to protect women online. I'd like to know if Twitter has adjusted itself after that report, and if so how?

Ms. Michele Austin: Thank you very much for that very important question.

We are constantly updating and changing our policies and our product solutions. I don't have the information with regard to whether or not we changed it specifically after December 22, but I would be happy, through the clerk, to answer that question in written form after this meeting.

Mr. Sameer Zuberi: That would be really appreciated. Thank you for suggesting that. I would have suggested it had you not.

Shifting to Facebook, the U.S. Congress Committee on Oversight and Reform, in February 2022, asked for information around Facebook profiles, in particular the role of stolen and fake accounts in promoting the large-scale organizing and fundraising of the trucker blockade.

At the time, the committee's chairwoman asked for information in writing. Did Facebook respond in writing to the chairwoman of the U.S. Congress committee?

Mr. David Tessler: Mr. Zuberi, we can also follow up with a specific answer to that question.

I will say that we work very hard to protect our platforms for authentic voices. We know that scammers try to use and abuse hot-button issues, like the convoy blockade and protests. In that instance, we took action against groups and pages related to scammers from various countries around the world, who were trying to use abusive tactics to mislead users off our platform—

Mr. Sameer Zuberi: I appreciate that.

If you did table the letter to the chairperson and to the committee, can you also give that to this committee?

Mr. David Tessler: I'm happy to take that back and check.

Mr. Sameer Zuberi: So you can give it to us. That's correct.

I'll end with a concluding remark.

I have heard a lot about the extreme stuff on social media platforms and how algorithms can't capture, for example, hate speech. I didn't have the chance to ask this question, but it boggles my mind that this is on there.

Mr. Sameer Zuberi: Thank you.

The Chair: Ms. Michaud, I now turn to you for a one-and-a-half minute question.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I will close by addressing Ms. Austin.

You concluded your opening remarks by saying that social media platforms played an important role in the fight against disinformation, and I agree with you. However, a lot of disinformation exists on those platforms.

Even we, elected members, are facing those kinds of problems. On the one hand, social media are our best friends because they enable us to reach out to people we represent, but, on the other hand, they are our worst enemies because we get bad comments and hate speech, if I may say so.

Despite everything, you announced something interesting, last Friday, to mark Earth Day. You said that misleading advertising on climate change will be prohibited to prevent the undermining of efforts to protect the environment. That decision came at a time when the platform's content moderation is being roundly criticized left and right by those who are accusing it of censorship and those who are criticizing its lax approach. I personally think this is a wonderful announcement and a good decision.

Can we expect a similar policy from Twitter to counter hate speech and disinformation?

• (1250)

[*English*]

Ms. Michele Austin: The policy that we announced with regard to climate change advertising is in the spirit of the policies we've also announced that have banned political advertising on Twitter as well as advertising with regard to COVID-19. So the company certainly is not afraid of making bold—

The Chair: In 10 seconds, please.

Ms. Michele Austin: —policy statements.

With regard to misinformation, maybe I can answer that later in another question. There's a lot there.

The Chair: I now invite Mr. MacGregor to take his 90 seconds.

Go ahead. The floor is yours, sir.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Ms. Austin, I'll ask you my last question. I know that for both Meta and your platform, it is a struggle to.... You do care about your platform. You want to ensure that there are legitimate users. I guess what I wanted to know from you is, can you inform our committee on what the trend has been like over the last number of years over the unverified accounts, the bots, the ones that are pushing extremist content?

Is it like a game of Whac-a-Mole? How difficult is it, from your company's perspective, to actually verify that an account is a real person? What are some of the ways in which people are finding unique features in your platform to exploit the loopholes that might exist?

Ms. Michele Austin: I don't think it's unfair to say that everybody is certainly trying to game the system. We introduced a new product where you could choose who you wanted to have reply, and many people tweeted out, "Reply to this tweet if you want to earn a million dollars", and of course didn't allow replies. I mean, gaming the system is really a big deal.

Our verification policy was on hold for two years. It has recently been reintroduced. We are focusing on six areas, which I'm happy to inform the committee about later. It's not perfect. We get a lot of complaints, which are completely justified. We are doing our best to try to make sure that—

The Chair: You have 10 seconds.

Ms. Michele Austin: —we understand exactly who is tweeting out before we give them the blue check mark.

The Chair: Thank you very much.

I would invite Mr. Shipley to use his two and a half minutes.

Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Chair.

I'd like to start off with Ms. Curran.

Ms. Curran, earlier in your comments, you mentioned—and correct me if I'm wrong, please—that you have banned over 250 white supremacist groups from Facebook. Is that statement correct? Did I write that down right? Is it 250?

Ms. Rachel Curran: It is correct, yes.

Mr. Doug Shipley: Would some of those groups be the same groups that keep re-forming under different names?

Ms. Rachel Curran: Maybe I'll turn it to my colleague, Mr. Tessler.

Mr. David Tessler: We have, as Ms. Curran said, invested and continue to invest heavily both in terms of people—we have over 40,000 people—and in terms of technology to make sure that we can protect our platform from this harmful content.

We know that this is an adversarial space. We know that these 250 hate organizations that we've designated and others are trying to evade our enforcement, so we are constantly trying to improve and adjust in order to keep those organizations off our platform. Once an organization is designated—

Mr. Doug Shipley: Thank you. I only have a short amount of time. I'm sorry to cut you off.

My next part of that question was going to be, how many groups in total.... We're talking about 250 white supremacist groups. What are some of the other groups? The number of 250 astounds me—good work, obviously, for removing them—but could you tell me how many groups in total have been banned from Facebook and what are some of the other groups?

Mr. David Tessler: We at Meta try to be as transparent as possible, but as I said, we know this is an adversarial space. We know, as our colleague from Twitter said, that they're trying to game the system and avoid enforcement. We also need to be careful and protect the safety of our employees, so we don't publicize the entire list of our dangerous organizations and individuals.

What I can say is that we've developed definitions, along with experts externally, for terrorism, for organized hate and for organized criminality and other categories under our dangerous organizations and individuals policy. We have a process to designate groups in those categories, and that's a continuous process that we undertake.

Ms. Rachel Curran: Yes. I will also say that we designated the Proud Boys in 2018, well ahead of the Government of Canada.

● (1255)

Mr. Doug Shipley: Mr. Tessler, you mentioned a couple of times that you have 40,000 people globally who are monitoring this post. How can anybody possibly be monitoring or instructing 40,000 different people on what is acceptable and what is not acceptable?

The Chair: In 10 seconds, please.

Mr. David Tessler: We've developed very clear definitions, and those are public in our community standards. We use those clear definitions for terrorism, for organized hate, etc., to be a guide for us as to which groups we designate and remove from our platform.

The Chair: Thank you very much.

Mr. Chiang, I turn to you for the last two and a half minutes of this panel.

Mr. Paul Chiang: Thank you, Mr. Chair.

My question is directed towards Meta.

In your opening remarks, you mentioned that Meta aims to prevent potential offline harm that may be related to content on Facebook. How do you square that aim with the fact that the Ottawa convoy blockade, which called for the removal of the democratically elected Canadian government, was able to organize the occupation through Facebook?

Ms. Rachel Curran: I'll start this one off.

Expressing opposition to government mandates is not against our community standards, and so we allow that on our platforms.

April 26, 2022

SECU-19

21

Maybe, Mr. Tessler, you could get into a bit more detail about what we saw with respect to the convoy protests.

Mr. David Tessler: Yes, definitely.

Let me just be clear, there is no place on our platforms for violence or hate. Our policies are clear. We do not allow content that is violent or incites violence or includes hate speech. When we find that content, either through human review or through our investment in technology, we will remove it. We did not see a significant number of dangerous organizations or much individual involvement in the convoy blockade and protests in Canada.

Mr. Paul Chiang: Thank you so much for your answer.

I would like to invite Ms. Damoff to make a comment.

Ms. Pam Damoff: Thank you, Paul.

To both platforms, as a woman in politics, I am subjected to some of the most vile, misogynistic comments on all of your platforms—Instagram, Facebook and Twitter. Your reporting tool is not

effective. If it's a direct message on Facebook, I can't report it at all. You're not doing a good job of monitoring your social media sites. When I'm tagged by a colleague who is a person of colour, the racist comments are absolutely disgusting.

My comment was that you need to do better. I've brought this up before with these platforms at the status of women committee. It's not acceptable that people should be subjected to these kinds of comments on these platforms.

The Chair: Ms. Damoff, you had the last word.

Thank you, everybody. Thank you to the witnesses. This is current; it's controversial, and it's important. I thank you all for sharing your insights with us.

Members of the committee, that's it for today. We finished exactly on time. Thank you for your efficiencies.

With that, I now adjourn this meeting.

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This is **Exhibit "J"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

[News](#) > [The 'Freedom Convoy' Is Nothing But A Vehicle For The Far Right](#)

THE 'FREEDOM CONVOY' IS NOTHING BUT A VEHICLE FOR THE FAR RIGHT

They say it is about truckers, and have raised over \$6 million dollars on GoFundMe. But if you look at its organizers and promoters, you'll find Islamophobia, antisemitism, racism, and incitements to violence.

Posted on January 27, 2022

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This was posted more than 12 months ago. The information may be outdated.

Canadian Anti-Hate Network



A crowd-funded convoy, ostensibly fighting against a mandate for truckers to be vaccinated, has raised over \$6 million dollars. Its two GoFundMe organizers are previously known figures in Canada's far-right ecosystem and have publicly made Islamophobic comments. Its loudest promoter, Pat King, is a racist who

image that the other organizers have even tried to put some distance between them.)

Some convoy supporters, like the Diagonon network, are even saying that they want this to be Canada's very own January 6th, referring to the attempted insurrection in Washington, DC that [led to multiple deaths](#) and [widespread arrests](#). Diagonon is an accelerationist movement, which means they believe a revolution is inevitable and necessary to collapse the current system. It's also rife with neo-Nazis.

Until January 31st, all donations to our anti-hate education program are being matched and DOUBLED. Help us give teachers tools to keep neo-Nazi recruiters away from kids at antihate.ca/donate.

Since the start of the pandemic, COVID conspiracies have been bringing various fringe and far-right elements together. The [close connections](#) between the People's Party of Canada, the young white supremacists of Canada First, and the Diagonon network is one example. This convoy is another.

The mainstream media has been very slow to report on the far-right connections, just like they were in 2019, when the far-right had their much smaller "United We Roll" convoy. Most have given them uncritical coverage, using their language, and calling it a "freedom convoy."

Now, arriving from different corners of Canada, the fleet of semi-trucks, half tonne pickups, SUVs and more than a few sedans is on its way to Parliament Hill. Many of their supporters swear this isn't about the far-right, and even, bizarrely, that they aren't anti-vaccine. Most of them probably believe it, too. But the organizers behind the convoy, and where it emerged from, paint a very different picture.

UNITED WE ROLL 2.0

The convoy draws apt comparisons to a similar, albeit less funded, protest movement held in 2019: the "United We Roll" convoy. Organized primarily by associates of the Canadian Yellow Vest movement, UWR painted a narrative of disenfranchised oil and gas workers riding their rigs cross country to force a detached and distant Ottawa to listen.

Yellow Vests Canada was largely founded by individuals already associated with Canada's far-right, which at the time was primarily united by anti-Muslim racism and Islamophobia. Excited by the protests held by France's *Mouvement des gilets jaunes*, they copied the signature uniform, name, and adopted new grievances that would get them a much larger audience. They said they were for oil and gas, and that they represented Western alienation from a distant, Liberal, Ottawa. But the Facebook groups were also full of hundreds of examples of explicit anti-Muslim racism and calls for Prime Minister Justin Trudeau's arrest and execution – a theme that remains [present among COVID-conspiracy demonstrations](#).

By the time United We Roll arrived in Ottawa, media had started to catch on. Neo-Nazi Faith Goldy spoke on a second stage. The anti-Muslim hate group [Northern Guard](#) were spotted in attendance. Christopher Hayes, who was previously [convicted of uttering threats against Justin Trudeau](#) – and who has a history of

vehicles showing up than promised, and only a few hundred participants. Demoralized, the Yellow Vests Canada movement started to die out, although some holdouts kept smaller demonstrations going for months.

The leadup to the 2022 "Freedom Convoy" is extremely similar to the leadup to UWR, and it shares many of the same organizers and participants. They're even reusing UWR promotional materials. Except this time they have the weight of the COVID conspiracy movement behind them, and \$6 million dollars. Let's dive into this new convoy's most public figures.

THE MONEY COLLECTORS

Tamara Lich and B.J. Dichter are currently listed as the organizers of the GoFundMe page. Dichter was a late addition, only added this week.

Both have interesting histories when it comes to political organizing.

Lich, born in Saskatchewan, now hails from Medicine Hat, Alberta, where she served as an organizer for *Yellow Vests Canada*, a regional coordinator for the separatist *Western Exit* or "Wexit" movement in Alberta, and now as the secretary for the *Maverick Party* – another separatist movement and fringe political party.

Attending and boosting Yellow Vest events starting in 2018, Lich social media posts from the time show her, in one moment, calling out some hateful rhetoric within the movement, while also posting Islamophobic articles of her own, like conspiracies about the "Muslim Brotherhood" operating in Canada. She shared posts from *The Clarion Project* – "[an organization that advances anti-Muslim content through its web-based and video production platforms](#)" – as well as the deeply conspiratorial and, once again, anti-Islamic podcast *The Quiggin Report*, hosted by [dubious security "expert" Tom Quiggin](#).

Lich heavily promoted Quiggin's 2019 "Alberta tour" saying it was an "absolute honour to have hosted" him during his stay in Medicine Hat.



Tamara Lich pictured with Tom Quiggin. Source: Facebook

"The *Progressive Conservative Party of Ontario* is now just like the Liberal Party or the NDP. They are suffering from political entryism," Quiggin said in an episode criticizing Member of Provincial Parliament Khalid Rasheed, a Muslim man. "They have members in their party who are ... there to advance the cause of a foreign ideology. So either Progressive Conservative Party takes a very hard look at itself now or faces a future where extremism becomes normalized within the party."

Lich shared the episode with the comment, "Canadians, are you paying attention yet? ... We do not want the Muslim Brotherhood in Canada."

Scrutiny of the convoy has increased, which [according to the Canadian Press](#), briefly resulted in the crowdsourcing website freezing donations. Shortly thereafter, one-time Conservative Party of Canada candidate, People's Party of Canada booster, and co-founder of the podcast network *Possibly Correct*, Benjamin "BJ" Dichter appeared as a co-organizer on the GoFundMe page.

Dichter's website shares *The Quiggin Report*, and Dichter himself shares similar Islamophobic sentiments in public. In 2019 he claimed that "Islamist entryism" is "rotting away at our society like syphilis."



Benjamin Dichter giving a speech at a People's Party of Canada conference in Quebec. Source: YouTube

"[The Conservative Party of Canada] is suffering from the stench of cultural relativism and political Islam," he said during the first PPC conference held in Gatineau, Quebec. "It is suffering from the stench of extremism that same way in third-world countries suffer from extremist groups, separatist groups, communist guerrilla factions, paramilitaries, organized crime, and more."

PAT KING IS SO TOXIC HE'S (SORT OF) DISAVOWED

Patrick King – another former Yellow Vester, one-time major figure in the Wexit movement as well as United We Roll – is listed as the contact to join the "Alberta North" portion of the convoy. A conspiracy theorist and streamer, King made headlines when he and supporters confronted members of an anti-racist rally in Red Deer, Alberta. Several instances of violence occurred during this event, including against an individual who attempted to serve King with a restraining order.

"Black Lives Matter and Antifa are planning a huge rally to disrupt our community [sic]," he said at the time. "Help support us to help drive out these left-wing anarchists that are trying to disrupt communities and trying to threaten people."

He also drew attention after a [wild misinterpretation of court documents](#) led to him claiming he forced Alberta to abandon its public health lockdowns.

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In the past King has gone on record about his feelings about the “Anglo-Saxon replacement,” that plans to “flood [Canada] with refugees,” and subvert the education system -- a thin rebranding of the great replacement theory touted by ethnonationalists.

At other points, King has expressed overtly racist and antisemitic statements. In a 2019 stream about the then-upcoming federal election King complained that he had to leave the movement due to their lack of success: “[The election] won’t matter...unless you want to change your national language to Chinese or Mandarin or Hebrew,” and going on to compare Chinese names to the sound of change falling down stairs.

YVCE 🏆🏆🏆🏆 - ARCHIVE



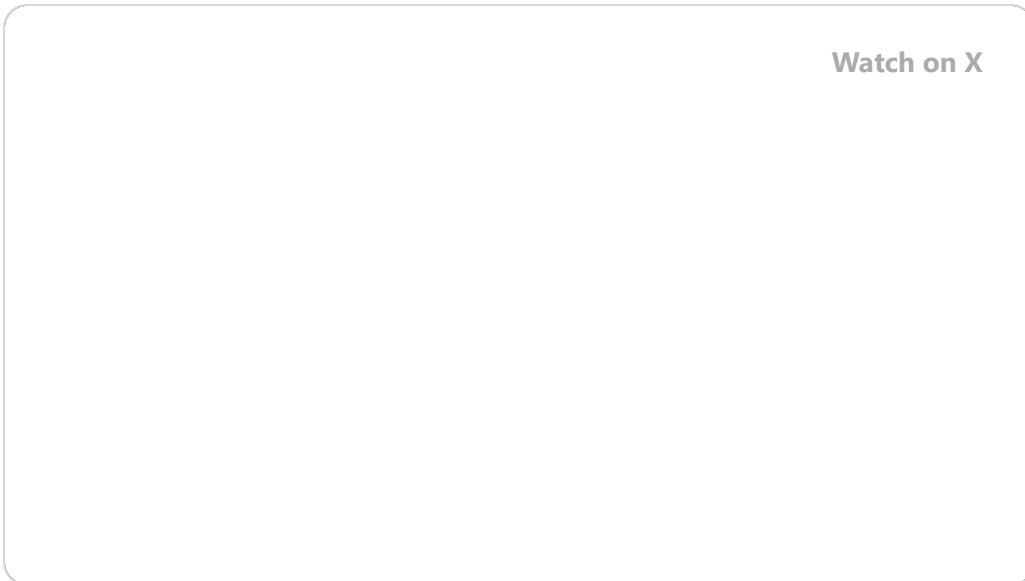
@VestsCanada · Follow

Pat King put out an unremarkable live that isn't worth coverage except for this bit, where he goes full antisemitic & racist.

[#YellowVestsCanadalsAHateGroup](#)

Reminder to media that this is who Wexit and PFM organizer Peter Downing associates with.

[#cdnmedia](#) [#cdnpoli](#) [#elx43](#)



11:18 AM · Sep 28, 2019



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He's publicly distorted established facts about the Holocaust – [a form of Holocaust denial](#) – saying, "I do know that the Holocaust [sic] was reduced to 1.5 million and not the 6 million that it was said to be." He then invoked the antisemitic conspiracy theory that the Jewish people are secretly in control of world governance, media, and finances: "The questions have been asked several times to the ADL and the Jewish government and communities. We have Jewish world [bankers] who are dictating our government policies and controlling our Politicians."

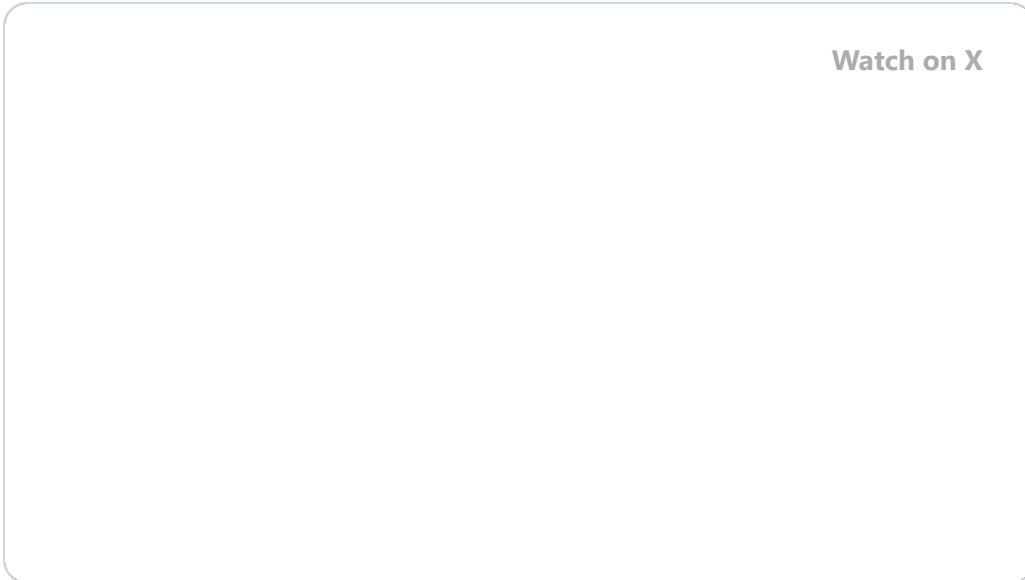
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@VestsCanada · Follow

Pat King recorded a livestream after the rally in Red Deer yesterday. As usual it was really lame, although he does hint that he's interested in holocaust denial.

/1



5:49 PM · Sep 22, 2020



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THE EXTREMISTS ARE COMING

Over the last week, King has made numerous livestreams to social media, frequently stating he is conducting his own crowdfunding for the trip and is not benefiting from the GoFundMe. King's involvement led to some initial tension among those interested in supporting the convoy, but who were not enthused about what they perceived as potentially enriching King through the larger fundraiser. Among this group was Diagonol concept creator and far-right streamer [Jeremy "Raging Dissident" MacKenzie](#).

Banned from several platforms, MacKenzie once told his audience to read a piece of neo-Nazi fiction called *Day of the Rope*. MacKenzie defends his endorsement by saying it's about murdering pedophiles. In the book, all these pedophiles just so happen to be Jewish. The title of the book is taken straight from a chapter title in the infamous neo-Nazi novel *The Turner Diaries*, in which "race-traitors," like people in interracial relationships, politicians, and journalists, are strung up on the streets. The novel is regularly found on mass murderer's desks or bookshelves. "Gun or rope" is MacKenzie's slogan.

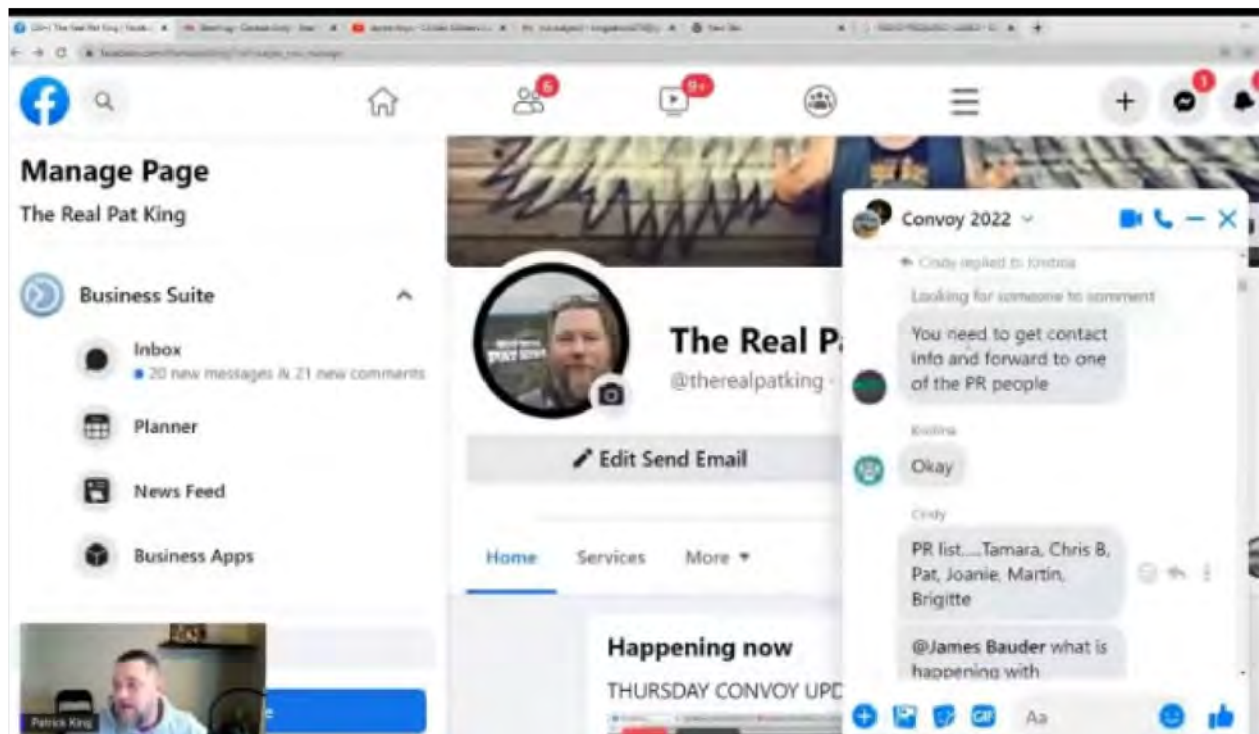
streamer Derek Harrison is wishing for the opposite. "I would like to see our own January 6th event," he says in a live stream, "see some of those truckers plow right through that 16-foot wall."

Since massive public attention has thrust the convoy into the spotlight, MacKenzie and many of his followers now plan to attend the Ottawa protest. However, MacKenzie had previously exited an organizing group on the chat app Telegram when he saw Pat King was involved.

MacKenzie is a retired combat veteran with the Canadian Armed Forces, and his animosity towards Pat King may be about stolen valour. King still faces accusations that he presented himself as a former military member, before later releasing a video where he appears to apologize for the claim.

The controversy around King resulted in a statement being released onto the fundraising page saying: "King is not and never has been affiliated with our movement nor has he been a part of our great team of volunteers."

This update appears to have since been deleted, and King claimed in a later video that the statement was a public relations move because he was being attacked online. In a previous live stream, King also scrolled through a private Facebook chat titled "Convoy 2022" and appears to contain Lich, Canada Unity president James Bauder, and others discussing organizational details about the convoy. King remains listed as a contact on the *Unity Canada* website.



TRUCK DRIVER ASSOCIATIONS CONDEMN THE CONVOY

Initially, the issue addressed by the convoy was narrowly focused on the vaccine mandates for truck drivers who would be required to cross the US-Canada border as part of their work.

like they just want to be heard and this is the way they've been doing it for years," Jean-Marc Picard, executive director for the Atlantic Provinces Trucking Association, told CTV News during an interview.

Likewise, the Canadian Trucking Alliance issued a statement saying it does "not support and strongly disapproves of any protests on public roadways, highways and bridges." The CTA's president also followed up more recently in a [joint statement with the ministers of labour and transport](#).

"The Government of Canada and the Canadian Trucking Alliance both agree that vaccination, used in combination with preventative public health measures, is the most effective tool to reduce the risk of COVID-19 for Canadians, and to protect public health," it reads.

[The CTA told the CBC](#), that the mandate could impact 12,000 to 16,000 Canadian commercial drivers – around 10 to 15 per cent of the industry's cross-border drivers.

Tamara Lich and Benjamin "BJ" Dichter did not respond to requests for comment. This article previously stated that Benjamin Dichter was not a truck driver. That line has been removed and we regret this error.

LATEST NEWS



June 3, 2024

ALLEGED CANADIAN TERRORGRAM AUTHOR DENIED BAIL ON TERRORISM CHARGES FOR A SECOND TIME

Matthew Althorpe is facing eight charges related to his alleged creation of videos for the Atomwaffen Division and manifestos for the Terrorgram collective.



May 30, 2024

OTTAWA MAN BEHIND ANTISEMITIC POSTERS AND STICKERS SENTENCED TO 18 MONTHS HOUSE ARREST

After putting up approximately 80 antisemitic posters and stickers in 20 locations throughout Ottawa, Paul Koppe has been sentenced to over a year of home confinement.



May 29, 2024

WHITE NATIONALIST CLAIMS AN INVITE TO LOCAL CONSERVATIVE RIDING ASSOCIATION BOARD OF DIRECTORS

During a neo-Nazi conference call, Nova Scotia man Cullen Carver bragged about an invitation to join the board of a riding association being the first step towards his goal of entering federal politics.

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This is **Exhibit "K"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

The HateGate Affair:

Unmasking Canada's Hate Industry



Caryma Sa'd & Elisa Hategan

THE HATEGATE AFFAIR:

Unmasking Canada's Hate Industry

BY:

Caryma Sa'd & Elisa Hategan

In the midst of winter, I found there was, within me, an invincible summer.

Albert Camus

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Prologue

A public safety minister makes false and alarmist comments in a press conference; when pressed for details, he directs media to law enforcement, who scramble to produce evidence where there is none. An officer is tasked to produce a key briefing for top officials to help government decision-making, in only fifteen minutes. Intelligence Analysts taking cues from anonymous Twitter trolls involved in criminal harassment. Citizens' personal information is eagerly shared with international spy agencies, even as internal reports circulate acknowledging there is no evidence of terrorist activity.

An entire country's intelligence departments relying on a single source—a source that banks on the questionable judgement calls of inexperienced, ideologically-motivated activists cosplaying online as Nazis and Russian models to gather data and donations. A source that cloaks its researchers in anonymity and refuses to disclose their credentials, conflicts of interest, or track record, even as they are widely quoted in the media as subject matter experts.

Welcome to Canada.

Introduction

This story is a horror, tragedy, and farce, rolled into one.

Its ending as yet unwritten.

The only thing we can control is whether to tell the truth. And we do.

Democratic countries distinguish themselves from totalitarian dictatorships through the process of fair elections and by putting the power in the hands of the people. But what if a democratic government wants to stack the deck in their favour? They can't cart people off into the night, imprison them without cause, execute them at dawn. That would violate human rights by any standard. And it wouldn't look good for a leader who prides himself on being a nice guy.

The layer of insulation that buffers democratic governments from accusations of authoritarian rule is the pretense of deferral to experts, think tanks, consultants and academics who can provide perfunctory recommendations to rubber-stamp what the government plans to do in the first place. Oftentimes, the expertise is paid for by government money through military defence contracts, public safety and emergency funds, and other sources.

If the public resists any proposed policy or legislation, the state can magnanimously defer to the vast knowledge of experts who all concur in unison that, unless the bill passes, "harm" will occur. Danger. Terrorism. Destruction. The loss of your way of life as you know it. And if you still do not comply, stronger measures may become required. Those who resist are vilified through state-sponsored broadcast media and social media smear campaigns—these tactics serve the dual purpose of securing the public's acceptance, or at least acquiescence, and making examples out of dissenters in order to frighten critics into silence.

Democratic countries gain the public's compliance with buy-ins and manufactured consent, rather than bullets. A more evolved and civil approach, to be sure. But one that carries its own risks. What happens when you run out of villains to justify an escalation to emergency measures? When you want to spook the public into acquiescence, but your well of horrors has run dry?

You make them up.

This is the story of what can go wrong when such a strategy spirals out of control, and all levels of government and media are complicit in ruining innocent lives.

Diagolon is Not a Violent Extremist Group

“Does not pose a criminal or national security threat.”

- Royal Canadian Mounted Police

“The channels are REMVE + Conspiracy theorist in nature but **not accelerationist** and you’re right **no incitement of violence**. Some of the usernames have racist references/photos in them but **no criminality**.”

- Kristen Little to Ashley Chen, July 14, 2021, subject “Diagolon”

“Based on the source material and evidence I have personally viewed, we would have a hard time refuting the contents thereof despite how “Diagolon” is being portrayed in the media and the House of Commons. Just another example of why **our direction to investigators is to be evidence focused and not caught up in the hype of the media surrounding this matter.**”

- Simon Pillay, Inspector, OIC Ops1, Federal Policing National Security, February 2022

“We generally agree with the Key Assessments, 1) DIAGOLON is led by MACKENZIE, 2) based on current information, **DIAGOLON does not meet dictionary definitions of a group.**”

- Matthew Desjardins, March 16, 2022

“I’ve looped in Insp. Simon Pillay and A.Insp J-S Grenier who are the project Team OICs to assist with any discussions your NZ LO may wish to have on Diagolon. **We do not consider it a right wing militia group at this time** however assessment is ongoing as I understand it.”

- Eliane Caron, Director of Ops Team 2, Federal Policing National Security (FNPS), April 8, 2022

“Based on available open source information, IMCIT assesses that DIAGOLON is an ideological community which meets the majority, but not all, of the CSIS parameters used to define a group. [...] Although DIAGOLON is based on a set of satirical ideas, the community does not appear to have any coherent ideological purpose, objective, or cause. [...] It appears that **DIAGOLON as a distinct entity does not pose a criminal or national security threat at this time.**”

- Submitted by: Ideologically Motivated Criminal Intelligence Team / Approved by: A/Director General, Federal Policing National Intelligence”, May 19, 2022

“Based on available open source information it is exceedingly difficult to ascertain the extent to which Diagonon is a distinct group, with common ideology, a political agenda, and the cohesion necessary to advance such an agenda.

The Canadian Anti-Hate Network (CAHN) is cited as the main authority on the group by all mainstream media outlets; due to the fact that all information traces back to one source, triangulation and the verification of facts is almost impossible at the current time.

Based on the information that is publicly available, it is difficult to understand how CAHN can confidently assert that Diagonon is an ‘accelerationist movement that believes a revolution is inevitable and necessary to collapse the current government system’... Due to a lack of substantive open source material, operational information would be needed to supplement the profile.

- RCMP “Diagonon Profile” 2022

Caryma's Story

From an early age, my parents nurtured in me a sense of curiosity. They encouraged me to ask questions. I spent a lot of time immersed in books and learning. The first revelation given to the Prophet Muhammad was a command from Angel Gabriel to “Read!” That origin story always stuck with me, even as my personal religiosity has waxed and waned over the years.

My father was a charismatic imam (religious leader) in the community, whose duruus (lessons) were spirited and sometimes subversive in nature. He was a natural storyteller with a wicked sense of humour. He instilled the importance of striving for excellence: “This country will chew you up and spit you out, if you let it. You must be the best and have courage.”

This is me trying.

Mom was born Catholic and grew up in Jhansi, India. Dad lived in a Palestinian refugee camp until his family resettled in Jordan. He decided to pursue his studies in India, which is where they met— by his telling, he shoehorned himself into a date that was already in progress. I guess he won out.

Mom immigrated to Canada as a twenty-year-old orphan with almost no money. My father followed her across the ocean. They were married in 1974. My mom converted to Islam. They had my sisters in Toronto and moved to Mississauga as a young family. I was a near-fatal surprise over a decade later. I have been running on my own schedule ever since.

Identity was always a touchy subject in our household. My parents came from two different cultures and moved to a third culture. I belonged everywhere and nowhere at once.



I learned the word “terrorist” at around eight years of age. Police came knocking at our door to speak with my father. Apparently, someone threatened to blow up the nearby Tim Horton’s and signed the letter using his name. He was framed for words he never uttered. The situation was resolved after brief questioning, and the police left on good terms after concluding my dad did not pose any threat. This was before the Afghanistan and Iraq wars.

A few weeks after the 9/11 attacks, I was walking from the bus stop after school when a stranger yelled at me to “Go home!” I confusedly retorted, “I am going home”, not realizing that I was being singled out as un-Canadian for my hijab or skin colour. That naïveté was sadly short-lived.

The next two decades were rough for Muslims. Islam was widely treated as a monolith, despite the wide variety of denominations, languages, and cultures across the globe. Unfair expectations were placed on individual Muslims to apologize or account for other people’s criminal behaviour. Muslims were consistently targeted for surveillance, particularly at airports. Moral panic over misconceptions about Sharia led to proposals such as the Barbaric Cultural Practices Hotline. There were hate-motivated mass murders against Muslims, or anyone mistaken as Muslim. A “Muslim Ban” was upheld in the United States, prohibiting travel and refugee resettlement from predominantly Muslim countries. Western democracies banned hijabs, niqabs, and minarets. The list goes on.

Underlying all this was the erosion of civil liberties, and the development of a brutal state apparatus inimical to human rights.

It is no coincidence that another Muslim lawyer and I were predisposed to see Jeremy MacKenzie’s situation through the lens of public hysteria and state overreach. Or that Elisa and I recognized a smear campaign carried out by some of the same perpetrators who maligned her. Our paths intersect in unexpected ways.

Recently, I lamented the state of journalism: “Journalists are not supposed to be stenographers. Why aren’t they asking questions? They are not doing real journalism like they used to.” It was pointed out that I was longing for fearless and honest reporting that was always the exception, never the rule. It was false nostalgia—the fact is, mainstream media has lied to us about big things for my entire living memory.

Hasty, thoughtless articles—sometimes the result of erroneous information fed to gullible journalists by intelligence agents - have started wars and provided distorted justification for hundreds of thousands, if not millions, of (mostly brown) deaths around the world. There has been no acknowledgment, accountability, let alone apology, for leading us into bloody battlefields for no discernible reason. And despite tacit awareness of atrocities, authorities never said, “We lied, and repeated the lies, and this caused people to die.”

Is it any wonder a combat veteran deployed to Afghanistan might distrust the government, the media, and especially the two seemingly working together?

Jeremy's Story

In the early 2000s, seventeen-year-old Old Stock Canadian Jeremy MacKenzie joined the army. He was an infantry non-commissioned officer and did a stint with the elite Canadian Special Operations Forces Command. He was deployed to combat in Afghanistan, trained soldiers in Jamaica, did exchange programs with US Marines, and was stationed in Germany and the United Arab Emirates. He retired as Master Corporal after fourteen and a half years, decorated with a sacrifice medal (Canadian Purple Heart), a general campaign star from the Afghanistan war, and a Canadian Forces decoration for over twelve years of service with an unblemished record.

From a young age, Jeremy was fascinated by military history and culture. He was drawn to understand the human condition in extreme circumstances. He felt compelled to test his mettle.

He also felt weak. He was soft, small, sheltered. A tiny kid who got bullied a lot, but was determined to prove people wrong. Jeremy had a vision in his mind of the man he wanted to be, and knew that could not happen if he stayed in small-town Nova Scotia. And so, he set off in search of his future self.

Jeremy's Sacrifice

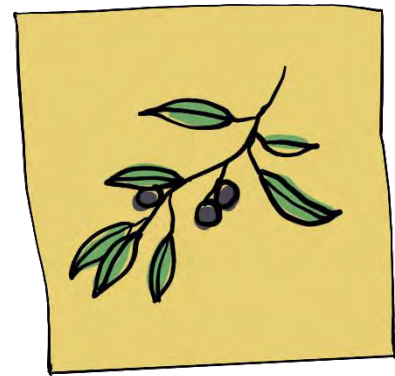
On September 11, 2001, Jeremy was a sophomore with a morning period spare. He watched the second tower come down live on television from the comfort of his home. That night at dinner he remembers his mom musing about a draft, "Thank god you're too young to go, and your father is too old." She was only half right.

Jeremy spent his early adult years fighting in Afghanistan to protect poppy fields and oil wells. He witnessed or was party to a range of extreme violence, killings, war crimes, and other horrors at twenty years old.

For many Canadians, the war in Afghanistan was barely more than an abstract thought, at best, even at the height of media frenzy. Unlike the Second World War, there was no collective sacrifice or solidarity. Losses were borne by resident Afghans and the diaspora, as well as NATO soldiers and their families: opposite sides of the same tragic coin.

27 men were killed on Jeremy's deployment, with seven of them being close friends. He has lost count of how many suicides, but knows it is at minimum fifteen or twenty.

Jeremy is legally deaf in his left ear from an incoming rocket-propelled grenade, an anti-armour weapon meant to destroy tanks and personnel carriers. An RPG-7, specifically. He had half a second to hit the deck and was saved by an olive tree that took the brunt of the explosion.



In July 2007, Jeremy and his fireteam spent hours administering first aid to wounded Taliban and Afghan security forces after an engagement. One of the injured was roughly thirteen years old. The boy's legs had been shattered and blasted apart like used firecrackers. His left foot rested under his own head in a twisted, mangled, bloody mess. There were splintered bones everywhere, and the burned flesh looked like slabs of cooked meat. (It took Jeremy a while before he could eat roast beef again.)

The boy had deep wounds in his abdomen and chest, but the gashes seemed to be cauterized shut – likely by the blast of a NATO soldier's 25 mm gun. The translator said the boy was begging to be fixed; nothing could be done.

Jeremy sat helplessly with this child and watched him die slowly and painfully under the hot sun, waiting for a helicopter that came too late. He has wondered about the boy's name, and whether his parents knew where he was or what had happened to him. He wondered if they would ever know, or whether they were dead, too.

This is only one of Jeremy's many traumatic experiences.

And for what? The war in Afghanistan was based on pretenses and lies. Canada's abrupt and messy withdrawal saw citizens and allies left behind to die. As much as Jeremy blamed the Taliban, he also blamed his own government.

A Podcasting Journey

Jeremy is charismatic, with a knack for hyperbole, dark humour, and silly voices. He started experimenting with podcasting and vignettes in 2016.

From the outset, Jeremy was interested in examining conspiracy theories. He started with a deep dive into 9/11. Fighting in Afghanistan profoundly impacted Jeremy's worldview. He became disillusioned by politicians and mainstream media beating the drums of war under the guise of freedom and democracy. The corruption and absurdity was almost too much to bear – he wondered, what else are we being lied to about? And so, he set off in search of truth and laughter.

His first livestream had a modest seventeen viewers. That gradually increased to hundreds of thousands of downloads per episode. He went from sporadic streaming to regularly scheduled shows. Over time, he started paying for graphics and overlays, and upgraded his equipment. He placed emphasis on engagement, developing inside jokes with his audience and building rapport by reacting to comments. What started as a side hobby evolved into a full-time gig. He covers a range of topics, including politics and current events. He is highly critical of the Canadian Armed Forces, and speaks candidly about his experience in combat and the treatment of veterans. One of his most-watched videos is a scathing critique of the RCMP response to the Portapique mass shooting; his take was largely validated three years later by the Mass Casualty Commission.

There is a method to the madness. An individual episode is meant to be taken in its entirety. Each performance consists of roughly three parts and is meant to end on a positive note. Despite tackling heated or bleak subjects in a high intensity stream of consciousness format, Jeremy strives to portray hopeful messaging. He is keenly aware of high suicide rates among veterans, and wants his viewers to leave entertained and reassured. The softness of this approach is sometimes camouflaged by the bluntness of military culture.

He jokes that listeners need to be fucked up to truly appreciate his work.

The Smear Campaign Begins

In February 2020, Jeremy protested a lecture featuring Omar Khadr. He considered it a travesty for Dalhousie University to promote an enemy combatant in any circumstance. The ferry he took to Halifax was named after Christopher Stannix, his former roommate who was killed in Afghanistan. Freelance videographer Peter MacIsaac was covering the event. Jeremy provided a passionate two-minute soundbite:

I have to be here to say this because many of the people in my platoon who were killed by Omar Khadr's little club aren't here to say that anymore. They're all dead... So I guess I'm the bad guy now. If that's how it's gonna be, then that's how it's gonna be.

That video garnered over five million views on YouTube.

Gavin McInnes saw the clip and reached out for an interview. McInnes is the co-founder of Vice Media, former Rebel Media correspondent, and Proud Boys founder (listed as a "terrorist entity" in Canada). He was the only media figure willing to talk. Jeremy seized the opportunity to share his message with a wider audience.

Within a few days, an account with the username Yellow Vests Canada Exposed published a detailed ARC Collective blog post titled *Jeremy Mackenzie: Nova Scotia-Based Extremist YouTuber Spreads Hate*. He was described as having extreme views, including that he “regularly espouses antisemitic conspiracies, parrots Holocaust denial lines, and disparages Jews and Muslims.” There were multiple references and comparisons to “accelerationists.” There was no clear evidence backing up these claims, just leaps and innuendos. The hit piece included over a dozen short, undated clips from various livestreams; it seemed he had been on someone’s radar for a while, even though his YouTube channel had under a thousand followers at the time. He was stunned.

Little did he know, the worst was yet to come.

Enter Diagonon

Stemming from Jeremy’s vivid imagination, Diagonon is a fictional country in a parallel universe based on a geographical divide he observed as far as the political response to COVID-19.



Again, there was a method to the madness. The Diagonon flag (a white diagonal line against a black background) worked as a branding mechanism. It allowed members of the fanbase to identify one another with the display of stickers and other merchandise. And the concept took on a life of its own as fans collaborated to develop a rich and absurd lore: the head of state is an evil, cocaine-addicted, time-traveling goat named King Phillip; the nation is at war with the fictional country of Circulon; there is a militant force

of bees bred to terrorize Diagonon’s enemies, and one bee (Jeffrey) died in a kamikaze mission when he was swallowed by Doug Ford during a press conference.

Satirical political commentary allows Jeremy to cope with civilian life through self-expression and connecting with other veterans. Humour is a way to work through heavy emotions. An outlet not unlike Kurt Cobain writing songs about suicide, or Francisco Goya painting scenes of brutal violence.

Case in point: Diagonon permits capital punishment, and Jeremy turned hypothetical executions into a game show. There’s “Dumpster Toss” which involves being tossed from a tall building into a dumpster; “Torn Apart by Wolves,” where the target is sent off on an ice floe with hungry wolves; and “Gun or Rope,” which gives the

audience a choice between a firing squad or the gallows. A bit gruesome, but “Probation or Public Apology” does not quite have the same gut punch effect. Jeremy does callbacks to old episodes but moves quickly from one joke to the next. The game show phase was short-lived. On the internet, out-of-context “Gun or Rope” sound bites last forever; they are used as evidence that violence is a core element to Diagonon.

Throughout 2021, Jeremy attended a few regional meet-and-greets with his fans across Canada. In his words, “It struck me... a lot of people feel very isolated and depressed. A lot of them expressed to me how much this meant for them to feel as though they had some kind of connection and kinship with other people that felt the same way as they did about the future and shared their fears and concerns.” This revelation led to the “Find Your Friends” campaign, intended to give people an opportunity to have face-to-face interactions and detox from screen time. This networking and community building initiative is the closest Diagonon has come to being a real thing.

Lacking membership, hierarchy, rank system, code of conduct, uniforms, or ideological cohesion, Diagonon is a podcast fan club, not a militia. Even the RCMP experts struggled with defining Diagonon: In an email dated March 9, 2022, with the subject line “Rejigging of my paper”, Kandi Piamonte asks Andrew Warden whether there is any specific quantifier or qualifier to define a terrorist “group.”

Even if Diagonon could be considered a “group,” there was never any prospect of violent insurrection to establish its borders. That would require overthrowing two provinces and defeating the United States in a land battle— they could no sooner colonize the moon or drain the ocean.

Jeremy thought it was self-evident that the whole thing was a joke.

But not everyone shares his sense of humour. The Canadian Anti-Hate Network (**CAHN**) misconstrued Diagonon to place it in a false, nefarious light as a “far-right separatist”, “anti-government”, “neo-fascist”, and “militant accelerationist group.”

In the absence of evidence, CAHN relied heavily on negative association and innuendo. The constant repetition of misleading or false information produces the illusory truth effect; repeat a lie often enough and people will believe it.

CAHN described Diagonon as wanting to establish a white ethnostate, although this idea was never articulated in hundreds of hours of livestreams. Jeremy’s fanbase was called “militia-like”—at some point the qualifier was dropped, then added back. In fact, there is no evidence of an organized group of armed civilians outside of CAHN’s imagination. An affinity for gun culture (which appeals generally to military-inclined people) cannot be conflated with the definition of militia. It may

warrant law enforcement keeping an eye on things, but essential to consider context and intent when assessing risk.

The more CAHN vilified a stubborn and defiant Jeremy, the more he doubled down with sarcasm. The joke became people not getting the joke, in a meta way. Community members began referring to themselves as “bigots,” intending to dilute the sting of a word carelessly misapplied. This was interpreted as an admission of intolerance. In November 2021, Jeremy circulated a group photo taken at a family barbeque gathering in Viscount, Saskatchewan. The ominous image depicted masked men with hunting rifles and the Diagonol flag. This was interpreted as proof of a weapons training camp.

The media started echoing CAHN’s far-fetched conclusions, despite unequivocal statements from Jeremy about his satirical intent. Poe's Law, a prominent adage in internet culture, posits that parodies or sarcastic portrayals of extreme perspectives may be misconstrued as genuine expressions of those beliefs. This principle can be manipulated by individuals who genuinely hold extreme views, using it as a shield when confronted with substantial criticism, and claiming that their statements were merely satirical in nature. When in doubt, consider the evidence, or lack thereof.

There was a degree of separation or less between CAHN and every news article about Diagonol. CAHN’s “Elizabeth Simons” was the primary spokesperson, making a range of speculative and unsourced claims about Jeremy and his fanbase.

Jeremy corresponded by Twitter direct message with CAHN Board member Kurt Phillips in the hopes of clearing up misconceptions about his podcast. The conversations were casual in nature, touching on surface level things like beer preferences. Jeremy tried conveying that CAHN’s approach isolates people who are already in precarious situations, and oftentimes severs any remaining connections to regular society. This only pushes people further into dangerous echo chambers. It becomes a self-fulfilling prophecy. CAHN either manufactures hate by inventing it, or by driving vulnerable people down that path. Rarely, if ever, do they stumble upon actual Nazis.

Hysteria about Diagonol reached fever pitch during the Freedom Convoy, particularly after a homemade patch was spotted on a tactical vest purportedly seized in relation to an attempted murder plot in Coutts, Alberta.

Jeremy had never been to Coutts, nor was he in communication with any of the accused leading up to their arrest. He was nonetheless repeatedly connected to the weapons cache by media outlets citing CAHN. Documents obtained from the RCMP reveal heavy reliance on open source intelligence, including news articles. Government officials took their cues from both the media and law enforcement.

And the media reported on statements from law enforcement and government officials.

A veritable circle jerk.

Under oath at the Public Order Emergency Commission, Jeremy provided the following analysis:

It's my opinion that the foundation work by the Canadian Anti-Hate Network as pertains to targeting me as a previously government-funded -- has enjoyed a fair amount of government funding, to target and smear people that they, you know, consider perhaps politically inconvenient or people they just want to shut up, they regularly engage in defamatory statements... out-of-context statements, they'll take a clip here, a sentence there and stitch it together and make it appear as something that it is not...

From there, some media outlets, legacy media outlets, lazily—unfortunately, it appears—took it at face value, copy/paste, print the story then which is consumed by police officers, which again, unfortunately, rather than doing any digging themselves or investigating or asking me a single question, take these things at face value and compile these reports and up the network it goes until it lands on the desk of the public safety minister or you know, perhaps even the prime minister's office, where they're faced with these scenarios that have no basis in reality. I consider this entire situation entirely avoidable. This—none of this needed to happen, and it's absurd, and I consider the single most embarrassing and grotesque intelligence failure in national history.

For his part, Jeremy made numerous overtures to speak with law enforcement and try to shed light on the community everyone seemed so concerned about. Nobody ever took him up on the offer.

Freedom Convoy

Jeremy learned about the Freedom Convoy through social media hype. He saw aerial drone footage of trucks driving from Western Canada, and concluded this would be a big deal. Plus, he considered it an opportunity to get together with friends and escape the monotony of lockdowns. He encouraged his followers to be on their best behaviour, mindful the Diagonon fan base would be under a microscope.

Jeremy knew that he would be talking about the convoy on his show regardless and decided to attend in person. He drove back and forth from Nova Scotia twice. The distance was not daunting because he made the twelve-hour drive to Petawawa dozens of times while in the military.



He mostly stayed on a goat farm outside the city. (King Phillip predated the goat farm. The location was a fluke.) It felt like a multi-week house party, until the Emergencies Act was invoked. From that point onward, Jeremy stayed out of the Red Zone and watched the news like everyone else.

There was no doubt that Jeremy was flagged. He remembers seeing reconnaissance posts on the rural road outside Ottawa. They were parked for hours, even days at a time. One night, the farm dogs were barking uncontrollably. Jeremy figured there were probably cops surveilling the building. In the morning, sure enough, he found foot traffic in the snow, and empty coffee cups and cigarette butts. Jeremy knew that everything he said was being watched, but worried that only sarcasm was taken at face value and earnest statements disregarded as red herrings. He was not paranoid, but rather genuinely concerned for his safety. The escalations were scary— in his mind, the intense focus on his podcast by police should not have happened in any sane or rational world, so it was not a leap to imagine physical danger.

From law enforcement's perspective, they were following a militia and perhaps assumed Jeremy was a mastermind trying to throw them off and cover his tracks to conceal the secret Nazis and weapons caches. From his perspective, "I'm literally a guy in sweatpants with a laptop— are you surrounding the property with guns? What are you doing?"

True to form, Jeremy did not make things easy for himself. He sarcastically captioned videos "Canadian Nazi Takeover of Ottawa", "Urgent: Statement from Neo-Nazi Militia Commander", and "Bury Me with My Boots On." He also wrote a formal letter titled "Diagolon's List of Demands to the Canadian Senate" while the Emergencies Act was in force, with a view towards explaining that he is not a security threat. When Alex Vriend was arrested and released he posted, "Diagolon will not forgive this! You've gone too far now, pigs!"

One night, Jeremy and a few others were in a basement, laying on the floor in sleeping bags. Evan Balgord and Bernie Farber appeared on television singling out Diagolon as a potential source of violence, and the Fifth Estate was set to release an episode with a segment on Diagolon that week. The media attention had ramped up

and nobody knew what to do. It was like a boy's sleepover, with Jeremy and his friends scheming over candy bars in the dark.

Here is the plan they almost executed: There were two other guys approximately the same size and build as Jeremy and Derek Harrison. They planned to switch clothes and cell phones, send their body doubles into the crowd, and position themselves across the street with walkie talkies to see what happened. The cops would realize what happened too late and declare, "Oh damn! The switcheroo!"

In the end, Jeremy and Derek decided not to go downtown.

Jeremy laughingly imagines the fallout if they had gone ahead with it: "Marco Mendicino might have appeared on television describing Diagon as 'masters of disguise' and 'stealth experts.'" He recalls eating cereal on a milkcrate dumbfounded the morning the Minister of Public Safety declared that "Several individuals at Coutts have strong ties to a far-right extreme organization with leaders who are in Ottawa."

As much as Jeremy may not be a fan of Prime Minister Justin Trudeau, he believes the Emergencies Act was an institutional failure. The role of law enforcement agencies and the Minister of Public Safety is to identify and triage national security threats and inform the Prime Minister accordingly so he can make proper decisions. If Trudeau is fed bad intelligence (such as portraying Diagon as a militia that poses a genuine threat to public safety), what is he supposed to do? Indeed, the responsible course of action is to be prepared and look foolish if nothing happens, rather than do nothing and risk people being hurt.

Jeremy finds it terrifying that law enforcement cannot discern comedy or trolling from terrorism. It is either blatant incompetence, or an attempt to crush political dissent.

Either way, the ones watching the gate cannot be trusted.

Public Order Emergency Commission

Jeremy was summoned to the Public Order Emergency Commission. The penalty for refusing to appear was only a \$400 fine, but Jeremy was eager to share his perspective.

His lawyer, Sherif Foda, made an application to Commissioner Paul Rouleau requesting an order to testify in camera, meaning without media coverage or access. The rationale was that Jeremy would likely be facing jury trials in the near future, and there was a risk of tainting public opinion. Several parties with standing objected to the application, claiming (among other things) that media coverage was important and necessary in the public interest.



The application to testify in private chambers was denied, but Jeremy decided to participate regardless. He defied everyone's low expectations, appearing dapper and clean-shaven despite his drab setting. He was the only witness who testified from jail; this did not impact his ability to speak cogently. He was thoughtful and eloquent in his testimony, and unshaken in cross-examination. At the end, Commissioner Rouleau wished him luck with his upcoming trials.



Jeremy's testimony painted a picture of an ordinary person caught up in extraordinary circumstances with no playbook. Although he was not a convoy organizer, he recognized that his platform could be used constructively. He implored his followers:

“If there's a speed limit on walking for some reason, then you will walk slower than that. Don't even litter. Don't spit. Don't even throw a snowball. Don't give anyone any excuse to point at you and say, 'Look what you've done. Look

what you've incited,' or created or fomented, and so on because that [would undermine] the entire purpose of... everything everyone was trying to achieve.”

Much of his testimony focused on the alleged connection between himself and the Coutts weapons cache based on his alleged connection to arrestee Chris Lysak, and the presence of Diagon patches on a tactical vest seized by the RCMP.

Jeremy testified that Lysak was a long-time fan of the podcast, and someone he met personally at meet and greet get-togethers in Saskatchewan. They took a photo together. Jeremy jokingly appointed him Head of Security for Diagon, which was a nod to his physical stature and otherwise a meaningless honorific. Apart from these encounters, there was never one-on-one conversation, though Lysak may have been in some larger online group chats for the fanbase. Lysak called Jeremy a couple of times since being arrested, and he offered words of encouragement. Jeremy did not know any of the other people arrested in Coutts, and no evidence was provided to contradict this assertion.

As far as the Diagon patches, Jeremy testified that they appeared to be homemade rather than purchased from his provisional supplier. Moreover, he personally had never travelled to Coutts, nor was he communicating with anyone in Coutts. He

testified that the use of Diagonon imagery was about self-identifying as a fan or member of the community, akin to identifying as a Toronto Maple Leafs fan by putting a sticker on one's truck.

Jeremy also described receiving leaked screenshots from law enforcement group chats, including the RCMP celebrating violence against civilians. He explained, "At the time, and still presently, I'm very skeptical of law enforcement, especially considering the political nature in which there appears to be a lot of interference going on in the country."

The final five-volume Report of the Public Inquiry into the 2022 Public Order Emergency is marred by certain shortcomings. First, the Commissioner consistently took law enforcement at face value, despite issues with methodology and reasoning that have since been uncovered. Second, the inquiry's truth-seeking function was limited by procedural issues. Jeremy MacKenzie was unable to question any of the countless witnesses who made statements about himself or Diagonon, meaning potentially false or misleading statements were left unchallenged. Jeremy's lawyer was not even informed that CAHN's Evan Balgord submitted an affidavit contradicting his client's testimony and had no chance to test its accuracy through cross-examination. The evidentiary value of such an affidavit would be next-to-useless in court, if not inadmissible altogether.

It was convenient for federal policing agencies that Jeremy happened to be detained on an RCMP-sourced Canada-wide warrant as the POEC unfolded, and worth noting that the underlying charges have since been stayed.

Still, Jeremy's POEC testimony marked a turning point in media coverage. His name went from being smeared for clickbait to barely being uttered. Despite submitting 30-page legal submissions about why it was so important for the media to inform the public about Jeremy's testimony, its substance was hardly addressed. No mainstream media outlets provided an in-depth summary or analysis. It was silent. "On the battlefield, silence is the sound of victory. You know, because your enemies are dead," jokes MacKenzie. He hastily adds, "Metaphorically."

The Prosecution of Jeremy MacKenzie

In January 2022, Jeremy MacKenzie was arrested in Port Hawkesbury, Nova Scotia with charges including careless use of a firearm. The alleged incident was the basis for a search warrant for his home in Pictou, Nova Scotia. The raid resulted in additional firearm-related offences. That matter is set for trial in September 2024.

In March 2022, MacKenzie was charged in Dartmouth, Nova Scotia in relation to protests outside the residence of Dr. Strang, the provincial Chief Medical Officer of Health. He spent four nights in custody before being released on bail. His release order included unusually strict terms limiting his ability to engage in certain forms of protest and speech against Premier Tim Houston's government. The presiding judge ruled in his favour on a motion in August 2023, ordering the disclosure of records of a meeting held immediately before his release that raises the specter of political interference. He is raising several Charter issues, including violation of his right to counsel, improper search and seizure, and abuse of process.



On July 18, 2022, an information was sworn against MacKenzie in Saskatoon, Saskatchewan in relation to offences that allegedly occurred in 2021. The RCMP did not provide MacKenzie or his counsel an opportunity to surrender, which would be best practice where a party is represented and facing charges in another jurisdiction. In fact, MacKenzie only learned about the warrant in late August, when he was contacted for comment by journalist Stephen Maher from iPolitics—Maher's source on the warrant appeared to be extremism and national security commentator, Toronto 18 informant Mubin Shaikh. The warrant was extended Canada-wide and enforced in September 2022.

In September 2022, MacKenzie made drunken, vulgar comments about Pierre Poilievre's wife, Anaida. The federal Conservative Party leader called for the RCMP to investigate. Days later, MacKenzie was arrested. The RCMP denied that Poilievre's complaint had any influence on the sequence of events. Still, they made a spectacle of hauling MacKenzie from Nova Scotia to Saskatchewan on a Canada-wide warrant. MacKenzie was denied bail, left to sit indefinitely in a jail cell thousands of kilometres from home. Additional charges were laid against him by Quebec RCMP for allegedly uttering threats and criminal harassment.

MacKenzie spent over two months in pre-trial custody at the Saskatoon Correctional Centre. He narrowly escaped being stabbed by a group of men who mistook him for a white supremacist based on unfavourable news coverage that repeated CAHN talking points. There was no escaping the smear campaign, not even behind bars.

Prosecutors in Saskatchewan and Quebec both relied on the same open source intelligence material from CAHN to justify MacKenzie's detention – this, despite the presumption of innocence, and his spotless criminal record.

MacKenzie connected with counsel willing and prepared to tackle his charges spanning three provinces. Lawyer Sherif Foda filed a bail review application in Saskatchewan, which was granted on consent at the eleventh hour. He also successfully obtained bail in Quebec after a day-long hotly contested hearing.

Getting out of jail was a significant turning point; after months of spiraling downward, Jeremy started to bounce back. His original charges from Port Hawkesbury have been stayed. The Saskatchewan charges have also been stayed. Jeremy entered into two peace bonds with no admission or finding of criminal liability on his part. As his lawyer told SaskToday, “Mr. MacKenzie is eager to proceed” on his outstanding charges.

There is curious overlap between characters popping up in his cases across multiple jurisdictions. The identities of complainants are protected by publication bans.

From Hero to Terrorist

What happened to Jeremy is breathtakingly unfair, but he takes it in stride. “People think, ‘As long as I do everything right, if I don’t make any mistakes, I will survive.’ Like it’s a science. But war is not science, it is chaos. Nothing is fair. Nothing makes sense. You could be the best operator in the world and get killed without ever firing a shot. It’s hard to cope with. You have to accept, there’s things out of your control. This can end with you going home in a box, or not at all.”

One of Jeremy’s platoon members was vaporized by an IED, leaving behind only a boot (with his foot still in it), and the upper half of his rifle. Jeremy had eaten breakfast with him that morning. In a separate incident, Jeremy’s favourite sergeant was launched 100 ft into the air when the vehicle hit a bomb, and possibly had 5-6 seconds of airtime before he hit the ground, likely knowing he was going to die. His body was retrieved intact. The other six or seven soldiers who died in the vehicle were mangled; it took nine stretchers to remove all the body parts, not knowing for sure whose are whose.

Jeremy had a moment in the bathroom towards the end of his career, literally looking at his reflection in the mirror, sighing: “What did you do? Great, I’m the Empire. I’m a stormtrooper in the Imperial Empire. That is what I am. Holy shit.”



What were his sacrifices for? How did we get there? Why?



The reality is bleak: “You never get an answer, nothing makes sense. We move onto the next thing. Then, years later, we just walk away. You watch it all unravel on television. And not even an apology.”

By the time Jeremy retired as a veteran, he was training kids who were born after 9/11. They were joining a war that has been going on longer than they’ve been alive.

Many cannot fathom what it’s like to live through such trauma, only to face the ordeal of being vilified by the country you fought for. For Jeremy, there was no other option but to keep going:

You just have to continue. It won’t kill you, but it’s really gonna hurt and be uncomfortable. You’re not gonna die, this just really sucks... And once you figure that out, what’s the worst that can happen? I am going to have a horribly shitty day, but eventually it has to end at some point.

He recalls how during Special Forces selection, informally known as “Hell Week”, soldiers are tested to the limits of their abilities. There are no time limits, no way to know what to expect from one moment to the next. One day, he was instructed to face the wall and await further instructions. Nobody came back for sixteen hours. There was unknown distance marching, with a hundred pounds on your back and having to go until they said stop, for kilometres at a time. They made to pick up bricks and weights while submerged in water. Sometimes people drowned – he recalls one guy had to be resuscitated. There was never any reprieve or end in sight.

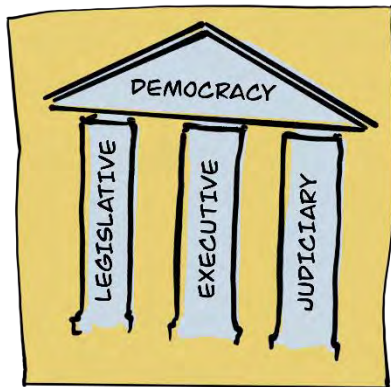
He learned perseverance from those experiences, how to mentally switch off: “The only way out is to continue until it ends, and when it ends it ends. You just can’t stop. Left foot, right foot, keep going. One day after the next.”

The mental battle he is going through now is reminiscent of those times. “They just kept piling it on. It started with that ARC Collective blog and Kurt Phillips. Then the arrests. The RCMP took me to Saskatchewan. Denied me bail. Stacked on the Quebec charges. And then I got debanked, and they screwed with my pension money. And they just keep piling it on, and I refuse to stop. Sooner or later, somebody is going to break. I know I’m not a criminal, so I’m just gonna keep doing what I’m doing.”

Against all odds, his sense of humour remains intact.

Jeremy believes he was being followed by law enforcement as early as summer 2021. Based on emails disclosed in a Freedom of Information and Protection of Privacy (FOIPOP) request, there is evidence that he was on their radar during the federal election. Ever unserious, Jeremy started making fun of the RCMP officers he correctly presumed to be tasked with monitoring his podcast: “In case they’re listening, they have to hear this, and endure me – like, just making fun of them and mocking them. Constantly. All the time. And there’s nothing they can do about it. That’s probably what contributed to their enthusiasm.”

The FOIPOP and What We Discovered



The Canadian constitution divides power between three branches of governance: the legislative branch (Parliament and the provincial legislatures); the executive branch, which is responsible to the legislature (the Prime Minister and Cabinet); and the judiciary.

The legislative branch is foundational to democracy, as it is premised on the notion that power flows from the citizens to their elected representatives who are empowered to make laws that govern the population. The executive branch is also dependent on the will

of the people as expressed in the ballot box— the Prime Minister and the cabinet are chosen from elected members of the legislature, and enjoy power only so long as they have Parliament’s assent to critical legislation. The judiciary is independent of the legislative and executive branches. Its role is to decide disputes and ensure, when called upon, that these bodies exercise power in accordance with the constitution.

This roughly outlines Canada’s democracy. For it to function well, two rights must be safeguarded: the right to access information and the right to privacy.

Access to information is essential to informed debate, and acts as a check on abuse of powers. In the words of Pierre Trudeau, “the democratic process requires the ready availability of true and complete information. In this way people can objectively evaluate the government’s policies. To act otherwise is to give way to despotic secrecy.”

Privacy is linked to individual liberty. Section 7 of the Canadian Charter requires respect for the individual’s right to be free from arbitrary government restraint. The government collects a lot of data and personal details about its population, on a spectrum of sensitivity. The improper use of information, or even a fear of such misuse, can stifle political dissent as individuals fear reprisal by government actors.

In 1983, Canada adopted a twin set of quasi-constitutional laws to protect access to information and privacy. Under the Access to Information Act, any Canadian citizen or permanent resident may, for a nominal fee, apply to an applicable federal institution and request disclosure of information. The Privacy Act restricts the right of access, by prohibiting the disclosure of personal information to third parties. It also grants individuals the right to access, correct, and monitor the use of any personal information in the government’s possession.

National security concerns may limit the extent of disclosure of information to an individual and may permit intrusions into individuals' privacy. However, the courts require measures to ensure that people are treated with procedural fairness.

On September 1, 2023, Jeremy MacKenzie received the results of a Freedom of Information and Protection of Privacy (FOIPOP) request to Federal Policing:

Any and All records, files (etc), documents, memos, e-mails, communication records, and reports on the subject of "Diagolon" or in relation or reference to the subject of Diagolon. Search term: Diagolon Also referred to as the Diagolon Network or Diagolon Militia. Timeframe: January 01 2021 to August 15 2022.

The request was submitted over a year ago, but a series of external consultations delayed the release of documents. It was worth the wait. The information validates Jeremy's apprehension about copy-and-paste police work, in which law enforcement accepts open source intelligence at face value without scrutiny or asking questions. Every falsehood and misrepresentation seems to lead back to the Canadian Anti-Hate Network.

What you see here is only half the story. We are still in the process of sifting through over a thousand pages of information that require careful analysis, and plan to release other findings and relevant material as we go along.

The FOIPOP packages reveal several outrageous blunders and oversights, which will be covered in the coming pages. But when it's all said and done, the lingering sentiments we are left with are a mixture of shock and disappointment over the sheer incompetence, displayed in full view. The magnitude of it. How it could have gotten this far without anyone stopping it.

Two years of inconsistency and ineptitude. A death by a thousand cuts.

Inconsistencies and Speculations

Our most consistent finding was the inconsistency—the casualness with which falsehoods were repeated without a second thought. The abject carelessness, coupled with a remarkable intolerance for ambiguity. Wherever there was confusion, holes in the narrative were patched with rumours, innuendos, and speculation.

The obsequious desire to be helpful, to impress one's colleagues, led people to offer opinions that were flat-out wrong. A hypothesis became a foregone conclusion. Nobody rolled it back. Words like "could", "might have", "could have happened", replaced actual proof. As a last resort, clickbait articles and tweets by CAHN and its constellation of anonymous twitter accounts, were offered up in lieu of proof by people with "Intelligence Analyst" in their signature line.

To see how painfully some law enforcement officers and researchers struggled to fit a square peg into a round hole, brings to mind Hanlon's Razor: “Never attribute to malice that which can be adequately explained by stupidity.”

Conversely, Jeremy was considered a wily mastermind. The absence of any proof that Diagon is a violent extremist group rather than a make-believe concept, was not viewed as an exoneration or lack of culpability, but proof that further scrutiny was necessary. The idea of presumed innocence was not brought up once, in over a thousand pages. At every turn, we saw lazy conflation of Diagon with ethno-nationalism, white supremacy, and ideologically-motivated violent extremism.

A curious escalation of commitment happened. People who pride themselves on their intellect and objectivity refused to believe they were duped, or that they fell prey to their own biases. Instead, they strained to redefine Jeremy and Diagon as nefarious in some way, perhaps to save face.

People who thought themselves impartial did not exhibit a shred of good faith as they bent over themselves trying to define Diagon as a “group”, while at the same time referring to it as a “movement”, “accelerationist group”, “militia”, and even a “neo-fascist violent militia”—treating them as interchangeable terms.

These are not synonyms. In law enforcement, language must be precise for good reason. Definitions make all the difference in ensuring everyone is held to the same standards. The fact that after such extraordinary efforts, there still is no reliable, consistent assessment of Diagon or how violent they think Jeremy MacKenzie is, should be proof enough of his innocence.

Even when they concede that “Diagon ‘doesn’t fit the definition’ of a terrorist entity according to Canada’s Anti-Terrorism Act,” researchers like Amarnath Amarasingham, whose work brings him into CAHN’s radius, are averse to admit they might have been wrong. “The danger with Diagon, rather, lies with how its viewers might internalize the cynical worldview Mackenzie and other affiliated broadcasters present,” he wrote.

We would argue the true danger lies in the speculation that an artist, author, or comedian, should be held responsible for what fringe elements of their fanbase might do.

Slippery slope fallacies are how we end up throwing books into bonfires. And yet there is a real possibility that groundwork is being laid out, through the efforts of state-funded academics, smarmy consultants, and think tanks powered by defence contracts, to make the case for holding influencers and content creators responsible for the actions of third parties. This, of course, has less to do with “harm prevention”

and more about censoring someone at will. What better way to kill artistic expression than hold an artist responsible for the actions of thousands of strangers.

Cultural and generational differences were overlooked by those who were surveilling, rather than understanding, the Diagonon fanbase. As external observers, rather than participants, they hadn't been initiated into the subculture. Imagine dropping in on a roomful of hardcore "Risk" players talking about armed conflict and conquests, and thinking they're for real. Or taking a Dungeons and Dragons session at face value. Or going to a Civil War reenactment where everyone stays in character, and interpreting cosplay fantasies as genuine plans for insurrection.

How could Jeremy Mackenzie become the founder of a not quite-ideologically motivated, almost-violent, could-be extremist group, not really-fascist, maybe-militia that doesn't meet RCMP and CSIS definitions of a "group", yet is still deemed dangerous enough to warrant special communiques going out to intelligence agencies across the globe?

Because nobody took the lack of evidence at face value.

Yes, sometimes it really is that simple.

Popularized in the blockbuster movie *Minority Report*, the idea of intercepting crime before it happens emerged from the eponymous sci-fi story by Philip K Dick, which was preceded by George Orwell's dystopian masterpiece *Nineteen Eighty-Four*. Both serve as cautionary tales of an omnipotent authoritarian state marked by mass surveillance, social repression, and criminal profiling. If they think you're guilty, they'll take you out before a crime is committed. The State's word is Supreme Law, and no judgment can be appealed.

As laws crack down on freedom of expression, humour—often a person's primary defence mechanism when it comes to releasing tension, concealing pain, or speaking inconvenient truths—is the first to be sacrificed and reframed as wrongthink. Historically, those writers, poets, comedians who didn't censor their exuberance were the first to discover that satire comes with a heavy price.

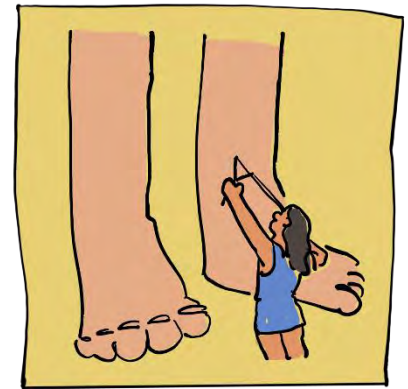
What was once science fiction is fast becoming reality, and nowhere more obviously than in the context of counterterrorism. Those cognizant of the effect of self-fulfilling prophecies have argued that, far from preventing crime, such measures produce the outcomes they profess to prevent. A crime prevention model might work well in theory. But if you're going to take strong measures to prevent crime from happening, you'd better be damn sure you have the right suspect.

Elisa's Story

Taking Down the Heritage Front

In the early 90s, sixteen-year-old Romanian immigrant [Elisa Hategan](#) (then Elisse) was held up as the innocent young face of an Ontario neo-Nazi, white supremacist group known as the Heritage Front. With over 200 members, including violent skinheads with convictions for aggravated assault, kidnapping and attempted murder, and implicated in firebombings, it was considered the most dangerous white supremacist group in modern Canadian history. Elisa was groomed as a media spokesperson to soften the image of violent skinheads, even appearing on *The Montel Williams Show* at age seventeen to repeat scripted talking points that concealed the group's hateful ideology.

It was a cynical, yet effective strategy. But the adult puppeteers failed to account for personal agency, nor for Elisa's identity as a closeted lesbian with Jewish roots, later confirmed through DNA tests. Elisa began to secretly provide information to anti-racist activists, at great personal risk, revealing details about illegal weapons and the identity of a Toronto police officer who was a group member. At age eighteen, she defected from the group, stealing part of [Holocaust denier Ernst Zundel's](#) membership list. Months later, her courtroom testimony was instrumental in securing the convictions of three Heritage Front leaders—a fatal blow that triggered the group's decline and eventual demise.



While the leaders were serving jail time, co-founder and second-in-command leader [Grant Bristow](#) was exposed as an undercover CSIS operative by Toronto Sun reporter Bill Dunphy, in part due to scrutiny that arose after Hategan's affidavits and testimony pointed to Bristow being an *agent provocateur* who directed criminal activity such as the It Campaign, a brutal harassment campaign directing Indigenous community leaders and anti-racist activists.

Despite having incurred serious death threats, including being questioned at knifepoint by Front members the day before her defection, Elisa was inexplicably denied entry into the RCMP's [Witness Protection Program](#). Grant Bristow, however, was promptly relocated to Alberta, given a home, cars and a generous monthly paycheck for years afterwards, despite the fact that his five years of work in Operation Governor had not led to the arrest and conviction of a single Canadian neo-Nazi.

Forced to live in hiding across Canada for more than two years, relying on kind strangers, homeless shelters, and dumpster-diving to survive, Elisa, a ninth-grade high-school dropout with a history of familial abuse and foster care, managed to earn a Nova Scotia GED and was accepted into the University of Ottawa's prestigious criminology program.

Motivated to understand how extremists target youth for radicalization, Elisa made the best of her second chance, engaging in volunteer work inside prison and youth detention centres, while working two jobs and relying on student loans to stay afloat. In 1999, aged 25, she graduated *magna cum laude* with a double major in criminology and psychology.

Behind the Scenes at ARC Collective

It was 2011, long after Elisa had returned to Toronto following a stint as an ESL teacher in Seoul, South Korea, when a Google search for figures from her past led her to a blogspot site called Anti-Racist Canada (**ARC**). ARC featured articles about Canada's far right and exposés of people the author characterized as extremists. Recognizing an individual ARC was trying to identify in an old Ernst Zundel photo, she left a comment. A correspondence with the webmaster, who called himself "Nosferatu200", followed, growing into a fast friendship.

The website was operated by Kurt Phillips, a Drumheller, Alberta high school teacher two years Elisa's junior, who had created ARC in 2008 as a hobby project to keep track of "Nazis." In an early email, [Kurt called himself her "fan boy"](#) and gushed about recognizing her name: "You, more than anyone else, took down one of the nastiest hate groups that had existed in Canada in years." He then invited her to join the ARC Collective and write for the blog, confessing it was mostly a one-man operation. Auxiliary support came from one other person, a female volunteer from Quebec.

[Elisa's first article was prefaced by Kurt's unreserved endorsement:](#)

Hategan, who did more to take down the Front than any Canadian government agency ever could (and, really, in spite of some government agencies). Despite the efforts from 2001 to 2005 to revive the group, Elisse's testimony essentially killed the HF as a viable movement in Canada and exposed the activities of CSIS to public examination.

The blurb was accompanied by a hyperlink to [Elisa's testimony before the Senate Parliamentary Committee](#) that investigated the Bristow Affair.

[Kurt visited Elisa in Toronto](#) in 2013. They spent two days hanging out and she took him to all the Heritage Front old haunts, such as Zundel's townhouse on Carlton

Street, where she had worked and sometimes sought refuge when homelife turned violent, and the building where leader Wolfgang Droege was shot dead in 2005. [Photos taken by Elisa](#) during the visit ended up on ARC's website; with all her blog entries now deleted by Kurt, they are the only visible reminder of her contributions to the Collective.

Although platonic, the two were close friends. Their phone calls and Facebook Messenger interactions were marked by affectionate exchanges and Elisa's confessions of severe childhood abuse, chronic depression, and history of suicide attempts. Kurt called himself "family" and assured her that if she ever needed him, he would drop everything and fly to Toronto. He sent her several gift packages and contributed hundreds of dollars to her book fundraising campaigns, enlisting his mother to also donate.

With Phillips' encouragement, Hategan published her memoir [Race Traitor: The True Story of Canadian Intelligence's Greatest Cover-up](#), in 2014. Phillips promptly wrote a 5-star Amazon review under the handle "[John Smith](#)", citing Hategan as "the key figure in taking down the leadership."

Their friendship allowed Elisa exclusive and unfiltered access to Kurt's sleuthing tactics, which included LARPing as a [Russian model named Anya](#) and cosplaying as a Nazi to extract what at times seemed rather dubious intel, such as hardcore erotica stories.



"Anya" was one of Kurt Phillips' alter egos – a hot, blonde Russian model who lurked in white nationalist chatrooms. Conversations with neo-Nazi Paul Fromm, also a (former) high school teacher, elicited erotic images and stories from Fromm, including a fanfic starring Rasputin which included the protagonist (bearing a passing resemblance to the imaginary Anya) fondly reminiscing about having anal sex as a child.

Kurt boasted about such conquests and disseminated screenshots like trophies to Elisa and the other female ARC Collective member. He talked about saving the information to be publicly exposed at the right moment, but nothing meaningful appears to have been accomplished – not even when Fromm sought to run for public office.

The shady research tactics didn't stop with the honeypot traps. Once, when someone threatened Elisa on Facebook, Kurt gallantly volunteered to "make some calls" and

“give him a reason to be frightened”. Elisa hadn’t seen that side of Kurt, but hints appeared when he shared plans to buy a silicone skinhead mask to [cosplay a skinhead](#) in online forums.



In 2015, Elisa’s depression spiraled into despair after abruptly discovering that, while she’d been in hiding, the CBC had culled lived experiences from her 1994 trial testimony and interviews with people who knew her, and released a 1998 movie titled [White Lies, starring Sarah Polley](#). Approximately 75% of the scenes can be traced to snapshots of Elisa’s life as described in print media, trial transcripts, and a 1994 [Vision TV documentary](#). Hategan was never credited or paid. Instead, the CBC misattributed the story’s inspiration, with Bernie Farber being thanked in the end credits. The film earned producers Gemini and Emmy awards; Elisa was picking for food through garbage cans while life rights were being sold to the CBC behind her back.

The shock of seeing traumatic events reenacted without her permission, coupled with her mother’s death within months of that discovery, pushed Elisa over the edge. The “family” support she had come to expect from Kurt never materialized. When she posted on Facebook that her only relative in Canada was dying, she recalls that his response was a sad face emoji. Suicidal and under the influence of alcohol, she wrote him an angry, abrasive letter accusing him of being no better than the Nazis he claimed to fight. She CC’d it to the other female ARC member (who Kurt was infatuated with at the time, and who subsequently left ARC), before blocking him on social media.

Within months of CAHN’s inception in 2018, Kurt scrubbed all of Elisa’s contributions from ARC, including a link to her memoir’s Amazon page, which he had assured her would never be removed. In Elisa’s view, the sanitization coincided with a new narrative being disseminated, one that clashed with historical facts as she describes in the memoir both Kurt and Bernie Farber once praised. She made several attempts to communicate with him, with no avail.

Soon after, Elisa sued two CAHN Board members, including Chair Bernie Farber, after Farber made comments on TVO’s The Agenda with Steve Paikin that, in her view, misattributed her singular role in the “takedown of the Heritage Front” in order to advance a narrative she believed was more profitable and favourable to Farber’s interests. She also sued TVO; the case was settled out of court, with the terms of the settlement bound by a confidentiality clause.

In December 2019, Elisa uploaded a 171-page affidavit to Scribd, which referenced her work with Kurt in ARC. Three weeks later, following an appearance on CBC's Fifth Estate where his face was inadequately blurred, [Phillips' identity was revealed on KiwiFarms by Bryan Trottier](#). Trottier had sourced the name from Elisa's affidavit, but it was not until he saw Kurt's face and distinct glasses on CBC, that he was able to match them to photos of Phillips available online.

Instead of assigning any blame to either the CBC or Trottier, Kurt placed all the responsibility for his "doxx" squarely on Elisa's shoulders. It was the beginning of a vicious online harassment campaign by trolls associated with CAHN that continues to today, turning a once-lauded heroine into a villain, while elevating someone who Elisa refers to as an "armchair activist", into a hero.

After his identity was revealed, Kurt was featured in high-profile media interviews, gained thousands of Twitter followers, and was praised as a CAHN board member. He also incurred threats and harassment, as did Elisa, but there was no one to insulate her from the fallout.

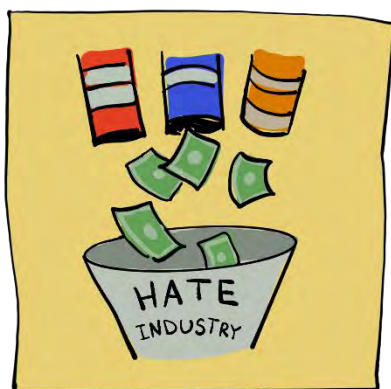
As Kurt's fame and popularity grew, he—a man who never shut down any hate groups or formally studied criminology and terrorism—was touted as an "expert" on the far-right, while the Jewish woman with formal training who had risked her life to shut down a hate group was smeared as a Nazi.

The Canadian Anti-Hate Network is Born

The Canadian Anti-Hate Network (CAHN) was incorporated in Toronto on March 30, 2018, as a not-for-profit organization that purports to be an antifascist and antiracist advocacy group. Its stated mission is to "monitor, research, and counter hate groups by providing education and information on hate groups to the public, media, researchers, courts, law enforcement, and community groups." As part of its mandate, CAHN publishes articles and toolkits about identifying and confronting

the nebulous "far-right" and is frequently cited on mainstream media platforms as a de facto source of information on "hate" and extremism.

CAHN's founding members are Bernie Farber, former CEO of the now-defunct Canadian Jewish Congress (CJC), lawyer Richard Warman, journalist Amira Elghawaby, and Evan Balgord, former vice-president of the Canadian Association of Journalists.



At present, Balgord serves as Executive Director, Farber is Chair, Kurt Phillips, high school teacher and operator of the ARC Collective is on the board of directors, and “Elizabeth Simons,” an individual whose identity or credentials cannot be verified, is “deputy director”. The board of directors also include Nigel Barriffe and Sue Gardner.

There is also an Advisory Board that consists of Ontario Tech University professor Barbara Perry, ex-CJC director Len Rudner, and has included political pundit Warren Kinsella, and others. Its structure and purpose is unclear, as are the identities of most of its members. CAHN’s sphere of influence extends beyond the entity itself to include associated journalists or quasi-journalists, whether named, pseudonymized, or anonymous.

Armed with \$25,000 in seed funding from the Southern Poverty Law Center, CAHN quickly outpaced other fledgling non-profits by raking in sizeable donations, a significant grant from the Bank of Montreal, and a [\\$268,400 grant from the Liberal government’s](#) Anti-Racism Action Program. It certainly helped that two of the men at its helm, Farber and Balgord, had extensive media connections, which ensured that CAHN would receive the kind of widespread press coverage other human rights organizations with established track records could only dream of.



It might have been a new organization, but the ARC Collective’s modus operandi continued. A chimera of sorts, CAHN absorbed the blog archive, arbitrary targets, and questionable cybersleuthing tactics Kurt had relied on for over a decade, and transplanted them into a new incarnation - one that arguably turned the word “leverage” into a business plan.

Whatever CAHN lacked in terms of experience, expertise or credentials, they made up for by collaborating with academics and assorted journalists, riding on credentials and accolades that existed long before the concept took root in the mind of one ambitious, well-connected opportunist.

The “Dark Arts” behind Anti-Hate

To gain a rudimentary understanding of how ARC and CAHN’s roads intersected, you need look no further than the explosive allegations contained in the Twitter threads of Toronto journalist and antifascist activist Kevin Metcalf. Although incomplete, his recollections offer a bird’s eye glimpse of the obscure origins of the Canadian Anti-Hate Network.

[Metcalf first met Evan Balgord](#) in 2013, at Chrystia Freeland's victory party. As he recalls it, some time later, Balgord - who is rumoured to be Toronto ex-mayor John Tory's nephew - invited him for a beer at a bar "around the corner from the downtown condo his US banker parents' money was paying for," for a discussion centered around the "dark arts of politics".

According to Metcalf, Balgord "had a specific interest in twitter disinformation, sock-puppetry and media manipulation." After the beers, they went back to Balgord's place. That's when Metcalf claims that Balgord behaved in a way that made him uncomfortable, prompting his hasty exit. Save for a sporadic email exchange, they would not meet again until 2016.

One week after Metcalf was hired by the Canadian Journalists for Free Expression, Balgord, out of the blue, invited him to socialize. "He was suddenly my new best friend." Metcalf slowly warmed to Balgord, despite feeling that his communications suggested "a cavalier attitude towards the truth." He passed on scoops garnered from his work with CJFE, a move he now regrets.

Metcalf's bitterness is palpable, radiating caustically through his posts. Pointing to a [screenshot of Balgord's Muck Rack page](#), he asserts, "80% of his early work was cribbed directly from my notes, activism, scoops, sources (even leaks) I gave him. A lot of that can be proved from chat logs. Only one of us ever got credit for the work. I did the legwork, provided the consulting, referred sources, vouched etc. Despite that it had almost all been my own work, nobody made me "Vice President of the @caj". In fact, I got blacklisted."

In the beginning, Balgord seemed more interested in Metcalf's work against Bill C-51, the federal surveillance bill that became the Anti-Terrorism Act, than his antifascist work. That all changed after Trump's 2016 election.

Metcalf claims he provided advice and feedback on how to start a nonprofit, which depended on Balgord's ability to acquire Kurt Phillips Anti-Racist Canada website, which came complete with a decade-long archive and antifascist street cred. "Balgord told me straight-up this hinged on co-opting (sorry, professionalizing) ARC." To give credence to his statements, Metcalf's tweet is accompanied by a [screenshot of an email](#) where Balgord, if he authored the email, does indeed appear intent on continuing ARC, by morphing it into a Canadian rendition of the Southern Poverty Law Center.

In Metcalf's view, Balgord didn't intend to build an "antifascist" group, so much as co-opt other antifascists' work "to produce partisan "opposition research" targeting conservative political organizing in support of shady electioneering efforts."

In private conversation, Metcalf claims that Balgord traveled to either Alberta or Saskatchewan to meet with Kurt Phillips on several occasions in late 2017 – early 2018; we have no way to confirm when exactly Phillips and Balgord first met and under what circumstances.

He also claims that Warren Kinsella, Bernie Farber’s long-time friend and self-admitted “[brother from another mother](#)”, was the one to initially connect Balgord to Richard Warman by email, after being looped into an email thread related to Metcalf’s assault by the JDL. Afterwards, Warman allegedly suggested Balgord reach out to Farber in order to build social license to start CAHN.

“I was there for their meeting,” Metcalf says. “It was at a bar in Ottawa. But then I had to leave the room.” At the time, he shrugged off the snub. “I just figured I was too activist or whatever.” What seemed weirder to him was that Warman’s office was ostensibly located in the Department of Defence building, and he was introduced as a “DND Lawyer.”

“On the way home from Ottawa [Evan] told me that he needed to reach out to Bernie. That was two months before Charlottesville. I think Bernie just brought the license of the Jewish community. That's when Evan stopped trying to doxx the JDL.”

There is no way to independently confirm the accuracy of Metcalf’s account. Evan Balgord did not respond to our request for comment.

Things between Metcalf and Balgord soured after Metcalf was fired from CJFE for releasing a public statement that condemned Israel for the deaths of Gaza journalists. Metcalf believes he was blacklisted by the CBC and other mainstream press after that. CAHN stopped mentioning Metcalf in their articles, which prompted him to declare he “was going to criticize them for being co-optive.”

He was swiftly blocked. “And that's when the coordinated, malicious defamation started, with an attempt to brand me a “Russiagate conspiracy theorist” by a prominent network contributor,” Metcalf shares in his Twitter thread. “Over several months in early 2021, nearly anyone who liked my tweets received a message from various members/employees/affiliates of CAHN. The whisperers whispered in the ears of anyone with open DM's. It's called “Badjacketing”. My follower count/engagement plummeted.

“When I tried to address some of the people spreading allegations about me, other affiliates accused me of “doxxing” for naming the individuals engaged in the active defamation. Others asserted I was an “anti-semite [...] They also widely circulated a false claim I was working with fascists, throughout their network, urging dozens or

hundreds of users to block me here, some going as far as to reach out to anyone who'd ever published me.”

Metcalf's ordeal rings painfully true to the authors of this article, because we have both lived through it. Although he declares that he dislikes me, which is his prerogative, he is forthright to relate a conversation where Morgan Yew, the author of a defamatory article about me published by CAHN, told him that “the reason he picked a fight with Caryma Sa'd over the Chris Sky event was that she was competition getting in the way of his selling content to @VICE. I don't like Caryma but CAHN did run an article written by a self-admitted competitor, attacking Caryma over the 2021 Chris Sky event, an event that same contributor helped organize a counter-protest to. That's a clear ethical breach/conflict of interest.”

To this day, Metcalf remains unequivocal in his characterization of CAHN: “This "network" is a malicious hivemind which turns friends into enemies in a bid to maintain its hegemony over Canadian antifascist spaces. That which will not be co-opted (or which lacks ongoing utility) must be marginalized and defamed.

“They're not JUST an anti-hate nonprofit, they're an unaccountable nonprofit spy agency and I say with some authority that I believe this was always the goal. I've tried to broach this subject in the past few months, and have been subjected to a campaign of harassment.”

The conflict of interest that Metcalf describes doesn't end with me. In fact, it's just the beginning.

The Business of Hate

Consulting gigs. Training seminars. Educational toolkits. There's big money in the business of hate. Groups whose livelihood hinges on monitoring and fighting "hate" would be rendered obsolete if hate disappeared overnight.

If all you need to establish a "hate group" is a couple of antisocial misfits exchanging racist memes in a discord chat, it's easy to see how Canada could have 300, 500, even a thousand hate groups. If you set your filters wide enough, that number is surprisingly easy to reach. Especially if a "hate group" can consist of only "[three or four members](#)".

[In a 2021 op-ed](#), journalist Jon Kay takes issue with CAHN Advisory Board member Barbara Perry's estimation that 300 hate groups operate in Canada. He requests to see the list, and suggests creating a public database where all 300 groups can be logged for easy reference. Moreover, he expresses dismay at how mainstream media regurgitates such numbers to buttress the idea that "Canada is on the cusp of some kind of full-on white supremacist apocalypse."

In May 2023, journalist Cosmin Dzsurdzsa reached out to Ontario Tech University and requested documentation of the 300 figure. [OTU refused to release the list](#), sending an email saying that Perry's "research" was not in their custody and citing the Privacy Act. Dzsurdzsa had already [written about his attempts to access the list](#). Frustrated, he tweeted, "Perry's extraordinary claims have been cited by the Liberal government, in committees and is informing lawmaking. It's been years and she's never produced a single shred of evidence. Effectively, without releasing the list, Dr. Perry's research serves as a carte blanche for lawmakers to fearmonger and clamp down on dissent under the guise of fighting hate. If these groups are indeed a threat, the public has a right to know who they are."

Inflated numbers. Dubious metrics. Smearing the competition.
Anonymous "experts" who refuse to provide credentials or evidence to
back up their expertise. Using others' work without permission. False or
unsubstantiated claims. Shady research tactics. Ignoring vicious
harassment campaigns by supporters against critics and competitors.
Backdoor influence from intelligence agencies.

These are all accusations that have been levelled at CAHN. Quite the impressive tally for an organization only established in 2018. And yet, despite mounting criticism, both this country's mainstream media and its law enforcement organizations continue to unquestioningly take for granted, what we consider questionable expertise.

The Canadian military is still haunted by the shameful spectre of the [Canadian Airborne Regiment](#), an elite faction that was disbanded in 1995 following the torture and beating death of Somalian teenager Shidane Arone at the hands of two Canadian soldiers who took trophy photos with the battered, dying boy. The brutality sparked outrage and triggered the [Somalia Affair](#), which uncovered pervasive racism in the regiment and led directly to its disbandment.

There is no question that people with extremist mindsets are drawn to outlets where they can learn combat skills to put into practice in the event of widespread insurrections. Elisa remembers that Heritage Front leaders encouraged members to engage in paramilitary training, urging them to join the Canadian Armed Forces (CAF) to gain knowledge about munitions and firearms that would be useful in a future Race War scenario. Two brothers who were HF members and part of the Airborne Regiment, offered to pass on their skillset to small cadres of hotheaded skinheads: they would get together on weekends to run drills and go shooting. The same brothers were later arrested and charged with the kidnapping and torture of a fellow HF member whom they suspected was a “rat”.

If you were around in the 90s, the graphic images of Shidane Arone’s bloody face are seared in your memory. When the words “racists” and “army” are paired, that’s what you flash to - acts of extreme brutality, confederate and swastika flags hung up in barracks, the top brass determined to cover up an embarrassing scandal before it became impossible to deny it. Not the mundane - yet more prevalent - racism that lingers and may never be fully eradicated: crude banter, offensive stereotypes, the kind of crass humour you don’t hear in polite company.

But the military learned their lessons all too well. Nobody wants to be caught with their pants down again. Their eagerness to prevent the recurrence of another Somalia Affair leaves them prone to overcorrect. If a similar scandal ever broke out, they won't be accused of ignoring racist behaviour - just look at what we’ve invested in sensitivity training and toolkits on how to deal with Nazis.

Clearly, detecting and preventing ideological extremism among its ranks is an ongoing concern for any armed forces. But it also opens the door for unscrupulous opportunists vying to sell snake oil solutions to a problem whose parameters they themselves defined.

If you’re in the business of “preventing hate”, nothing beats a country’s defense budget. The big bucks are in the military, and those who establish themselves as experts on the boogeymen du jour stand to make a pretty penny. If you’re clever enough, you can pitch just about anything:



developing informational manuals, staff training programs, research protocols, monitoring software—the sky’s the limit. The top commanders who sign the cheques probably know less than those who purport expertise. They simply want to show that something’s been done, boxes were checked off, the issue taken care of.

Setting aside the brutality that is inherent to the military, dangerous violent extremists are outliers within the CAF. But upholding an alarmist narrative is more lucrative. It also keeps the pressure on the top brass to continue bankrolling training seminars that ensure your cup keeps overflowing.

In such a competitive field, CAHN broke out of the gates early. One of their earliest collaborative pieces involved a Vice story about an ex-member of the Reserves accused of belonging to an armed neo-Nazi collective called The Base. The focus on the military continued, with CAHN appearing to seize every opportunity to be critical of how the CAF dealt with hate-related incidents. CAHN co-founder Bernie Farber seldom missed a chance to point his critiques at CAF’s Twitter accounts. His hyperbolic tweets accused the CAF of “fraternizing with known neo-Nazis”, attempting to “cover it up”, and “offering up a proverbial slap on the wrist” to soldiers “belonging to the most violent hate groups on the continent”.

Even as Farber’s complaints mounted, a June 2020 article publicized that CAHN Advisory Board member Barbara Perry, Director of the Centre on Hate, Bias and Extremism at Ontario Tech University, had [received \\$800,000 in funding from the Department of National Defence](#), to “develop a research-based network for exploration of the far right and hateful conduct in the armed services.” Her co-lead on the project was David Hofmann from the University of New Brunswick, who was widely quoted by CTV and other networks on Diagon. (The RCMP found it “difficult to understand” how Hofmann could assuredly purport that Diagon is “an American-style militia movement.)

This was one of several grants Perry was awarded since hitching her wagon to CAHN: [\\$500,000 from Facebook](#) to research “violent extremism”, not long after a [2019 press release announced that Perry / OIT “received \\$366,985](#) over three years from the Government of Canada to examine the right-wing extremism movement through interviews with law enforcement, community anti-hate activists, and former and current extremists.” The OIT Centre was created in 2018 - coincidentally, the same year CAHN was born. By the fall of 2022, Perry was appointed [UNESCO’s Research Chair in Hate Studies](#). Not bad for someone who already earns an annual salary of [\\$203,859, according to Ontario’s 2022 Sunshine list](#).

Along with the grants come paid speaking engagements, [prestigious conferences](#), [fancy club invitations](#), [townhalls](#), academic [publications](#), and opportunities to garner

media publicity, such as meeting with the Prime Minister, which often leads to more consulting contracts.

With such significant funds pouring in from different sources to research “far right extremism”, a cynic might speculate as to whether researchers could be getting paid for what might be viewed, at least in part, as overlapping work. A cynic might also question the narrative of full-service providers who get to define a problem and supply the solutions to the same problem. But when it comes to the business of hate, cynicism is in short supply.

The Public Safety grant was in partnership with the London, UK-based Institute for Strategic Dialogue. Although the press release does not indicate if ISD received additional funding, Elisa Hategan remembers a conversation over lunch with a former inner-city gang member whom she’d met during her stint as a consultant with Against Violent Extremism (AVE), an ISD initiative involving former extremists. This colleague claimed he’d connected Perry with ISD, and shared details of the proposal before it was submitted to Public Safety. From what Elisa recalls, ISD was going for \$7.5 million and had pitched, among other things, the creation of learning modules on the far-right, but they needed a Canadian partner to access those kinds of funds from Canadian taxpayers.

Elisa’s AVE colleague then shared explosive details involving a high-profile Canadian government official who had allegedly traveled to meet with ISD the month before the grant was approved. “We were having a transatlantic conference call, and that’s when I heard [REDACTED] talking—he was right there in their London office, he flew all the way there to meet with them,” her colleague had raved. They’d looked at each other in shock, and in that moment they both fell silent, knowing exactly what that meant: there were very powerful forces at play.

That information could not be independently corroborated, but the news spurred Elisa to also put together a team, complete with academic and law enforcement experts from Ontario’s Hate Crime Unit and submit a proposal for the same Public Safety Community Resilience Fund. Knowing she was sure to lose if her bid went up against Perry’s, Elisa focused her proposal not on “far-right extremism”, but on LGBT youth and homophobic violence prevention in rural communities. It ticked all the right boxes and her team’s credentials seemed impeccable, but Elisa’s proposal was declined. She was perhaps too ahead of the curve.

When the Department of National Defence finally announced, in June 2021, the creation of a panel that would address systemic racism and “focus on anti-Indigenous and anti-Black racism, LGBTQ2 prejudice, gender bias and white supremacy”, Farber wasn’t satisfied. After meeting with advisory panel officials who informed him that antisemitism was not part of the focus, he was featured in an

Ottawa Citizen article where he complained it was “a major oversight in the battle against the far right.” The article was followed by an indignant tweet: “it baffles the mind that antisemitism training would not even be considered.”

In an increasingly polarized world that has seen a revival of century-old conspiracy theories about Jewish cabals and blood sacrifices, antisemitism training is crucial to combat hatred and stem violence. However, when there are huge sums of money at play, it becomes equally necessary to have transparent procurement processes in place, to ensure training budgets are allocated equitably.

In November 2022, a York Region District School Board purchase order was leaked, which showed that Farber was awarded a [YRDSB contract for \\$40,000](#) to conduct a total of “10 Antisemitism Professional Sessions” - three in person, seven on Zoom. There was no indication of duration; the sessions could have been an hour, or a half-day. Bernie Farber did not respond to our request for comment.

When Elisa Hategan asked whether there had been a contractor bidding process, so that consultants working in the same field (who could provide similar training at a reduced rate) had the chance to bid, YRDSB ignored her. The Board’s silence—at a time when they were cutting staff and eliminating student extracurricular activities—flew in the face of the [YRDSB Purchase Services mandate](#), which promised they were “accountable, ethical and fiscally responsible in protecting public funds.”

Elisa has a right to be upset. In February 2019, in a phone call with Cecil Roach, YRDSB Associate Director of the Schools, Programs and Equitable Outcomes, Roach acknowledged that Farber was someone he’d known, and at times worked with, since Farber’s CJC days. Roach also admitted that Farber had been contracted by their Equity & Inclusion office on many occasions over the years. He would not say why the YRDSB didn’t appear to open bids to other consultants who could offer similar training for far less. Elisa followed up with an email outlining her concerns over cronyism; her email went unanswered.

The irony was not lost on her. Back in 2015, when she was still on good terms with Farber, Elisa—who formally converted to Judaism in 2013—pleaded with him to help her fundraise for a book project that involved traveling to Romania to dig into her deceased father’s Jewish past. “Sorry to be begging for money, but I wouldn’t ask if it wasn’t absolutely necessary,” she wrote on Facebook Messenger. “Even a single dollar will help. Even a share of my link on your wall. Please consider it.”

[Farber’s reply](#): “Elisa I have made it a rule not to allow my social media to be used for fundraising other than registered charities. If I break the rules for one I d (sic) must do so for all. I hope you understand”. Elisa was hurt: “I understand very well. I think I understand you more now than I ever have before.”

She was wrong on that count. The trip to eastern Europe, paid for with borrowed money and a \$12,000 Ontario Arts Council writing grant, uncovered new familial connections. But it was not until December 2020 when, after uploading her family tree to genealogical website Geni's ancestry network, the final jigsaw piece fell into place: she and Farber were [distantly related](#).

Bias on Their Sleeves

In April 2022, as he and fellow CAHN Board member Barbara Perry appeared before a House of Commons Standing Committee on Public Safety and National Security, CAHN Executive Director Evan Balgord was asked what seemed, on the surface, a simple question:

“Mr. Balgord, would you say that your organization is an objective organization?”

“We wear our biases on our sleeves,” Balgord replied. “We are very proudly anti-fascist, and we focus on the far right.”

While some might take issue with CAHN's single-minded obsession with the far right and argue that a group calling itself “anti-hate” should track hatred from all sides, choosing to focus exclusively on one extreme end of the political spectrum isn't the problem. It's how one defines “far right” that's being contested.

CAHN Chair Bernie Farber is assumed to be an untainted resource of information on what constitutes “hate”, yet he often makes negative or inflammatory comments about political candidates to the right of the Liberal party. His adversarial relationship with the Conservative Party poses another possible conflict of interest.

Farber's connection to the Liberal Party goes back decades and is no secret. In 2011, [he ran a failed campaign for a Liberal seat](#) in his home riding of Thornhill, and was [defeated by PC Candidate Peter Shurman](#).

Proximity to State Power

The fact that Farber has been repeatedly [contracted to train police officers across the province](#) about extremism in North America, shows how easily CAHN is able to shape not only public sentiment, but also law enforcement targeting.

Bernie Farber has had [meetings with Public Safety ministers](#) Ralph Goodale and Marco Mendicino, as well as other influential figures.

[A November 19, 2021, tweet](#) by Farber reveals that CAHN prides itself on being able to “guide public discourse on the state of hate in the country.” Given that such a position carries with it the risk that it could be used for unethical purposes, one hopes that persons with half the authority Farber commands would be more closely scrutinized. However, despite financial conflicts of interest in the sector, accusations

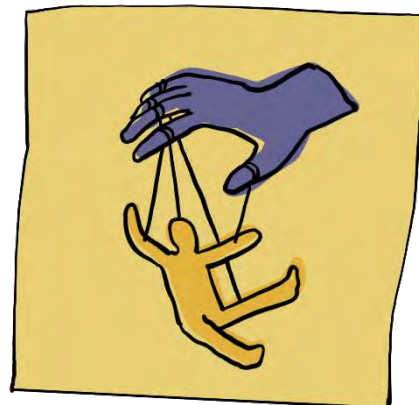
of misinformation, friendships with former CSIS employees, and the inclusion of an individual with a history of running election war rooms and disinformation campaigns for hire into CAHN's Advisory board, this has not been the case.

Like the saying goes, with great power comes great responsibility.

When you have what could be considered a monopoly on the mainstream media's understanding of far-right extremism and the very definition of hate, you gain the keys to a kingdom.

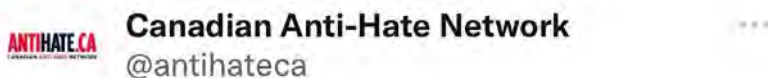
You hold the power to shape the prevalent narrative and manipulate said media to report your version of truth, with very little, if any, scrutiny of allegations made, or opposition.

But without scrutiny, it can be incredibly tempting to abuse that authority and legitimacy. One way you can eliminate all obstacles standing between you and a pedestal is to discredit anyone who questions your legitimacy. Tearing others down from hard-won pedestals and inserting yourself in their place, is another.



Civilian Undercover Operations

Here is an actual CAHN job description / casting call for people to play neo-Nazis “under assumed identities”:




We're hiring another reporter who understands far-right and white supremacist movements and isn't afraid to join their spaces under a pseudonym to get the info. Show us that you know the subject and have some news writing skills and we'll consider you. Plz share in your circles.

POSITIONS

INVESTIGATOR/REPORTER (\$55,000)

An investigator/reporter monitors the online activity of far-right movements and groups on a daily basis. Their understanding of far-right ideology and rhetoric allows them to join far-right spaces under assumed identities. They can conduct themselves professionally while interviewing far-right organizers, propagandists, and neo-Nazis. Their first responsibility is to be 100% factually accurate, especially when reporting on reprehensible behaviour. They are self-starters who can write two to three stories a week while continuing several investigations and multiple online personas.

In your application, please demonstrate that you are capable of pseudonymously joining hate groups/channels/chats, submit five writing samples, and pitch two story ideas.

 Are you passionate about this work but don't think you're fully qualified yet? Get that experience while pitching us stories at info@antihate.ca. We pay our contributors.

12:32 PM · 2022-07-04 · [Twitter Web App](#)

Whose bright idea was it to advertise an undercover operation?

Fun fact: recruiting people to cosplay as Nazis for a salary of \$55,000 per year is more than [Grant Bristow](#) was paid annually for his agent provocateur work, even when adjusting for inflation.

It is also \$5,000 more per year than Jeremy earned in Afghanistan, risking his life for his country.

CAHN founder Richard Warman is perhaps best known for going undercover using anonymous accounts to infiltrate far-right corners of the internet. He made prolific use of the now-repealed Section 13(1) of the *Canada Human Rights Act*, winning ten cases before the Canadian Human Rights Tribunal (**CHRT**).

The Supreme Court of Canada endorsed the “hallmarks of hate” enumerated in *Warman v. Kouba* as examples of the types of “extreme and egregious” expressions and speech devices that reach the contemplated threshold of “hatred”.

However, in *Warman v. Owendyke*, the CHRT ruled that Warman’s posts, which he initially denied were his, could have precipitated further hate messages from forum members, describing this as “both disappointing and disturbing and it diminishes his credibility.” Warman maintains his posts helped him identify neo-Nazis, and says there was no “road map” for such investigations.

“With hindsight, he told the Ottawa Citizen in 2009, “things might have been done differently today.”

The Spy Who Got Left Out in the Cold

Critics who distrust CAHN’s claim of expertise on far-right extremism will cite a noticeable double standard—the penchant to reserve the brunt of condemnations for political opponents, while overlooking and even forgiving misconduct by peers

and members of their devoted fanbase. They point to situations where CAHN implies they are selective when choosing who gets publicly denounced as a bigot or extremist, and who is ignored.

For instance, relative unknowns get spotlighted and called heroes, even when there is no evidence to suggest they did anything to earn the accolades. To our knowledge, none of the former white supremacists promoted by CAHN has provided evidence of assistance to law enforcement organizations while still inside their hate groups. None testified against former comrades to help secure convictions.

There is arguably no better example to underscore concerns over CAHN's personal biases affecting what is purported to be expert research, than the enduring friendship between Bernie Farber and Grant Bristow, the undisputed co-founder and self-appointed "Intelligence Chief" of the Heritage Front.

Prior to her defection from the Heritage Front, Elisa Hategan submitted approximately 30 affidavits to the Ontario Provincial Police. Several involved situations where Bristow purportedly counseled Elisa—initially still a minor—to engage in criminal activity, such as giving her instructions on how to anonymously harass and intimidate left-wing activists, hack into answering machines to collect data, and spy on the Irish Freedom Association of Toronto.

She, along with scores of neo-Nazi skinheads and white supremacists, were given names, addresses and telephone numbers and taught how to use voter registry information to gather details about individuals on the target list, such as the names of everyone residing at that domicile.

Bristow also boasted about his intention to drive a lesbian Anti-Racist Action (**ARA**) activist to mental breakdown and suicide. "I want to pound Ruth's head in. I want to give her a facial massage with a sledgehammer," he is described as saying in one of Elisa's 1994 affidavits. He enlisted Elisa specifically because he needed a woman's voice for that particular job—to record messages on adult personal ads while passing as Ruth, and give out her address and telephone number.

Reluctant to obey his instructions, Elisa had asked him why he was so invested in targeting Ruth and other young women in the ARA. Bristow looked at her and laughed. "Women are more emotional. They're the first to break."

It was this specific targeting of an innocent woman who shared Elisa's sexual orientation that marked a crucial turning point in her beginning to identify with "the other side" and starting to spy on the Front. After her defection, her four month-long sleuthing uncovered the identity of a Toronto Police Services officer who was a Front member and attended KKK rallies in Arkansas; this information led to discreditable conduct charges. She also exposed a scandal involving Heritage Front

members infiltrating the Preston Manning's Reform Party in the hopes of overtaking the leadership. Furthermore, she confirmed that the Front was involved in a [Kitchener firebombing](#), although the specific details of the action had not been shared with her.

Elisa also volunteered to appear as a witness for the defence in the case of a black woman who had been a staff member at Runnymede House, a Toronto group home for teen girls that was [firebombed twice](#) after a resident with ties to the HF was kicked out for displaying hate content in the home. After the staff member was stalked, then sexually assaulted by a possible Front member, she reported her assault only to be charged with mischief afterwards because Toronto police did not believe her. On the morning that her lawyer Clayton Ruby announced Elisa as a witness, the prosecution dropped the charges.

After Bristow was unmasked as a CSIS operative, Clayton Ruby published an op-ed in the Toronto Star which cited Elisa, and criticized the Security Intelligence Review Committee (**SIRC**) for allowing Bristow to terrorize with impunity. He wrote a second column, specifically about Elisa, praising her courage and demanding to know why authorities had not prosecuted HF leader Wolfgang Droege based on her solid information.



[Clayton Ruby wrote](#): “What is Elisse Hategan? Chopped liver? Hategan is credible. She testified before Madame Tremblay-Lamer in the Federal Court of Canada in the course of a contempt hearing against Wolfgang Droege and Gary Schipper. Justice Tremblay-Lamer explicitly accepted her evidence as credible and ultimately sent these men to jail.”

In 1995, Elisa testified in front of a [House of Commons Senate committee](#) investigating allegations that the SIRC Report had whitewashed Bristow's criminal involvement. Her affidavits, which were subsequently shared with Farber, captured the explicit details of Bristow's hands-on role in directing skinheads to target anti-racist activists for harassment and threats in what became known as the “It Campaign”. Some of the victims, including ARA leader Kevin Thomas, shared their harrowing experiences and how Bristow appeared to relish the abuse, in a [1994 Fifth Estate episode titled Good for Business](#).

In private conversations with Elisa, Farber never disputed Grant Bristow's actions within the Heritage Front. He called him a “schmuck” and openly praised Race Traitor, going so far as taking Elisa to lunch in 2014, soon after her book's release. [He also emailed an unreserved endorsement of the memoir](#) to one of his

connections, a senior editor at Random House, after Elisa suggested that if he could help her secure a print deal, he could write the Foreword.

Their budding friendship would not last. In early 2015, soon after Elisa discovered that her lived experiences had been appropriated and reenacted without her consent to form the bulk of CBC's [White Lies, she confronted Farber](#). They had a terse meeting at his office. At the time, Farber was with Gemini Power Group, a company created by his friend, billionaire Michael Dan, that sought to partner with Indigenous communities to build power plants on reserves.

“It’s been so long, what do you want? Money?” she recalls Farber asking as she walked in. Elisa didn’t want money—all she asked was that Farber reach out to White Lies scriptwriter and CBC producer Dennis Foon, a Facebook friend of his, to add a line to his website and the [film’s IMDB page](#) crediting her as an inspiration.

A single line—to her, a gesture that she existed, that her trauma had not been exploited and monetized by others to make a movie that would not have existed without her, while she was homeless and dumpster-diving to survive.

“I’ll get Dennis on the phone,” Farber reassured her. But nothing changed.

In 2017, within one month of Elisa starting a speaking tour billed as “[The True Story of Canadian Intelligence’s Greatest Cover-up](#)”, the Toronto Star published a front-page article about Bristow by Jennifer Yang, a journalist who has interviewed Farber on multiple occasions. Yang’s piece significantly downplayed, and at times omitted, Bristow’s most egregious actions as Heritage Front co-leader, framing him as an imperfect hero. Bristow’s name had not appeared in the press for many years; for Elisa, the timing was too much of a coincidence.

Although the [Toronto Star’s IP was captured](#) by tracking software on Elisa’s blog within two weeks of her fundraising talk for the international Jewish women’s organization Hadassah-WIZO, lingering repeatedly over several posts citing Bristow and criminal activity, no journalist reached out for comments. Instead, when the article came out, Bernie Farber’s endorsement of Bristow was front and center: “[He was actually a man who wanted to do something real good for his country](#),” he said. Admitting he still considers Bristow “a friend”, Farber claimed that Bristow had averted a plot on his life. Elisa denies such a plot ever existed, and points to the fact that nobody was ever charged or prosecuted.

But for the sake of playing devil’s advocate—even if there *had* been a nefarious plot against Farber, that does not in itself justify the glowing endorsement of a man who, according to the SIRC’s sanitized report, “tested the limits of what was acceptable.”

Bristow's unsubstantiated tip about a possible attack on Farber conveniently seemed to come to light after he had been outed and was already under fire for allegedly directing skinheads to commit illegal acts that fanned flames of hate in this country.

And what about all the other people who came into Bristow's crossfire? Are they all collateral damage? Is an "End justifies the means" strategy all that matters?

How many others, like Jeremy Mackenzie, have been crucified by CAHN and its predecessor ARC, for far lesser sins than what Bristow got away with? How many have been unjustly smeared as "Nazis", while CAHN's Chair boasts openly of his friendship with a former leader of Canada's most dangerous neo-Nazi domestic terrorist group in modern history? Why the double standard?



After Farber's comments on The Agenda with Steve Paikin downplaying her singular contributions to destroy the Heritage Front, Elisa felt she had no choice but to engage in litigation. In her mind, it was a battle for her life - for the integrity of her lived experiences and her right to be the only person to profit from her own traumatic past. Others saw a former neo-Nazi who had once been called a "wretched little immigrant girl" by one of the litigants, go up against the former CEO of the Canadian Jewish Congress, a well-connected man who had provided expert witness to the courts on countless occasions - and laughed.

Elisa was outmatched financially in the protracted court battle, spending approximately \$50,000 up against \$300,000 according to legal documents. She lost her right to appeal (purportedly due to time delays), leaving in place a ruling that takes most of its verbiage directly from the defendants' harshly worded written submissions with minimal accompanying analysis, and a permanent prohibition on speaking about the case, at risk of contempt.

Forbidden from sharing what she considers incontrovertible evidence that would exonerate her, she silently faced an onslaught of harassment from taunting CAHN supporters who mocked her loss, her Romanian surname (calling her HateAgain), and characterized her as a "vexatious liar" and Nazi.

Elisa then discovered that Farber, Bristow, and Bristow's former CSIS handler, now operating a "Public Safety and Risk Consulting" group, were all mutual Twitter followers. Indeed, Bristow's ex-handler was among the first to retweet celebratory

posts about Elisa's loss. It was a visceral gut punch for Elisa, who remembered CSIS sources shared with the Fifth Estate that after she told the truth about Bristow, his livid handler's first reaction was, "We'll tear her to shreds."

Thirty years later, CSIS' narrative had won out.

Top Shocking FOIPOP Revelations

Information-Sharing with Five Eyes

The Five Eyes (FVEY) is an intelligence alliance comprising Australia, Canada, New Zealand, the United Kingdom, and the United States. On April 7, 2022, an email lands in the inbox of Washington-based RCMP officer Sean Gordon. The subject line: “RESTRICTED Canadian Protests - eDiagolon.” The Sender’s name is redacted from the correspondence, but the domain is @Police.Govt.NZ. The message has been redacted as well; all that is visible is the greeting, “Hi Sean”.

Seven minutes later, Sean sends it up the food chain to Guillaume Croisetiere. “Could you please reach out to FPNS for this? There must be an analyst with us (or maybe OPS?) that has looked into this group.”

Sean’s reference to Diagolon as “this group” indicates some level of unfamiliarity. Still, New Zealand police wants intel for their files, so let’s give them what they need. A couple of minutes after that, Guillaume forwards it to Alvin Tang: “Would you be able to assist me with that? It’s from New Zealand. I’ll double back with FPNS once I hear from you.”

Alvin’s reply comes promptly. “I reached out to our IMCIT team (Ideologically Motivated Criminal Intel) and they did not work that group during the convoy protests. It’s my understanding that FPNS had visibility on that group.”

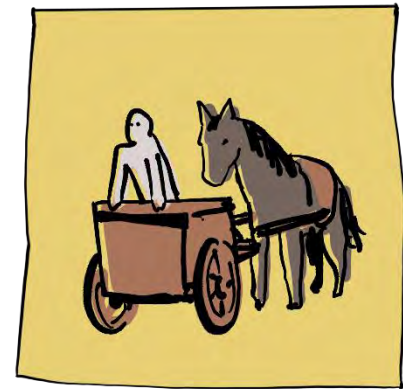
Shortly afterwards, Guillaume emails Eliane Caron, Director of Ops Team 2, Federal Policing National Security (FNPS), saying he was referred to her by Alvin. Parts of his message are redacted. Her reply, dated the morning of April 8, is as follows:

Yes, all information sharing in relation to operations and NS-related groups nationally is covered by FNPS. I’ve looped in Insp. Simon Pillay and A.Insp J-S Grenier who are the project Team OICs to assist with any discussions your NZ LO may wish to have on Diagolon. **We do not consider it a right wing militia group at this time however assessment is ongoing as I understand it.** [Emphasis added]

Also on April 8, Inspector Simon Pillay emails Lisa Ducharme to request a report that describes what is currently known about Diagolon.

We understand your group has a Diagolon work up of some kind. Not the association chart but rather a report that describes what is currently known. The reason I ask is that **due to the media attention this group has incurred, NZ authorities are asking if we have any information we can share.** [Emphasis added]

Let this sink in: CAHN's fabrications about Diagonon, parroted by a gullible Canadian press, then get picked up by international intelligence agencies, who demanded access to the intel files. Trouble was, there was nothing the RCMP could provide other than perhaps a vague "association chart".



Inspector Simon Pillay's statement makes it clear that Jeremy Mackenzie's information ended up circulated to international police agencies because of mainstream media attention, and not because police had classified Diagonon as a "right wing militia". Police took their cues from media who cited CAHN.

As he's waiting for Lisa to get back to him, Simon keeps Guillaume in the loop with a quick note on April 9: "As this is a fairly new matter we don't have any products ready for international dissemination but I am making some inquiries elsewhere and will get back to you when I hear."

On April 11, Lisa Ducharme replies to Simon: "Yes our IMCIT team recently completed a written assessment on Diagonon for OA; it's based on open source material so it should not be a problem to share with our FVEY partners. It's in the final quality control stage - can we get it to you once completed? Should not take too much longer."

In case you didn't catch that, "open source material" is whatever they scarp from the broadcast media news channels, newspapers, even dubious intel sourced from anonymous Twitter accounts. In other words, it is not intelligence derived from actual police investigations.

On April 12, Guillaume writes back, undeterred. Reading between his words, it appears the New Zealanders are pushing for the information: "Who can I refer the NS LO to at FNPS to discuss? Or do you want to keep [Washington-based] Sean Gordon as the middle man?"

A couple of email exchanges establish go-to contacts, then Guillaume emails Simon Pillay, Mike Saghbini, and Jean-Sebastien Grenier: "Gents. Hope all is well. As mentioned earlier last week The NZ LO in DC is asking (see below) for more information on the group a/n. I would need a contact at FNPS that I can pass on to my LO in DC (Sean GORDON)."

On April 14, Mike Saghbini emails Simon and JS: "Hey boys. Have you replied to Guillaume? Will you be directing him in the right direction?" The following sentence is REDACTED, with Mike adding "My two cents" at the end.

Clearly, those who directed Guillaume were under the impression that “the boys” had the intel NZ was itching to obtain. This does not appear to be the case.

Everyone does the prudent thing: nothing. Until May 12, when Lisa Ducharme receives an email from Washington-based RCMP officer Sean Gordon, titled “RESTRICTED Canadian protests - Diagonlon.”

Hi Lisa,

I’m finally catching up with some old emails from a bunch of leave/COVID/travels.

I’m just curious whether the Diagonlon product is finished? If so, can I get a copy that can be shared with a FVEY (New Zealand) partner?

The next morning, Lisa emails Ashley Chen: “Would you know how the Diagonlon paper is doing? Can I get an ETA for review? I’m hoping to see it Monday.”

Ashley replies within the hour: “The DIAGOLON paper has been completed by Kandi’s side of IMCIT (please see attached). This version is Pro B and I will discuss with Garrett about making a FVEY shareable version for next week.”

Eight days later, on the morning of May 20, 2022, an email from Ashley Chen went out to Eliane Caron, cc’ing Garrett Morawiec, containing an attached document. The subject line was “IMCIT DIAGOLON Assessment Paper.

As was the case with most of the attachments contained in RCMP emails, the FOIPOP Package does not include the attachment.

Good morning, Eliane, I hope you are doing well.

Please find attached the Intelligence Assessment on DIAGOLON produced by IMCIT for FPNS. would you mind reviewing and confirming whether this product can be released to RCMP DCAS/DIOs as well as external partners in Public Safety, PCO, CSIS, ITAC, CBSA, DND/CAF, and CSE? IMCIT would also wish to share it with Five Eyes law enforcement partners.

For the version shared outside of RCMP, IMCIT will remove the following sentence on Page 2 in the PURPOSE section: “This paper has been produced in response to a Federal Policing National Security (FPNS) request for an intelligence assessment on DIAGOLON.

If you have any questions please feel free to reach out or give me a call.

Thank you,

Ashley Chen

At 3:24 PM that same afternoon, Lisa Ducharme emails Ashley Chen:

Hi Ashley,

Have you heard anything back from Eliane on whether we can share the DIAGOLON product with the Divs, GoC, Five Eyes?

Reason I ask is - Sean Gordon LO Washington is waiting to share it with the US.

Ten minutes later, Ashley writes back:

Hi Lisa,

I have not heard back from Eliane or anyone from FPNS about the product. I can send a heads up to her to let her know LO Washington is waiting for the product.

Exactly one minute later, Lisa replies: “Please - we’d like to at least get it out to the Five Eyes today as [REDACTED].”

Just to reiterate the facts: as of April 8, 2022, according to a FNPS Director, Diagonon was not classified as a “right wing militia group.” Over a month later, RCMP was intent on sharing intelligence reports to international spy agencies, presumably including information about the purported leader who happens to be a Canadian citizen war veteran with no criminal record and no history of terrorism.

Since the report was redacted, there is no way for us to know what was said. But if the repetition in other documents is any indication, the material shared may affect innocent Canadians as far as crossing international borders and prompting additional surveillance. This, based on salacious headlines and clickbait reporting.

What if that was you?

This is a chain of events that shows, in real time, how Canadian media’s hype about an imaginary nation posing an imaginary threat, ended up disseminated across the globe. And when international intelligence agencies came knocking for the intel they assumed was in the RCMP’s possession, the RCMP acquiesced and produced a report based on “open source” material they gleaned, in essence, from the Canadian Anti-Hate Network, with sycophants in Canadian media as their proxy.

Privacy lawyer David Fraser (who did not review any documents related to this matter) says that any personal information related to a Canadian citizen in the hands of the federal government is protected by Canada’s Privacy Act, even where the data is collected through open source intelligence. However, he notes that police are generally unrestrained in sharing information with other law enforcement. There are

formal mutual assistance treaties that may apply to cross-border information sharing, and more casual exchanges of information.

“It is difficult to say whether it crossed any lines, or if there is an approval process,” Fraser says. He adds that information obtained with a warrant, such as wiretaps, would likely require additional diligence and scrutiny.

Is ambiguity an acceptable standard for intelligence agencies? What could justify sharing prejudicial non-information with foreign spy agencies? Jeremy MacKenzie has no criminal record. Why did nobody approach him directly to investigate?

Copy-and-Paste Policing: The 15-Minute Report

An email thread dated February 14, 2022, titled “Urgent WHAT WE NEED” culminates in the RCMP compiling a key briefing for top officials in only fifteen minutes. The report was sent to Adriana Poloz, Executive Director, Intelligence and International Policing, RCMP, and lists Diagonon among Ideologically-Motivated Violent Extremists (IMVE) adherents, along with Three Percenters and Canada First.

Short-turnaround projects are not uncommon in fast-paced, high stakes work environments. What makes this insidious is the incomplete analysis. Diagonon is described as a “meme-based and satirical movement.” Furthermore, it is said that Diagonon “adherents express desires to form a country based on right-leaning Canadian provinces and US states.” A high-level official reading this assessment might easily conclude that a real threat to territorial sovereignty exists and should be taken seriously because Diagonon operates “under the guise of humour” to conceal its real intentions. The perception of threat outpaces any actual danger. In this way, alarmism was passed up the chain of command amid the turbulence of the convoy.

The response comes after a rush-order request from Poloz, which is not included in the FOI disclosure, to which Lisa Ducharme answers: “Will do our best but this is quite a lot of analysis and writing to do in 15 minutes.”

Fortunately, Ashley Chen—with Ducharme providing auxiliary cut-and-paste assistance—saves the day and delivers one for the team. Ducharme rushes it over to Poloz, who responds by thanking everyone: “the effort and professionalism demonstrated by you and your team has been outstanding.”

An email titled “Kudos to Ashley”, in which a gushing Lisa Ducharme commends Ashley on the huge impact the fifteen-minute hatchet job will have on top brass decision-making:

WELL DONE ASHLEY!! Talk about an amazing intelligence ‘pull it together in 15 minutes’ assessment! Thank you so much.

Your work has been shared at the highest level over at PCO. This request originated from a pressing tasking from the National Security and Intelligence Advisor for such information to help inform senior government decision-making.

Talk about work impact! Well done Ashley, and thank you again for the outstanding work.

Best regards,

Lisa

The pressure to expedite such a significant assessment, one intended to inform senior government decision-making, is counterproductive. It virtually guarantees there is no time to review updates or fact-check new information.

We have no doubt that the team did their best to meet the rushed deadline, under the circumstances. But to do so, they were forced to rely on the same old, erroneous content sourced through the broken telephone chain of broadcast media, from a single apparatus pumping out inaccurate and alarmist statements to maintain a foothold in the highly lucrative, competitive market of hate group expertise.

The Mendicino Scandal

Among the most egregious examples of overreach that we uncovered in the FOIPOP packages, the shocking incident described in an email thread dated February 16, 2022, stands out. Both for the gravity of what went transpired, and the heedless way in which a man’s reputation was judged expendable.

Around 3:30 PM, an email from RCMP officer Lisa McDonald-Bourg landed in her colleague Leslie Sohm’s inbox. The subject line: “protests and far-right groups - Michael Talbot - CityNews. Importance: High.”

Hi Leslie,

We just received another request for the remarks made by Mendicino re: far-right extremism.

Deadline: ASAP

Again, I’m looking for your advice on this.

Thanks,

Lisa

Request:

During a news conference today, Minister of public safety Marco Mendicino said the following:

“Several individuals at Coutts have strong ties to a far right organization with leaders who are in Ottawa”.

When pressed further, he advised media to direct questions to law enforcement.

A few questions then:

- Can the RCMP confirm a link between the individuals arrested at Coutts and members of the Ottawa protests?

- Does the far-right group the Minister referred to have a name? Can you provide any info on this group?

Any other info on this statement made by the Minister would be appreciated.”

A flurry of emails between RCMP officers followed. Leslie Sohm forwarded the request to Inspectors Mike Saghbini, Simon Pillay, and cc'd Lisa McDonald-Bourg.

Hi guys,

Media request related to the Minister's recent statements about the protests.

I am not in a position to guide Lisa on the appropriate response to either of the questions posed by the reporter - if in fact we are even in a position to respond.

Can you please assist and if these questions we are not in a position to respond to (as in we don't have the knowledge) please advise.

Thank you!

Inspector Saghbini's instinct was to leave the whole thing alone. He covered for the lack of knowledge by suggesting they ignore the query and get on with their day.

Hi Leslie/Lisa,

I don't think we at FPNS should be responding to this. It's an ongoing investigation.

Undeterred, Leslie pressed Mike further, insisting some kind of response was necessary. Remember, other media requests had already come in, and the pressure was starting to weigh heavily.

We *have to* provide a response - what it will say, still remains to be seen and this is where Lisa needs some assistance.

Leslie offered Lisa a helpful hint as to where she can look to “find” the needed evidence to back up Mendicino.

Lisa - if you want to start crafting from your standing “ongoing investigation” lines and the IMVE standing lines, that should give us something to work with.

Give us something to work with. Let that sink in.

Inspector Simon Pillay finally weighed in with a solution:

“I [...] think we could acknowledge what is already publicly available.

- Adherents of ideologically motivated violent extremism often share terms, symbols and concepts including fluid and unspecific anti-government sentiments.
- Symbols linked to the “Diagolon” ideology were found among exhibits in the Coutts file.
- Already made public so this info is open source:

He provides a hyperlink to a [globalnews.ca](#) article that had come out just a day earlier, titled “[Anti-hate experts concerned about possible neo-fascist involvement at Alberta trucker convoy](#)”.

The Global News article relies heavily on quotes from “anti-hate expert” and CAHN deputy director “Elizabeth Simons”, whose credentials cannot be verified. All we can say about Simons is that she is likely a female, going by the voice. We were not able to find any records of her appearing in person or on camera.

We cannot verify that the moniker isn’t shared by multiple individuals in CAHN. Given Kurt Phillips’ predilection to adopt both male *and* female personas while cyber-sleuthing, is it really outside the realm of possibility that several CAHN employees are running “Elizabeth Simons” as another “Anya” – a disposable NPC-like character to be scrapped at the first whiff of a defamation lawsuit.

You can’t serve someone if they don’t exist.

Inspector Pillay added: “My two cents but nothing in the above could hurt a criminal investigation as long as don’t get into the weeds about the Coutts file.”

He couldn’t be more wrong. He forgot that there was one other person in this equation – a man who had nothing to do with what happened in Coutts, but was about to be hurt. All because of the carelessness of a Public Safety Minister who

made irresponsible comments during a press conference and, when pressed for details by reporters, directed media inquiries to the RCMP.

Jeremy Mackenzie, Public Boogeyman Number One, is in the process of having his life destroyed by a repeated, reprehensible association to four men on the other side of the country, only one of whom he'd met in a group setting, and only twice. All because a patch that replicated his imaginary nation's make-believe flag, but wasn't manufactured or sold by him, had been stuck on body armour, along with other patches indicating affiliations with other groups.

None of the other patches got media attention.

Indeed, only one set of patches looked like it could be linked to someone who had been in Ottawa during the Freedom Convoy. So that's who they pinned it on.

Forced to scramble and invent a story to cover for Mendicino's recklessness, a team of stressed RCMP staff googled news media articles to quote right back to news media, in order to cover for their own lack of knowledge in the matter. By doing so, they circulated a version of reality that might have been amplified by other journalists who continued this infernal game of broken telephone.

A game of broken telephone that goes all the way back to 2008, to the shady tactics of an anonymous account created by an untrained, lonely, middle-aged school-teacher in a small Alberta town, who spent nearly all his spare time online cosplaying as an armchair Nazi-hunter.

For this – for Marco Mendicino, for Kurt Phillips, for Bernie Farber, for the sake of saving their own face – the RCMP offered up Jeremy, a decorated combat veteran with no criminal record and no history of terrorist behaviour, as a sacrificial lamb.

In a world where the weight of truth depends on the perceived worth of those who speak it, this is a tragic testament to how the lives of those most powerless and unconnected, can be destroyed on a dime.

Overreliance on Media by Law Enforcement

The FOIPOP documents heavily suggest that RCMP intelligence takes their cues from the press, relying on second-hand information rather than presenting as the originating source of information distributed to the press. One wonders how much of their “intel” simply consists of scouring daily news and disseminating it through regular “MEDIA SCAN” emails.

The Canadian press, for their part, typically churn out reporting that fits into an exceedingly short time slot. That is the nature of their work. There is no time to inject nuance and qualifiers when the segment on “far right extremism” is only four-

minutes long and the goal is to grab as many eyeballs as possible. Polarization sells; oversimplified platitudes are geared to the lowest denominator. Trading on pearl-clutching and scary speculations is how they pay the rent.

You could be working for the most prestigious intelligence agency in Canada, with an ivy-league pedigree and a fancy job title in your signature line. But if you get the bulk of your intel from the six o'clock news, and the twentysomething intern tasked to line up interviews routinely taps a single source for "expert" soundbites because everybody else is doing it, what's the point?

The FOIPOP files we reviewed contained an email with an attached report on "Accelerationism". The email sender was forwarding the report to an RCMP colleague, saying they'd received it from an academic who presented it at a "CSIS Expert Briefing" on the topic. The sender made the casual observation that the "expert" making the presentation had appeared "ill-informed".

To a cynic, the concept of "accelerationism" may sound like the kind academic gibberish slapped together to secure a million-dollar defence contract or garner positive peer-reviews for a publication. If the so-called expert CSIS hired to train agents on "accelerationism" can't bluff their way through the concept without sounding "ill-informed" to people who don't even know the subject, what hope is there for the future of "countering violent extremism?"

A Filtered Version of Truth

Media sources should never be considered standalone reliable open sources by intelligence services. What viewers get is not absolute truth, but information that may or may not be accurate, which has been filtered through an editorial lens. That lens is invariably primed to favour some stories, and some people, more than others. Especially if the editor in charge goes way back with a recurring guest and takes what they say for granted.

When Elisa Hategan tried to reach out to TVO's The Agenda to inform them that the program they planned to air contained what she believed to be a fraudulent narrative, producers ignored her. Later, internal emails revealed producers had dismissed her pleas while simultaneously fawning over their important guest and apologizing profusely for the inconvenience of having to ask for clarification.

The clarification, of course, was simply asking if what Elisa was saying was true. The assertions were baldly denied. On that alone, producers declined Elisa's offer to send them a motherload of evidence to the contrary.

A lawsuit could have been avoided. Government-funded TVO could have saved thousands of taxpayer dollars in legal fees if producers unfamiliar with the subject

matter had not made an instant judgement call in which one person was automatically dismissed, while the other greeted with a red-carpet rollout. It was a breathtaking display of bias in action.

In a [June 2019 email exchange with Steve Paikin](#), Paikin admitted to Elisa that he had known Farber for 25 years. Paikin expressed sympathy over Elisa's predicament, going so far as offering to ask people he referred to as "the deciders" and "the top brass" if she could come on the show. As just the figurehead, he didn't have the power to make that call. His request was declined. Paikin stopped answering Elisa's emails; in her view, he was docile to speak up on her behalf.

Was Bernie Farber automatically believed because of the power of his name brand? If so, there is no way to escape an insidious self-fulfilling prophecy – those who trade on the name recognition of the organization backing them up (such as the defunct CJC, and now CAHN) will always have an unfair advantage. Accolade builds on top of accolade, and before long there is an insurmountable chasm between the connection-havers and the have-nots.

Everywhere Elisa turned, she hit a wall – and its name was Bernie Farber. On the power of his word, journalists published boldfaced lies that splashed the front pages of national newspapers.

His reputation preceded him to such a degree that nobody flinched, even after Jewish journalist Jon Kay caught him in March 2022 [tweeting the photo of an antisemitic flyer](#), supposedly taken by his "friend" at a freedom convoy event in Ottawa, which turned out (thanks to a reverse-image search) to originate from Miami Beach.

In any other iteration of reality, the idea that someone appointed to Prime Minister Trudeau's "expert advisory group" on online safety could possibly fabricate evidence to smear Liberal government critics as antisemites, would warrant scrutiny.

Not in Canada.

During the course of her lawsuit, Elisa Hategan contacted hundreds of Canadian journalists across the country. She emailed them documentation of what she considers irrefutable proof of a conspiracy to exploit and monetize her bravery as the only woman to shut down the Heritage Front. Less than a dozen people replied. Among them, two female journalists wanted to cover the story – one was with [CBC Toronto](#), the other with [CBC Ottawa](#). In both cases, higher-ups killed the story.

She followed up with both reporters; neither wrote back. Going from friendly phone calls to being snubbed without explanation was jarring. She became convinced that they had been told she wasn't credible - her, the woman whose testimony as a 19-year girl prompted a Human Rights Commission judge to write: "Based on the

evidence of Ms. Hategan alone, I am convinced beyond a reasonable doubt that the defendants are guilty.”

For the daughter of deaf Romanian immigrants, the silence was deafening. “At least Romanians KNEW we lived in a corrupt system where people were bribed/bought to rewrite history & silence dissent. Here, people choose to become deafmutes,” she [tweeted](#) in 2022.

The mainstream media blackout served its purpose, censoring any hopes she had to generate outrage in the court of public opinion. But nobody came to her aid. A momentary flicker of hope emerged when actress Sarah Polley, who remembered Elisa’s name floating around on the set of *White Lies*, [tweeted a public apology](#): “I am very sorry you were not consulted or paid for details of your life. It must have been awful and bruising and even though I was not aware of all this I am very sorry!”

Sarah Polley’s apology made no difference. By the time she and Farber squared off in court, his narrative was the only one that counted.

What you see on the news isn’t reality as it unfolds around us. It’s a filtered reinterpretation of reality after it has undergone editorial pasteurization and was marked “safe” for public consumption. By “safe”, we mean congruence with the partisan affiliations of the broadcasting corporation’s culture.

What makes the front page is just as important as what doesn’t. “News” is manufactured through a process of selection that involves everyday judgment calls made by people under pressure to choose politically-fashionable talking points and discard anything that rocks the boat, thereby infusing journalistic biases and projections into what you think is accurate and impartial reporting.

The fickleness of the industry’s changing tastes often mirrors the contemporary administration’s spin. The events of September 11, 2001, shifted the attention of media and law enforcement almost overnight from white nationalism to a tenacious focus on brown terrorism. Because it justified the horrors to come.

The focus lasted nearly two decades, before Charlottesville turned the spotlight back to far-right extremism. Had neo-Nazis suddenly vanished on September 12, 2001? Of course not. But the instant pivot shows how selective reporting can generate a public’s buy-in and manufacture consent for atrocities faster than you can spell “Noam Chomsky.”

If you want to get into journalism, you do as you’re told. You tell the stories that earn you a gold star, not ones that challenge your editor’s worldview. But in a world where growing numbers of people hunger for nuanced analysis and a diversity of viewpoints, mainstream media – which was built on the authority of government-

funded information gatekeepers who reflected the politics of their masters – has lost its ability to command widespread attention. At times, it is indistinguishable from propaganda.

For a journalism student, the existential threat posed by legacy media’s evaporating viewership means there are less jobs to go around. You’re competing not only with your cohort, but with savvier, more experienced freelancers recently laid off across the Postmedia network. Any job positions that open up require experience, and how are you going to build up a portfolio of published work if you don’t already have it? Luckily, the Canadian Anti-Hate Network has thought of that, offering many budding journos the opportunity to get bylines and make a quick buck.

Desperation breeds obedience, which might explain the curious case of Toronto Metropolitan University (formerly Ryerson) hosting a panel discussion in November 2022 about the online harassment of women journalists. The event advertised “Hazel Woodrow”, another one of CAHN’s experts whose credentials cannot be verified.

As a journalist who has been the victim of a two-year vicious harassment campaign waged against me by primarily anonymous online accounts, some of which appear affiliated with CAHN, I registered for the event and tweeted my concerns about CAHN’s pattern of obscuring the identity of its “experts” and dismissing requests for transparency as the work of bigots.

For that, I was subjected to an immediate barrage of harassment that targeted my race, skin colour and gender. The journalist leading the pack was Erica Ifill, one of the panelists invited to discuss harassment against female reporters, who reacted to my query with the unequivocal declaration that I am “a plant for white supremacy”.

The irony was lost on her. A brown, Muslim woman questioning the narrative of anonymous, white representatives of a state-funded organization headed by privileged white men who work with law enforcement, whose Chair boasts of being friends with the CSIS-salaried former leader of Canada’s most notorious white supremacist organization in recent history – a “plant for white supremacy”. [The harassment prompted me to sue Ifill for defamation](#); the case is before the courts.

When did we go from questioning authority, especially one that delivers its dictates from the shadows, to defending their right to conceal evidence and silence dissent? Martin Luther King Jr. once said, “The greatest purveyor of violence in the world is my own government.” In February 2023, Malcolm X’s family announced they would sue the CIA, FBI and the NYC Police among others, for \$100 million, accusing them of playing a part in his 1965 assassination.

With irrefutable historical records showing countless prominent civil rights leaders and activists under surveillance and subjects of intelligence dossiers, how can Canadian left-wing activists so rabidly defend the State? Are the sycophantic opportunities for photo-ops with CAHN's leaders – maybe they'll throw some scraps your way (a recommendation letter, a friendly word with an editor) – worth it?

For all we know, “Elizabeth Simons” and “Hazel Woodrow” could be disbursing their pearls of wisdom about far-right insurgency from their offices in CSIS/DND's Ottawa headquarters.

There are no sacred cows in journalism. Fact-checking should be the Number One Rule for people who aspire to report news and guard against misinformation. Yet as the lines between government, intelligence agencies, and state-funded media broadcasters grow increasingly blurred, conflicts of interest are inevitable.

When your editor tasks you to interview Bernie Farber about the antisemitic flyer he says his buddy saw in Ottawa during the Convoy, do you stop to reverse-search the image and risk annoying your boss (who's tapped Farber for soundbites for 25 years), or do you simply do what you're told? And when you don't have a choice in the matter, do you really want to know the truth?

The absolute, unquestioning deference to CAHN by TMU's J-school students flies in the face of CAJ's own guidelines, which instruct journalists to “make every effort to verify the identities and backgrounds of our sources, as well as “seek documentation to support the reliability of those sources and their stories” and “distinguish between assertions and facts.”

What a fantastic coup for its Executive Director. Within 4 years of CAHN's inception, despite being plagued with accusations of inflated numbers, shoddy methodology, and outright lying, and currently facing two lawsuits in federal court, the grasshopper had surpassed its master. Evan Balgord's propaganda machine had overtaken the authority of the association that had once elected him as vice-president. In effect, the Canadian Association of Journalist's mandate that “We do not allow our biases to impede fair and accurate reporting” had fallen to an organization that proudly “wore its biases on its sleeves”.

In the weeks following Charlottesville, Elisa Hategan met for coffee with then-Macleans editor Q (formerly known as Andray Domise) to discuss his plans for a column on the re-emergence of the white supremacist right. Q related that after he'd joined Macleans, his editor told him to direct any questions he had about antiracism to Farber. The directive rubbed him the wrong way. Why should he defer to the so-called expertise of a white, privileged boomer who hadn't lived through the

indignities suffered by a person of colour growing up poor in the inner city? Because his equally-white, equally-privileged boomer editor always deferred to Farber? For a black man who'd experienced racism first-hand, "That's how we do this" wasn't going to fly.

Q chose to cover antiracism in his own way, and Hategan respected him for it. Because, no matter what you think of anyone's politics, it takes guts to have an original voice in a country where the unspoken marker of success is breathtaking cowardice.

Who Gave CAHN the Right?

Who gave CAHN the right to declare themselves definitive arbiters of what is acceptable, vis-à-vis extremist, behaviour? And how did they pinpoint the meridian?

What percentage of the population need to fly the Red Ensign flag from their pickup trucks and hold right-wing views, as opposed to those whose attachment stems out of its historical context, before it shifts from being the former flag of Canada, to a hate symbol? Who came up with the calculation, and does CAHN really know how to do the math?

How can we take at face value, the declarations of someone who refuses to show their face?

Who appointed CAHN ultimate arbiter, and judge of character and intent, when the identity of their “deputy director”, along with other staff, is kept anonymous due to unspecified concerns over unspecified threats from unspecified “Nazis”?

Countless academics and journalists throughout the years have investigated fringe extremist movements and lived to tell the tale. When it comes down to something as serious as destroying reputations, is asking for transparency really tantamount to a “fascist” attempt to “doxx” the accuser?

In a fair and democratic society, we have the right to know who our accuser is. As English jurist William Blackstone once said, “Better that ten guilty persons escape, than that one innocent suffer.” Surely erring on the side of innocence is worth something? On a balance of probabilities, is the risk of someone who claims to be a researcher (but offers no credentials to prove it) maybe experiencing something that has not even happened, worth more than a life that will permanently be stained by unverifiable accusations?

Who gave CAHN or their rabid acolytes the right to arbitrarily shut down discourse under the pretext that it is “extremist”, even as the goalposts keep shifting? The right to suggest that engaging in conversation with a political adversary makes you “fash-adjacent”? The right to equate countering polarization through dialogue, with platforming hatred?

Who gives anyone the power to browbeat you with reductive jingles and thought-terminating clichés? The power to shame you into staying silent, because speaking out against injustice committed by your side makes you a traitor...and therefore a “Nazi”?

You did.

Every time you buy blindly into a narrative that you then repeat without examining the evidence behind the accusation, you empower those who stand to gain from your oblivion.

Cowardice

It is difficult to fathom the profound sense of betrayal that Jeremy MacKenzie and Elisa Hategan must feel at how their country threw them to the wayside in favour of a more advantageous narrative.

For Jeremy, the homeland he risked his life to fight for, framed him as a criminal. For Elisa, the adopted country that rallied around a CSIS agent provocateur, threw an eighteen-year-old girl trying to do the right thing, to the wolves.

It is a testament to Jeremy and Elisa's character that they have not allowed the extraordinary injustice they suffered to detract from how sincerely they carry themselves. No one would blame them if they turned irredeemably bitter and angry, which would have played into the hands of those who portrayed them as such, who would relish the opportunity to say they were right all along.

But Jeremy and Elisa are not your average people. They could not be bullied into being ashamed or questioning their own reality. They were determined to survive through their ordeals, to do like Jeremy did as a young soldier—left foot, right foot, keep going, day after next—as they walked through the darkest nights of their lives. “Probably the only reason I didn't kill myself is, I didn't want to give them the satisfaction,” Elisa says. “Sometimes the only reason I got up in the morning was to spite them.”

She finds irony in the fact that her parents thought they were escaping Romanian dictator Nicolae Ceaușescu's communist authoritarian rule by emigrating to Canada when she was eleven, only for her life to be destroyed before it ever got started.

“I was erased from history, erased from my own work, from my own articles, erased from a movie that monetized my hard-fraught experiences, erased by a world that rendered me inconvenient because I spoke the truth about government corruption that was deliberately suppressed for thirty years.”

On her [Substack blog, she writes](#):

Just because they win, doesn't mean you are a loser. Because what is loss, in such an artificial setting? Throughout our lives, we've seen people who win while losing their integrity, compromising their beliefs, ignoring their conscience, siding with liars and sycophants, sacrificing Truth for an illusion in order to please and appease powerful men from whom they hope to extract favours— an illusion that gets them success and accolades, things that this world considers indicators of what makes one human being better than another.

From cradle to grave, we are pushed to bend, to become warped by categorizations of perceived value, a valuation of a human being's worth filtered and imprinted into your psyche by the society and culture you're born into.

What kind of win is that? Winning the right to pass a lie as truth, will never make it true.

There is a scene in the iconic film *V for Vendetta*, where a tortured, broken Evie emerges from the darkness of her prison to stand on a rooftop and lift her arms toward the sky as rain washes over her, symbolizing her rebirth. To Elisa, her ordeal has been a baptism by fire that led to a powerful awakening.

Her career destroyed, her Amazon page hit with scores of 1-star reviews, countless journalists and academics unfollowing or blocking her without explanation, a Wikipedia page created in her name falsely stating she lost her lawsuit on the merits of an appeal, rather than procedural delay. But in the end, what did any of it matter?

“If our society wasn't structured around making a competition of such artificial rewards, if the measure of success wasn't counted by the number of followers, retweets and clicks a story gets, our reality would be a whole lot more authentic. It's about standing on that stage and speaking your truth, even if the theatre is empty. Your conscience is your audience.”

When asked about being exploited, irreparably harmed, and discarded by the state, Elisa and Jeremy both point to the same loathsome characteristic of Canadian society: cowardice.

Canadians are too cowardly to be outraged about things that matter. Like CSIS covering up a botched operation by rewarding the perpetrator while punishing the whistleblower. Or politicians pushing for immoral wars from behind the safety of their podiums. Or the symbiotic relationship between subsidized media corporations and the government that they depend upon for sustenance.

For many, the idea of disloyalty to a cause or political party is a frightening prospect, backed by the assumption that if you're not with us, you're against us. Because we've all seen what happens when others strayed outside their lanes. The policing that goes on in activist circles, the ever-deepening purity spiral.

The fear that if you challenge the central orthodoxy, you'll be excommunicated. Worse yet, you might be called a Nazi. And the purging is always retroactive. You were never one of us. You never deserved a seat at the table. You're a traitor. Your crime never has any mitigating factors, either—only pure malice can be attributable to the noncompliant.

Is it any wonder then, that in a time when people are silently afraid of slipping up, laughing at the wrong joke, being accused of wrongthink, that it seems so much safer to outsource critical thinking to “experts”?

But it is the countless tiny acts of cowardice by bureaucrats and journalists that allow bad behaviour to go unchecked: parroting false information, failing to ask critical questions, turning the other way to ignore inconvenient truths. Our institutions are only as strong as the people running them, and the checks and balances in place.

Guess what happens when you see wrongdoing and choose to look the other way? You enable it. As most of the population cowers in fear and remains silent so as not to accidentally offend, the loudest voices left standing come from fringe extremists on both ends of the political spectrum.

Canada is a unique country where huge scandals are ignored or buried due to cronyism and corruption. No place on earth is completely free from corruption, but at least citizens in most places know about it and demand change. Some make it a hobby to complain about crooked politicians to their neighbours or at the local cafe. Everyone knows how nepotism works. Here in Canada, we are too complacent and satisfied by scraps and distractions. Bread and circuses rule the day. But the worst part is the unshakable, endemic self-righteousness that we can do no wrong. “We’re too civilized, too polite. Things like that just don’t happen here”, accompanied by the unspoken belief that “We’re better than those people.”

And like it or not, complacency leads to complicity.

Indifference is the scum floating at the top of this cesspool. Deeper, there is actual complicity and coverups. It all goes back to cowardice, whether motivated by fear, insecurity, greed, or misplaced loyalty.

Elisa believes the indifference masks a deeper problem:

Believing the worst about those you don’t want to help allows you to walk away with a clean conscience—because the wounded animal in the road either isn’t really that hurt, or is beyond saving.

The most sheltered tend to be the most inflexible and unforgiving. They’re the ones most likely to accuse the sufferer of exaggeration or manipulation. You must vilify the Other to justify why you won’t help, even if helping is within your means. The cruelty of indifference gives you peace of mind; it allows you to sleep at night.

Conversely, those who’ve known hunger will always be the first to break bread. Those who have encountered trauma will most readily understand suffering and pain, because they’ve lived it. Some of the kindest, most

selfless and forgiving people I've ever met – people I credit with saving my life, once upon a time – were poor themselves, were immigrants or visible minorities, were people who had experienced hardship and recognized it on my face before I ever had to ask for help.

There's a saying that goes, "When an honest man discovers he is mistaken, he will either cease being mistaken, or cease being honest."

Which of those do you count on being?

The Courage to Have Second Thoughts

It should not be up to the victims to correct grave errors made by powerful institutions. But a signature trait of being among cowards is that nobody ever admits they were wrong. Instead of an apology, we sweep our dirt under the carpet and pretend our living room is spotless. The "dirt" are the expendable ones; the "carpet" is our denial and sense of decorum.

Kristen Little, RCMP Intelligence Analyst with the Ideologically Motivated Criminal Intelligence Team (IMCIT) gently raised concerns on February 14, 2022:

I don't mean to bother you... but I have some concerns which u may as well [sic] about including diabolon and Canada first in paragraphs using "imVE... Apologies if I am overstepping here. But maybe we shouldn't rush on trying to put something out considering it appears our reports are going out to so many agencies... Just a suggestion, again..not trying to overstep but just trying to think of what our "value added" can be due to the numerous reports coming from rcmp as well as other agencies.

Reading between the lines, it seems she was hesitant to rubber stamp a research document that lacked nuance:

I know the content of the report is seeking to answer some higher questions and this isn't a criticism at all of the hard work done by Ashley and James under what have no doubt been stressful circumstances but before our unit's name is on something I want to be sure we are giving accurate historical context and a full picture.

A very Canadian email, overlaid with apologies. Still, a notable outlier among her colleagues considering the overall lack of pushback, and apparent willingness to adopt copy-and-paste as an investigative technique.

A comprehensive 16-page RCMP report titled "Diabolon Profile January/February 2022" states that it is "difficult to understand" how certain conclusions were reached with confidence despite the lack of substantive evidence:

Based on available open source information it is exceedingly difficult to ascertain the extent to which Diagon is a distinct group, with common ideology, a political agenda, and the cohesion necessary to advance such an agenda.

The Canadian Anti-Hate Network (CAHN) is cited as the main authority on the group by all mainstream media outlets; due to the fact that all information traces back to one source, triangulation and the verification of facts is almost impossible at the current time. Based on the information that is publicly available, it is difficult to understand how CAHN can confidently assert that Diagon is an “accelerationist movement that believes a revolution is inevitable and necessary to collapse the current government system... Due to a lack of substantive open source material, operational information would be needed to supplement the profile.

If anyone else questioned or critiqued CAHN’s narrative, premised on dubious assertions, it is not apparent from over a thousand pages of documents reviewed in the FOIPOP.

Abject cowardice is the reason why charlatans have been entrusted to define “hate.”

The Courage to Speak

As Elisa told me while we worked on this daunting project:

The biggest lesson I learned over the last eight years is that nobody comes to your rescue when you live in a country of cowards. When you can’t offer anything in return. When you have no doors to open, names to drop, favours to trade on. You have to save yourself, because nobody else will do it for you. If not now, when? If not us, who?

Cowardice is not having tried at all. Rolling over and giving up before trying to fight.

Buttressed by its façade of moral superiority and banal platitudes, CAHN gives those who love to hate a powerful outlet to rage for a good cause. Within its radius, CAHN’s quest to purge “fascists” has attracted certain clusters of personalities looking to destroy others in good conscience, or as Aldous Huxley wrote, “to behave badly and excuse it as righteous indignation.”

This is the antithesis of countering radicalization.

If your policy is not to “engage with fascists”, all possibilities for understanding, conversation, even deradicalization, go out the door. The moment you determine someone is, in your eyes, a Nazi, then that person has lost all right to dispute that conclusion. Since you refuse to speak or listen, once the label has been cast, they

have no hope for an appeal. You took away that opportunity when you prioritized your interpretation over their truth.

Some might call such an inflexible mindset, totalitarian.

Do you really believe that some people become more dangerous on others' say-so? People and symbols are not that different from each other. We affix labels and meaning to everything we experience, as part of encoding memory. If you can label a flag a danger, you most certainly can, a human. As the world becomes more complex, everyone's bandwidth cranks to capacity and it's ever more tempting to reach for simplistic, black and white answers.

Why risk blurting out the wrong opinion, when you can let the "experts" do the thinking for you?

An Unholy Alliance

Based on the work of renowned American psychologist Jennifer Freyd, **DARVO** is an acronym that stands for “Deny, Attack, and Reverse Victim and Offender.” According to Wikipedia’s [definition](#):

1. The abuser **denies** the abuse ever took place
2. When confronted with evidence, the **abuser** then attacks the person that was abused (and/or the person's family and/or friends) for attempting to hold the abuser accountable for their actions, and finally
3. The abuser claims that they are actually the victim in the situation, thus **reversing** the positions of **victim** and **offender**. It often involves not just playing the victim but also victim blaming.”

All three of us—Jeremy, Elisa and myself—have been the victims of DARVO campaigns, both on social media and in real life, to varying degrees. The most insidious effect of being forced to face an endless barrage of psychological attacks intended to break you down and make you doubt your own perception of reality, is the gaslighting. Its aim is to make a person feel defensive about fighting back against his or her own exploitation.

And then there’s the tested and true formula of **Anonymity**. Among the shrewd arsenal of tactics used by proponents of anonymity to shut down requests for transparency is the accusation of “doxxing,” which carries the implication that you are putting the culprit in danger if by demanding to know who is behind a malicious accusation. In the age of character assassination by social media, any attempt to uncover and confront one’s maligner is inextricably entwined with the accusation of “doxxing”. When combined, they create a remarkably effective form of DARVO.

The Oxford Dictionary defines doxxing as “search for and publish private or identifying information about (a particular individual) on the internet, typically with malicious intent.” Open-source intelligence (**OSINT**), on the other hand, is defined by Wikipedia as “the collection and analysis of data gathered from open sources (covert and publicly available sources)”.

Over time, however, and largely the result of contrived accusations of misconduct advanced by anonymity proponents, a gray area has emerged between the two, rendering the charge arbitrary and frequently used as a tool to preemptively silence demands for transparency and accountability.

Nowadays, an accusation of doxxing can mean anything from identifying the owner of a social account by their real name, to posting publicly available information about

them, to sharing personal or private information such as an address or contact details. A great deal depends on who is targeted. Some so-called researchers take pride in OSINT, but claim the same tactics are harmful and inexcusable when used against them. It gets even murkier when anonymous accounts produce material about real people that itself becomes OSINT.

Any discussion about doxxing and social media is apt to be intertwined with the debate over anonymity and its abuses. Nameless trolls regularly reach into their targets' real lives for ammunition to use in a cyber battle, while themselves remaining anonymous. When they can't fight a fair fight because they're objectively wrong, many choose to launch a covert attack that is part distraction, part bullying, part intimidation into silence.

How are anonymous accounts able to sway so many people to believe them over real-name accounts? Why do so many Twitter users seem to have a positive bias toward them, and judge real-name accounts with more cynicism and suspicion?

A lot has to do with how we're wired, and how incredibly difficult it can be to separate ourselves from our social programming. We have biases built into us by the society we're born into, preconceptions that shape our responses and which can become ingrained reactions. Our brains constantly evaluate contradictory information flooding in from our environment and make split-second decisions that can impact our survival. But in a virtual ecosphere like Twitter, where you are not presented with the same amount of tangible information you'd encounter in real life, this evolutionary feature can be a downfall.

The reality of online platforms is that it is nearly impossible to avoid the temptation of making assumptions about a stranger based on 280-character interactions stripped of context and other sensory data. It requires a fair bit of intellectual humility to recognize that the people with whom we interact, as well as ourselves, are not one-dimensional characters. Context and backstories matter. This doesn't mean truth is relative, just that we must be cautious about leaping to conclusions.

Anonymity holds the promise of something special, a treasure trove of exciting possibilities, and perhaps this is why we tend to give anonymous accounts the benefit of the doubt far more often than they deserve to be trusted. People project heroic attributes onto accounts purportedly fighting for good causes— since you don't know who they are, your imagination makes up all sorts of stories about who they might be: an edgy hacker, an underground resistance fighter, a Guy Fawkes-masked hero.

We respond positively to images that represent causes and ideals we already embrace. If you want to be noticed by a particular target demographic, all you need to do is upload a banner image and profile photo that conveys solidarity with a cause du jour,

and you've primed your target audience to treat you like an in-group member, a fellow activist who shares their values and ideals.

Most people believe themselves savvy enough to avoid being catfished by extremist ideologues and garden-variety trolls, but are they really? How do you know who is behind that rainbow flag, the BLM hashtag, the Antifa banner claiming solidarity with Indigenous causes? Could you tell if you were engaging with an incel LARPing as a knight in shining armour? Are they every bit the activist they claim to be?

Social justice movements have a history of being infiltrated by agitators, saboteurs and government agents who seed division and incite criminal activity to derail progress. And yet, among many Twitter activists, anonymity is not just commonplace but encouraged and even expected.

It is naïve to assume that law enforcement and intelligence agencies would not take advantage of the anonymity afforded by online platforms. Why are we not asking ourselves how the normalization of concealment in social justice groups plays into the hands of nefarious actors?

For two years I battled bullies from all sides of the political spectrum, people who wielded anonymity like a shield as they tried to erase who I am and publicly disseminated an alternate version of me, a construct of their imagination. It was a crowd of people playing pretend, while seeking to redefine activism to suit their narrative and make themselves out to be greater heroes or greater victims. They claimed to fight for justice but harassed with impunity, assembling through Twitter flash mobs in pile-ons that often started with a single troll siccing the pack onto a particular target.

The more they veiled themselves in anonymity, the more I pursued transparency—only to realize that accusations of “doxxing” are entrenched in an arsenal of tactics used by cyberbullies to gaslight their victims into not naming their harassers or demanding accountability, lest they be smeared as “doxxers”.

There is something perverse about being forced to take relentless abuse and not seek to identify your abusers. It's the epitome of gaslighting. The culture of secrecy in some circles appears at odds with a movement that claims to advocate for people's intrinsic right to live without persecution and mistreatment.

Why would any social justice activist be expected to abide by an Omertà code that commands everyone to keep silent and not discuss abuse “among our own”, or risk ostracization? Who decided this? And why does it seem like the worst abusers of anonymity are also the ones who wield the “doxxing” accusation most freely?

I do not believe it is “doxxing” to identify by name someone who incites harmful or criminal activity. While there are valid reasons to keep one’s identity private, hiding behind anonymity while attacking real people is cowardly. I reject the premise that self-identified “antifascists” who make a hobby of online harassment are, in fact, the ultimate do-gooders. Their actions do not align with the basic principles of leftism, which advocates for justice and fair treatment of all human beings.

People who claim to fight for justice yet harass and try to destroy others using shady tactics, are self-deputized gatekeepers who believe that rules of fairness and respect should apply to them, but not their foes. Benefit of the doubt only goes one way. They use buzzwords that elicit strong emotions (“Nazi”, “fascist”, “TERF”), sometimes for weeks and months on end, and repeat them until they stick, counting on the fact that most online users won’t be bothered to investigate the source and context surrounding the original accusation.

In large part due to anonymity, social platforms have become caustic environments where smack talk, vicious comebacks and mockery are viewed as entertainment. Many users show up for a fight—either to fight it or to watch it—and whoever lands the best insult wins.

The Social Colosseum

In a virtual arena like Twitter everyone plays a part, and what you do is as important as what you don’t do. An audience that feeds off bloodshed and trauma, however passively, will invariably contribute to the antagonistic climate that sustains it.

Remaining silent while you witness pile-ons and cyber-harassment is not a neutral stance—it is complicity. When you amplify an insulting tweet, you encourage and abet the account holder to keep behaving recklessly. Likewise, looking away without saying anything is a role in itself—the role of a cowardly spectator.

If you would not tolerate the same comments if they were made by people “on the other side”, then you are part of the problem.

Most people are afraid to stand out and voice unpopular opinions, so they get their carnage vicariously. Through likes and retweets, they can amplify things they don't have the courage to speak aloud, even as they know, deep inside, that the content they choose to disseminate is malicious or nasty.

In the Roman colosseum, no moral blameworthiness could be attributed to the lions or slaves. The emperor may have been cruel, and some warriors battled for sport, but ultimately the biggest culprits were the audience.

Two thousand years have passed, but human nature is predictable. I suspect social media trolls would not behave as they do, were it not for the encouragement of an enabling crowd. Emboldened by the acceptance of silent onlookers, nefarious users project their rage and obsessions to an arena where the spectators are never held accountable.

Any perception of fairness is an illusion, because nothing is fair about this fight. It's torture and punishment disguised as public discourse. To fight against an onslaught of malicious trolls, acutely cognizant that every word you speak will be dissected, reinterpreted in bad faith and examined under a microscopic lens a thousand times over, is like being in the arena with a hand tied behind your back.

Real-name accounts are scrutinized and held to a higher standard of perfection because people's careers and reputations are at stake. Conversely, anonymous users lack that responsibility because they have no real names and reputations attached to disposable accounts. This endows them with a vast advantage—anonymity means bad actors can use deception to harass those whose real-name persona prohibits them from responding in kind.

Progress happens when people come together to bring about positive change, not to destroy others in order to feel superior. This puts social media colosseums inherently at odds with peacebuilding. The combative nature of Twitter shapes its culture as much as it sabotages true discourse.

Forgiveness and compassion are the antithesis of vicarious entertainment, and easily discarded in an arena where punches are thrown via slurs intended to pummel psychologically. Empathy, mercy, or mitigating factors are reserved only for "our" side, never our adversaries.

Nothing I have ever done warrants the vicious attacks on my character or my right to exist in public. Nothing can justify my friends and supporters being scared on my behalf, and for themselves. The relentless surveillance, misrepresentation of my every move, the escalating harassment carried out physically and online by malicious or misguided individuals role-playing as revolutionaries, has irrevocably changed my perspective on anonymity.

We cannot allow ourselves to be persuaded to accept secrecy as a legitimate practice. Doing so eschews accountability and any semblance of objectivity. Lies and misinformation spread by masked character assassins carry real-life consequences, both for those unfairly targeted by false accusations and those who are swayed by the lies. Pretending this is not happening is a disservice to the truth.

Our Stories Merge

I lost my father to COVID-19 in March 2021. He was a pandemic skeptic, but that was not something we talked about. The unexpected loss propelled me to want to connect with similar people on a human level— not to persuade, but to try and understand. I was also interested in the discussion around balancing individual constitutional rights with emergency measures imposed upon the population.

I started becoming methodical about documenting “freedom” rallies, mostly as a fly on the wall. I posted on social media because it felt like a matter of public interest that was not being tackled meaningfully by mainstream media. I documented an emerging political subculture with boots on the ground. Over time, I grew creative with the gimmicks and vignettes. My videographer and I showed up, were polite, and never concealed the camera. Our footage, as well as my commentary, has been used by national and international major broadcasters.

In April 2021, I produced a comic featuring Chris Sky. He took offense and encouraged hundreds of thousands of his followers to brigade my account. The hateful messages kept coming and would not stop. Being piled on every few seconds was a surreal experience. The constant one-star Google reviews. The non-stop barrage of hostility. In response, I made more comics. I am not one to be silenced.

The Canadian Anti-Hate Network reached out to me privately after the first comic. At the time, I thought the organization did good work. I was asked about producing comics on a regular basis for their website. We discussed it over the course of about a week, before I ultimately declined to provide content as CAHN had invited.

And then, a strange thing happened. Positive messages started being mixed in with the hate mail. My feed was bringing people out of their respective echo chambers, and encouraging the exchange of ideas—to me, it does not matter if we disagree, just that we talk. I challenge deep seeded assumptions simply by being myself.

A disheartening phenomenon during the pandemic was the normalization of dehumanization. Dialogue and common ground can change minds. The accusation of “platforming” is premised on paternalistic assumptions of gatekeeping access to ideas because people cannot be trusted to think for themselves. There is value in trying to forge a dialogue across the political divide, so we might figure out ways to live together in peace.

In July 2021, I invited Chris Sky to a live podcast recording to be held outside my rented commercial unit in my neighbourhood. I deliberately scheduled the show at the tail end of the lockdown, before restrictions loosened up the following week, so I could purposely limit the audience to 25 invited guests. I was prepared to

accommodate uninvited spectators in the upstairs plaza overlooking the stage and hired private security as a precaution.

What happened next changed the trajectory of my life. A group of masked strangers, dressed head to toe in black, blockaded the venue entrance. Their intention was to stop me from talking to Chris Sky. To stop me specifically—Sky had appeared at numerous rallies prior to my event, never with any resistance or counter protest. Nor was Chris Sky ever blockaded again in Toronto.

Their target wasn't the man they called a fascist, but the left-leaning, brown Muslim woman who dared to challenge him to an in-person interview. Me stepping outside the demarcation lines of my political affiliations was viewed as an existential threat to people I'd never engaged with before.

What should have been a riveting and thought-provoking show quickly devolved into a street brawl. In the aftermath, I was blamed for two separate groups of adults cosplaying as revolutionaries on the street. This marked the beginning of a concerted smear campaign against me, justified by many as punishment for my audacity to host an unpopular event. Blockade participants soon retreated to mostly-anonymous Twitter accounts to misrepresent the situation.

Within days, CAHN published an article chastising me for hosting the event, spotlighting an anonymous organizer who misrepresented the situation by exaggerating or inventing my missteps while downplaying their own contributions to violence. The article was authored by a man who had been surveilling and distributing photos of my unit. He was also part of the blockade. CAHN made some revisions to the article after I flagged serious issues, but the editor's note lacks specifics. The article has been cited countless times to establish that I am a "danger to communities." In other words, it was a hit piece.

Things escalated from there. Over the next two years, the vitriol morphed into malicious attacks against my personal and professional reputation, amplified by other nameless accounts gleefully jumping on the bandwagon. I saw a lifetime of hard, honest work at risk of destruction by a handful of malevolent trolls using anonymity as a shield to harass and dehumanize me through derogatory lies and degrading memes and flyers targeting my race, my character, and my professional reputation.

All arising from a single event that never actually took place.

I don't know how I made it through. There are battle scars, but I emerged stronger. If they had it their way, I would have quit documenting protests. I moved in the other direction, big time. Did I mention I hate being told what to do.

It was a fluke that I was able to attend the duration of the Freedom Convoy; it was only made possible because the relentless harassment pushed me to spend a season outside of Toronto. Using Perth, Ontario as a homebase allowed me closer access to the Ottawa region. I was there to watch the police wave the first trucks into place, and there to see the last ones get towed away. I was willing to go where others dared not. And I did it with a smile, even when I felt afraid.

I was interviewed on the Fifth Estate episode about the convoy to share my observations; the interviewer focusing on my comments about the interactions between protesters and law enforcement. Kurt Phillips was also tapped as an expert. One segment of the final product was about Jeremy MacKenzie.

A subset of the population got fed up with what they perceived as too much indulgence towards the convoy movement and inched towards vigilantism. An institutional failure by police led to ordinary citizens exercising arbitrary power against other citizens. The creation of a “convite” class was used to justify concerning behaviour, including gang-stalking and gang-harassment coordinated over Discord, Facebook, Twitter, and Twitch.

On my part, I continued to attend and document public protests and fringe social movements. I covered the emergence of counter protests, sometimes to the chagrin of counter protesters. I began using the term “antifaux” to refer to antifascists more interested in performative activism than upholding progressive values.

After enduring nearly a year of harassment from CAHN-adjacent accounts and individuals in silence, I tweeted an invitation to anyone with similar experiences to contact me. That is how I initially connected with Jeremy MacKenzie.

It was April 2022. Everything I knew about him came from second-hand online sources, so I was apprehensive about being in contact. But I pushed past my assumptions and reservations and took a couple of hours to listen to his experiences. I spotted patterns that gave me food for thought. After the call, we continued our separate ways. I watched what looked like a downward spiral from afar. I noted the heat Jeremy attracted first-hand after posting a [couple of comics](#).

In October 2022 I travelled to Saskatchewan on my own initiative to observe Jeremy’s bail hearing. Watching the proceeding unfold, I saw a man being railroaded. It did not sit well with me. However unpopular a person or their cause, everyone deserves a fair shake. I have followed his legal proceedings closely since then, including reporting on a disclosure motion as it happened.

Public hysteria thrives on a boogeyman. Emotions take precedence over evidence, especially if the bad guy makes it easy to dislike them. The court of public opinion can interfere with the rule of law, particularly where institutions are complicit

(wittingly or not) in spreading the smear and fomenting panic and outrage. Think of the Martensville Satanic Sex Scandal. Interestingly, the judge who denied Jeremy bail in Saskatchewan was one of the Martensville prosecutors.

I have observed and documented people radicalize in real time, while others move in the opposite direction. Individual trajectories are influenced by personal life circumstances, mental health, loneliness, and the media they consume. Radicalization can happen at either end of the political spectrum.

A 2022 ruling from Ontario's Small Claims Court determined that CAHN has obtained financial support, assisted a violent political movement, used its financial support to influence a violent political movement, and that the violent political movement was "antifa", so-named for its anti-fascist motivations.

These findings came out of a defamation lawsuit filed by Richard Warman against journalists Jonathan and Barbara Kay over a handful of tweets that did not mention Warman by name. The judge characterized Warman as a controversial figure and accepted that he has used litigation to silence critics in the past. Ultimately, the statements were found not to be defamatory. The judge added that even if Warman had succeeded in his action, only nominal damages of \$5,000 and \$500 would have been awarded against Jonathan and Barbara Kay, respectively.

The decision is being appealed.

Although none of their writers seem to be on the ground to cover events as they unfold, CAHN published materials geared towards counter protesters, or self-appointed "community defenders" and "guardians." CAHN specifically encouraged counter protesters to "ice out fake journalists" at events through noisemaking, and the use of banners and flags to create visual and physical barriers. I have been subjected to in-person harassment at rallies by counter protesters employing such tactics. I am suing CAHN in Federal Court for trade libel and unfair competition.

The case is pending.

Conclusion

Fundamentally, we are in a war of competing narratives. On one side, elites with connections to political leaders, mainstream media and law enforcement. On the other, people deemed expendable. A brash working-class man with conservative political views who criticizes the military and policing industrial complexes. A “wretched little immigrant girl” who destroyed an intelligence operation. A lawyer who refuses to play her assigned role.

How can such an unbalanced battle result in truth or justice prevailing? It would take a miracle. But to Elisa, sometimes hope is all you have left. After they break you down and throw you in that gutter where they say you belong, all you have left is the choice to lift your head and look up at the stars:

You know the truth because you lived it. Everything else you’ve heard about yourself and the world around you is a subjective interpretation filtered through someone else’s lens – which is shaped by their own biases, interests, (sub)conscious influences and value judgements, and the biases of those who, in turn, shaped them. The biggest fight is to not allow them to replace who you know you are, with their projections of who they think you are.

The world is one gigantic courtroom – and everything is persuasion. Those who are born into privilege and can buy their way into positions of power and authority, most often get to decide the outcome of the external story. They can certify and endorse each other’s version of reality and impose it through brute force or majority-rule, but it does not make it the truth.

Always trust yourself. You are the only first-person witness to your story.

This is **Exhibit "L"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Diagolon Profile (January/February 2022)

*All information was obtained through open sources with the caveat that sources are extremely limited and that triangulation has been almost impossible — almost all open sources reference the Canadian Anti-Hate Network as their main source of authority on Diagolon. This has made cross-referencing and verification of information extremely difficult.

Overview

Founded by Jeremy Mackenzie, “Diagolon” is a fictional country which encompasses like-minded areas from Alaska in the north-west to Florida in the south-east. In practice, Diagolon, and by extension the Plaid Army, is a network of individuals which appear to express a wide-range of issues with the government. The initial impetus for the movement was Mackenzie’s vlogs on both his YouTube account and on Telegram.

According to the Canadian Anti-Hate Network, proponents of the movement call themselves Diagolonians or Diags or Dags; this differentiates them from the rest of North America which is referred to as Circulon and the inhabitants therein called Circulonians.¹

That said, the use of satire is paramount within the movement, as an example, proponents of Diagolon often glibly refer to themselves as “bigots”.²

Ideology & Motivation

As evinced in the open sources, there is no strict consensus about the ideology and motivation of Diagolon and its proponents. This divide is largely due to a lack of substantive sources. The Canadian Anti-Hate Network (CAHN) is consistently cited as an authority by the mainstream media and CAHN’s interpretation of the group’s ideology and motivation is vehemently denied by the group itself.

The Canadian Anti-Hate Network (CAHN) has labelled Diagolon as a loose network of people with neo-fascist, militant views.³ CAHN asserts that the movement platforms and espouses rampant racism and anti-Semitic content in their streams.⁴ Furthermore, CAHN argues that Diagolon perceives the media, the mainstream government and politicians, and those they perceived as communists as their enemies.⁵ Elizabeth Simons, deputy director of CAHN, acknowledges that, within the group’s lexicon, the term “communist” has become synonymous

¹ From <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

² From https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

³ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

⁴ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

⁵ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

with “anyone that they don’t like.”⁶ Most alarmingly, the CAHN has labelled Diagonon as “an accelerationist movement that believes a revolution is inevitable and necessary to collapse the current government system. It wants to build its ideal nation-state, which runs diagonally from Alaska through the western provinces down to Florida.”⁷ Finally, CAHN claims that “The community is extremely conspiratorial, regurgitating and spreading not only the theories of its own content creators but also a variety of new and well-worn fantasies about globalist plots, COVID and vaccine misinformation, and Jewish-controlled media and government.”⁸

CBC has quoted University of New Brunswick professor David Hofmann, a specialist in far right movements, who claims that Diagonon is “an American-style militia movement... [with] the goal to establish a diagonal white nationalist state”.⁹ Based on Hofmann’s assessment, CBC writes, “Those who believe in the Diagonon movement feel a civil war is needed to create a new state that would run diagonally from Alaska, through western Canada's provinces, all the way south to Florida... And they want to accomplish this through violence.”¹⁰

In stark contrast, the official Raging Dissident website (named after Diagonon founder Jeremy Mackenzie’s alter ego) maintains that Diagonon is a “LEADERLESS, FUN-LOVING, ORGANIZATION.”¹¹ The website also directly disavows violence and asserts that “THE ISOLATED ACTIONS OF A COUPLE INDIVIDUALS DO NOT NECESSARILY REPRESENT THE INTERESTS” of the organization as a whole.¹²

History & Structure

The so-called Plaid Army and Diagonon were founded by Jeremy Mackenzie (ostensibly) sometime in 2020 (the exact start date is unclear based on open sources); Mackenzie used his YouTube channel and Telegram to disseminate his message through vlogs.

The official “Raging Dissident” webpage describes the foundation of the movement thus:

WHILE CONDUCTING A LIVESTREAM FOR HIS FANS ONE EVENING, A CANADIAN CONTENT CREATOR BY THE NAME OF RAGING HUMANIST, NOW RAGING DISSIDENT, WANTED TO DO A FUNNY STREAM FOR HIS AUDIENCE. HE CONSUMED SEVERAL LEGALLY PURCHASED MARIJUANA EDIBLES AND BEGAN SHARING HIS STREAM OF CONCIIOUSNESS. EVENTUALLY HE DEDUCED THAT THERE WAS A

⁶ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagonon-extremist-group-and-what-does-it-want-1.5785646>

⁷ Direct from <https://globalnews.ca/news/8621125/canadian-anti-hate-network-concerned-diagonon-coutts-border-protest-diagonon/>

⁸ Direct from <https://www.vice.com/en/article/k7wpgy/freedom-convoy-murder-conspiracy-diagonon>

⁹ From <https://ici.radio-canada.ca/rci/en/news/1862953/the-coutts-13-new-details-on-the-men-and-women-arrested-at-border-blockade>

¹⁰ From <https://ici.radio-canada.ca/rci/en/news/1862953/the-coutts-13-new-details-on-the-men-and-women-arrested-at-border-blockade>

¹¹ Direct from <https://www.diagonon.org/>

¹² Direct from <https://www.diagonon.org/>

DIVIDE OCCURRING BETWEEN LOCATIONS IN NORTH AMERICA. SPECIFICALLY HE POINTED OUT THAT THE COMMON VALUES WERE NO LONGER SHARED ALONG COUNTRY LINES, BUT MORESO SPECIFIC STATES AND PROVINCES. THE EASTERN SEA BOARD, AND THE WESTERN COAST, ALL SHARED SIMILAR VALUES, WHERE THE SOUTHERN STATES, MIDWEST, WESTERN CANADA, AND UP TO ALASKA TENDED TO SHARE SIMILAR VALUES AS WELL. HE, ON HIS PHONE, TOOK A BASIC FINGER-PAINT APP AND DREW A LINE TO SIGNIFY THIS. THUS, THE FLAG OF DIAGOLON WAS BORN.¹³

The Canadian Anti-Hate Network (CAHN) claims that Diagonon quickly attracted a network of like-minded anti-authority individuals, which they estimate are potentially now in the thousands, with members in Canada, the U.S. and Australia – judging from their Telegram channels.¹⁴

Elizabeth Simons, deputy director of CAHN, has asserted that the major concern is that the Diagonon network is branching out and going offline.¹⁵ Simons further claimed that while Jeremy Mackenzie is the de facto leader, cells and Diagonon member networks are autonomous.¹⁶

Simons stated that many members, “claim to be ex-military members and a lot of them claim to have some kind of military training. There’s very much a militia kind of vibe within the network and there have been lots of talks of weapons”.¹⁷

In the wake of Mackenzie’s arrest in February 2022 and the increased publicity of the group, stemming from the trucker convoy and subsequent arrest in Coutts, Alberta, Diagonon created a webpage. The webpage includes dozens of testimonials from members which emphasize the role Diagonon has played in ameliorating their social life, physical health, and sense of belonging. The website officially disavows violence and proclaims that humour and friendship are the underpinnings of the group:

DIAGONON, AND THE FLAG OF DIAGONON, REPRESENT PEACEFUL FUN-LOVING PERSONS FROM ALL OVER THE GLOBE. THE COMMUNITY EXTENDS ALL OVER EUROPE, ASIA, THE PACIFIC, SOUTH AMERICA, AND NORTH AMERICA. DIAGONONIANS, OR "DAGS", ARE REPRESENTED BY ALL SORTS OF PEOPLE ALL OVER THE GLOBE. LET US REMIND YOU THAT THE ISOLATED ACTIONS OF A COUPLE INDIVIDUALS DO NOT NECESSARILY REPRESENT THE INTERESTS OF THIS ENTIRE, LEADERLESS, FUN-LOVING, ORGANIZATION.¹⁸

¹³ Direct from <https://www.diagonon.org/>

¹⁴ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagonon-extremist-group-and-what-does-it-want-1.5785646>

¹⁵ Paraphrased from <https://www.ctvnews.ca/canada/what-is-the-diagonon-extremist-group-and-what-does-it-want-1.5785646>

¹⁶ From <https://www.ctvnews.ca/canada/what-is-the-diagonon-extremist-group-and-what-does-it-want-1.5785646>

¹⁷ Direct from <https://globalnews.ca/news/8621125/canadian-anti-hate-network-concerned-diagonon-coutts-border-protest-diagonon/>

¹⁸ Direct from <https://www.diagonon.org/>

Founder

Jeremy Mackenzie is the de-facto leader of the Diagonon movement, as well as the leader of the so-called Plaid Army.

Known online as “Raging Dissident”, Mackenzie posts videos and livestreams of himself on Telegram and on his YouTube channel. These videos are couched in humour and Mackenzie largely frames his dialogue as satire.

MacKenzie is a Canadian military veteran who served in Afghanistan.¹⁹ The RCMP alleged in a search warrant application that he had post-traumatic stress disorder.²⁰

He made headlines on February 10, 2020 when he protested in Halifax against a joint-speaking engagement of Romeo Dallaire and Omar Khadr about child soldiers.²¹

On February 2, 2022, Mackenzie was arrested in Nova Scotia on firearms charges (please see Annex, Item 1 for full RCMP statement).²² The police investigation began on January 10, after a video posted on social media showed MacKenzie briefly pointing a gun at the head of another man, the RCMP alleged in the warrant.²³

During the February 2022 trucker convoy protests Mackenzie livestreamed from Ottawa and encouraged the blockades.²⁴

On March 23, 2022, Mackenzie was charged with criminal harassment, mischief, harassing phone calls and intimidation of a health professional after anti-mask protesters gathered outside the home of Nova Scotia’s chief medical officer of health three nights this week.²⁵

¹⁹ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

²⁰ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

²¹ From <https://toronto.civnews.ca/2020/02/10/former-guantanamo-bay-detainee-omar-khadr-speaks-in-at-child-soldiers-panel/>

²² From <https://www.rcmp-grc.gc.ca/en/news/2022/rcmp-arrest-man-firearms-offences>

²³ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

²⁴ From <https://www.ctvnews.ca/canada/what-is-the-diagonon-extremist-group-and-what-does-it-want-1.5785646>

²⁵ From <https://atlantic.ctvnews.ca/leader-of-far-right-group-woman-charged-in-anti-mask-protests-outside-n-s-top-doctor-s-home-1.5830948>

Symbols

Flag



A black ensign with a white diagonal line (top right corner to bottom left corner), meant to represent the fictional country of Diagonlon stretching from Alaska in the north to Florida in the south (please see Annex, Item 2 for reference).

The ensign has been produced as a flag, a patch, and as a “business” card which states “World Getting Crazier Out There? Its Not Just You. Find The Others” (photo unavailable in copy and paste, please see Toronto Star article for reference).²⁶

Open source images show Ontario MPP Randy Hillier posing with the flag (please see Annex, Item 3).

Another open source image, dating from November 8, 2021, shows supposed Diagonlon members (with their faces obscured) posing with the flag and displaying firearms (please see Annex, Item 4).²⁷

PPC Leader Maxime Bernier has also been photographed with the flag (please see Annex, Item 5).²⁸

The flag sometimes referred to as “ol’ slashy” by members.²⁹

The official Raging Dissident website asserts, “DIAGONLON, AND THE FLAG OF DIAGONLON, REPRESENT PEACEFUL FUN-LOVING PERSONS FROM ALL OVER THE GLOBE.”³⁰

²⁶ From <https://encrypted-tbn0.gstatic.com/images?q=tbn:ANd9GcRH->

[o8sfl6hAQBowNvvyxr88F3Qwxe6ADoTx_RSaa41zHQsN7nuktWdaEEPWFwPwIDgEvmw&usqp=CAU](https://www.ctvnews.ca/canada/what-is-the-diagonlon-extremist-group-and-what-does-it-want-1.5785646)

²⁷ From <https://www.ctvnews.ca/canada/what-is-the-diagonlon-extremist-group-and-what-does-it-want-1.5785646>

²⁸ From <https://twitter.com/antihateca/status/1495107846366580738>

²⁹ From <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

³⁰ Direct from <https://www.diagonlon.org/>

Song

The group has utilized Pine Tree Riot's song, "We'll Have Our Home Again" in their propaganda material, and labelled the song the "Diagolon National Anthem".³¹ Pine Tree Riot's lyrics are set to the tune of Stan Roger's "Rolling Down to Old Maui". The new lyrics reference that "by blood or sweat" the singers will reclaim their home, and if "there is no fire" to light their way they will start their own (please see Annex, Item 6 for full lyrics).³²

The version used by Diagolon is allegedly sung by Männerbund, which has been identified by open sources as a U.S.-based white supremacist men's group.

Motto/ Catch Phrase

An oft used expression by Jeremy MacKenzie in his chats and streams is "by gun or rope", CTV asserts that this describes how "his enemies can choose to die".³³

Activities

In Summer 2020, according to the Canadian Anti-Hate Network (CAHN), Alex Vriend began travelling and networking within the neo-fascist Diagolon movement under the name "The Ferryman's Toll."³⁴ The CAHN asserts that the Plaid Army streamers, and their Diagolon community, regularly push far-right and conspiracy content and detail their fantasies of an inevitable and bloody revolution.³⁵

The CAHN framed Vriend's travels by contending that Diagolon is increasingly becoming a militia network.³⁶ The CAHN ultimately concluded that, "Their goals are ultimately fascist: to use violence to take power and strip rights away from people who do not meet their purity tests based on ideology, race, and gender. With power or permission, they would execute their perceived enemies."³⁷

On December 15, 2021, the Canadian Anti-Hate Network (CAHN) published an article about a planned rally organized by the unofficial Ryerson Campus Conservatives club to protest the

³¹ From <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

³² Direct from <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

³³ From <https://www.ctvnews.ca/canada/what-is-the-diagolon-extremist-group-and-what-does-it-want-1.5785646>

³⁴ Direct from <https://www.antihate.ca/holocaust-denier-travelling-canada-building-up-far-right-militia-diagolon-alex-vriend>

³⁵ Direct from <https://www.antihate.ca/holocaust-denier-travelling-canada-building-up-far-right-militia-diagolon-alex-vriend>

³⁶ Direct from <https://www.antihate.ca/holocaust-denier-travelling-canada-building-up-far-right-militia-diagolon-alex-vriend>

³⁷ Direct from <https://www.antihate.ca/holocaust-denier-travelling-canada-building-up-far-right-militia-diagolon-alex-vriend>

renaming of the university, which is being done as a result of advocacy that highlighted Egerton Ryerson's role in designing the residential school system and genocide of First Nations, Métis and Inuit Peoples.³⁸

The student group claimed that the rally was due to be the "single largest conservative event ever held at Ryerson University," and was scheduled to feature People's Party of Canada leader Maxime Bernier and Ontario MPP Randy Hillier.³⁹

Tyler Russell, who CAHN has identified as an alumnus of Ryerson and a "Plaid Army streamer", asked his "audience to assault the opposition" [at the rally].⁴⁰ CAHN quotes Russell as saying, "You know those Proud Boys videos we all love to see where they just march down antifa and start cracking them? Don't you want to be one of those guys? It's your chance. If you can go, go. It's a prime propaganda opportunity for us."⁴¹

Russell also encouraged attendees to wear armour, saying, "If you don't have knuckleduster gloves, like the padded gloves, you can get them at the dollar store. If you don't have those, get them because you know what? Punching people in the head hurts your fucking hands."⁴²

CAHN claims that, far from being a solitary voice within this community, that same streamer [Russell] welcomes other "bigots," a satirical nickname adopted by the fans of the Plaid Army, onto his stream.⁴³

According to CAHN, this virtual call-to-arms resulted in the following online responses vis-à-vis counter protesters who planned to attend the Ryerson rally:

- 1) "Put lead in them"⁴⁴
- 2) "We've been saying the same thing this whole time...that these mother fuckers need to die."⁴⁵
- 3) "Bring piss filled water bottles and throw it on them. They can go home or turn to pissicles," one influencer wrote. Later on the same user told his followers, "I have had a similar thought in the past ... What you want is smallish super soakers filled with anti-freeze (way better than water More 'applicable' if it gets real cold ;)."⁴⁶

³⁸ Paraphrased from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

³⁹ From https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴⁰ From https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴¹ Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴² Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴³ Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴⁴ Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴⁵ Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

⁴⁶ Direct from https://www.antihate.ca/far_right_attacking_anti_racists_downtown_toronto

- 4) "I'm so fucking down for a Diagon Dust Up," said another.⁴⁷
- 5) "Someone please live stream this. I want to see dags kick circ ass," one supporter said, using the nickname "dags" to represent supporters and "circ" to represent their opposition.⁴⁸
- 6) On Instagram, a Plaid Army supporter threatened one of the organizers of a counter-demonstration, telling them "your followers would be wise to stay home and save lives that day."⁴⁹
- 7) Others speculate as to whether another organizer, who they call a "crazy b*****" is Jewish or "Middle Eastern." The Alberta streamer replies, "Who cares, commies are commies and the only good one is a dead one."⁵⁰

The Ryerson rally was subsequently cancelled and the unofficial Ryerson Campus Conservatives disavowed violence and the "Plaid Army".⁵¹

February 3, 2022: A man who was allegedly seen in a video waving a handgun "in a reckless manner" has been arrested and faces four firearms charges, according to the Nova Scotia RCMP.⁵²

Although police did not identify the accused in a news release, a court document identified him as Jeremy MacKenzie, who was in Ottawa for the so-called truckers' protest against COVID-19 measures.⁵³

The police investigation began on Jan. 10, after a video posted on social media showed MacKenzie briefly pointing a gun at the head of another man, the RCMP alleged in the warrant.⁵⁴

Although MacKenzie had a valid firearms licence, the gun seen in the video appeared to have an over-capacity magazine, police said.⁵⁵

⁴⁷ Direct from <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

⁴⁸ Direct from <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

⁴⁹ Direct from <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

⁵⁰ Direct from <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

⁵¹ Paraphrased from <https://www.antihate.ca/far-right-attacking-anti-racists-downtown-toronto>

⁵² Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵³ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵⁴ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵⁵ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

During a Jan. 26 search at a home in Pictou, N.S., police seized “five restricted firearms including rifles and handguns, one unrestricted firearm, prohibited magazines, ammunition, body armour, a duty belt with attached holster and magazine pouches and cellular phones.”⁵⁶

In the video, MacKenzie referred to “Diagonola,” the RCMP warrant alleged.⁵⁷

MacKenzie is its creator, the group said. The Diagonol flag allegedly appeared in the video.⁵⁸

“While waving the firearm around, MacKenzie briefly pointed the firearm at [a man’s] head, causing [the man] to flinch, momentarily close his eyes, and move his head away from the muzzle,” the RCMP warrant alleged.⁵⁹

MacKenzie told police he “did not recall any of the events from the video as he was hammered at the time,” the warrant alleged.⁶⁰

He was released on conditions, including that he not possess any firearms, weapons, ammunition or explosive substances.⁶¹

He was scheduled to appear in court on May 30 to face charges of careless use of a firearm, unauthorized possession of a prohibited device, possession of a prohibited device and possession of a firearm at an unauthorized place.⁶²

Videos posted on YouTube show him subsequently in Ottawa at the so-called truckers’ protest near Parliament Hill, and he was interviewed about the event on the conspiracy theory platform InfoWars.⁶³

February 14, 2022, the RCMP charged Chris Carbert, 44, and Christopher Lysak, 48, both of Lethbridge, and Anthony Olienick, 39, of Claresholm with conspiracy to commit murder, mischief over \$5,000 and possession of a firearm for a dangerous purpose.⁶⁴ Lysak is also charged with uttering threats.⁶⁵ According to the Canadian Anti-Hate Network, Jeremy MacKenzie once called Chris Lysak the “head of security for Diagonol”.⁶⁶

⁵⁶ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵⁷ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵⁸ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁵⁹ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁶⁰ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁶¹ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁶² Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁶³ From <https://globalnews.ca/news/8593064/ns-man-ottawa-convoy-protest-firearms-charge/>

⁶⁴ Direct from <https://calgaryherald.com/news/local-news/this-is-a-war-arrested-coutts-protesters-say-they-were-being-provoked-by-rcmp>

⁶⁵ Direct from <https://calgaryherald.com/news/local-news/this-is-a-war-arrested-coutts-protesters-say-they-were-being-provoked-by-rcmp>

⁶⁶ From <https://www.vice.com/en/article/k7wpgv/freedom-convoy-murder-conspiracy-diagonol>

Police seized a cache of long guns, handguns, oversized magazines, a machete and body armour, and say the suspects intended to kill RCMP if they attempted to break up the blockade.⁶⁷ RCMP called the threat to their officers “real and organized.”⁶⁸

When Alberta RCMP released images of the weapons and tactical gear seized from a group that took part in the Coutts, Alta., border blockade, the pictures showed patches displaying a white diagonal line on a black background -- the calling card of the Diagonol far-right extremist group.⁶⁹

Jeremy Mackenzie has contended on his podcast that the patch found in Coutts was not an official Diagonol patch. As way of evidence he provided a side-by-side photo (please see Annex, Item 7).

On February 16, 2022, without naming any specific group, federal Public Safety Minister Marco Mendicino alluded to ties between protesters in Ottawa and the Alberta arrests. "Several of the individuals at Coutts have strong ties to a far-right extreme organization with leaders who are in Ottawa," he said. "We're talking about a group that is organized, agile, knowledgeable and driven by an extremist ideology where might makes right."⁷⁰

Conclusion

Based on available open source information it is exceedingly difficult to ascertain the extent to which Diagonol is a distinct group, with common ideology, a political agenda, and the cohesion necessary to advance such an agenda.

The Canadian Anti-Hate Network (CAHN) is cited as the main authority on the group by all major mainstream media outlets; due to the fact that all information traces back to one source, triangulation and the verification of facts is almost impossible at the current time. Based on the information that is publically available, it is difficult to understand how CAHN can confidently assert that Diagonol is an “accelerationist movement that believes a revolution is inevitable and necessary to collapse the current government system.”⁷¹ Additionally, due to a lack of open sources into the hierarchical structure and organization of the group, it is also difficult to understand how University of New Brunswick professor David Hofmann (as cited by CBC) can assuredly purport that Diagonol is “an American-style militia movement.”⁷²

Mackenzie takes pains to frame his comments as humour and satire, and the official Raging Dissident website does publically disavow violence. Moreover, Mackenzie has used the excuse of

⁶⁷ Direct from <https://calgaryherald.com/news/local-news/this-is-a-war-arrested-coutts-protesters-say-they-were-being-provoked-by-rcmp>

⁶⁸ Direct from <https://calgaryherald.com/news/local-news/this-is-a-war-arrested-coutts-protesters-say-they-were-being-provoked-by-rcmp>

⁶⁹ Direct from <https://www.ctvnews.ca/canada/what-is-the-diagonol-extremist-group-and-what-does-it-want-1.5785646>

⁷⁰ Direct from <https://calgary.ctvnews.ca/hearings-for-accused-in-coutts-border-blockade-pushed-to-march-1.5787336>

⁷¹ Direct from <https://globalnews.ca/news/8621125/canadian-anti-hate-network-concerned-diagonol-coutts-border-protest-diagonol/>

⁷² Direct from <https://ici.radio-canada.ca/rci/en/news/1862953/the-coutts-13-new-details-on-the-men-and-women-arrested-at-border-blockade>

inebriation to dismiss/ minimize his actions on multiple occasions. One such example is on the official Raging Dissident website wherein the foundation of Diagon is discussed and Mackenzie claims he consumed “SEVERAL LEGALLY PURCHASED MARAJUANA EDIBLES” prior to vlogging.⁷³ In relation to his firearms offence of January 2022, Mackenzie told police that he “did not recall any of the events from the video as he was hammered at the time.”⁷⁴ It is unclear whether this is purposeful obfuscation or a sign of the hodgepodge-nature of the ideology and/or group.

Hence, due to a lack of substantive open source material, operational information would be needed to supplement the profile.

⁷³ <https://www.diagon.org/>

⁷⁴ Direct from <https://globalnews.ca/news/8593064/ns-man-ottawa-convov-protest-firearms-charge/>

Annex

Item 1: Direct RCMP statement on Mackenzie's arrest, February 2, 2022

<https://www.rcmp-grc.gc.ca/en/news/2022/rcmp-arrest-man-firearms-offences>

Inverness County District RCMP has arrested a man for firearms offences after executing a search warrant at a home in Pictou County.

On January 10, 2022, the Inverness County District RCMP began an investigation after a video was posted to social media of a man, in a business, waving a handgun around in a reckless manner and allegedly having an over capacity magazine. It was determined that this incident occurred on Whycocomag Mountain Rd. in Whycocomag.

On January 26, as part of the investigation, police executed a search warrant at a home on High St. in Pictou. During the search, police located and seized five restricted firearms including rifles and handguns, one unrestricted firearm, prohibited magazines, ammunition, body armour, a duty belt with attached holster and magazine pouches and cellular phones.

At the request of police, the suspect, a 35-year-old Pictou man, attended the Pictou RCMP Detachment prior to the search warrant execution and was arrested without incident. He was later released on conditions, which include that he not possess any firearms, weapons, ammunition or explosive substances. He will be facing charges of Careless Use of a Firearm, Unauthorized Possession of a Prohibited Device, Possession of a Prohibited Device Knowing It's Possession is Unauthorized, Possession of a Firearm at an Unauthorized Place. He will appear in Port Hawkesbury Provincial Court on May 30, 2022.

Item 2: The fictional country of Diagon (in green)



<https://twitter.com/dobrohoczki/status/1359557999203868672>

Item 3: Ontario MPP Randy Hillier posing with Diagonol flag



<https://pressprogress.ca/photo-shows-ontario-mpp-randy-hillier-with-flag-of-group-linked-to-armed-freedom-convoy-plot/>

Item 4: Supposed Diagonol members posing with the flag and brandishing firearms



<https://www.ctvnews.ca/canada/what-is-the-diagonol-extremist-group-and-what-does-it-want-1.5785646>

Item 5: PPC Leader Maxime Bernier with Diagonol flag, picture taken from Twitter



<https://twitter.com/antihateca/status/1495107846366580738>

Item 6: Lyrics to Pine Tree Riots “We’ll Have Our Home Again”

<https://www.letras.com/mannerbund/well-have-our-home-again/>

When there's nothing left		I struggle forth
But the fire in my chest	The headlines smack	To find a friend
And the air that fills my lungs	Of another attack	To light the way for me
	Not the first	
I'll hold my tears	But not the worst	Oh my brothers can you hear my voice
And trade my ears		Or am I all alone?
For a glimpse at kingdom come	Oh my fathers	
	They look down on me	
On the other side of misery	I wonder what they feel	If there's no fire to
There's a world we long see	To see their noble sons driven down	Guide my way
	Beneath a cowards heel	I'll start my own
The strife we share		
Will take us there		Oh my god we'll have our home again
To relief and sovereignty	Oh my god we'll have our home again	By god we'll have our home
	By god we'll have our home	By blood or sweat
Oh my god we'll have our home again	By blood or sweat	We'll get there yet
By god we'll have our home	We'll get there yet	By god we'll have our home
By blood or sweat	By god we'll have our home	
We'll get there yet		Oh my god we'll have our home again
By god we'll have our home	The road is dark	By god we'll have our home
	The way is lost	By blood or sweat
Now we're in towns	My eyes	We'll get there yet
We're foreigners now	They strain to see	By god we'll have our home
Our names are spat and cursed		

Image 7: Image posted to Jeremy MacKenzie's podcast comparing the "official" Diagonlon patch to the patch found in Coutts



<https://www.diagonlon.org/>

From: Caron, Eliane
To: Morawiec, Garrett (Garrett.Morawiec@rcmp-grc.gc.ca); Piamonte, Kandi (kandi.piamonte@rcmp-grc.gc.ca); Bover, Marie-Claude (Marie-Claude.Bover@rcmp-grc.gc.ca)
Cc: Murphy, Alicia (alicia.murphy@rcmp-grc.gc.ca); Justin, Jayson (Jayson.Justin@rcmp-grc.gc.ca)
Subject: FW: Diagonon
Date: January 20, 2022 7:50:00 AM

Not sure if you've gotten this already. Thanks Jayson!

From: Justin, Jayson <Jayson.Justin@rcmp-grc.gc.ca>
Sent: January 13, 2022 11:08 AM
To: Caron, Eliane <Eliane.Caron@rcmp-grc.gc.ca>
Subject: FW: Diagonon

Lots of familiar names in the story that touch multiple divisions.

From: MacLeod, Ryan <Ryan.Macleod@rcmp-grc.gc.ca>
Sent: January 13, 2022 9:42 AM
To: Thompson, Cody <cody.thompson@rcmp-grc.gc.ca>; Garner, Devin <devin.garner@rcmp-grc.gc.ca>; Patayanikorn, Ruth <ruth.patavanikorn@rcmp-grc.gc.ca>; Fenske, Bruce <bruce.a.fenske@rcmp-grc.gc.ca>; Justin, Jayson <Jayson.Justin@rcmp-grc.gc.ca>; @YRP,CA <@YRP,CA>
Subject: Diagonon

Good morning all,

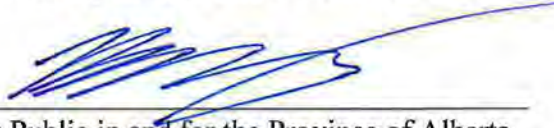
I'm sure some of you may have already seen this, but thought it was worth passing along...

<https://www.antihate.ca/holocaust-denier-travelling-canada-building-up-far-right-militia-diagonon-alex-vriend>

Take care,

Ryan

This is **Exhibit "M"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Nova Scotia

Judge throws out charges against pair accused of harassing N.S. chief medical officer

Judge rules it took too long to bring Diagon founder Jeremy MacKenzie and Morgan Guptill to trial

[Richard Cuthbertson](#) · CBC News · Posted: Jun 05, 2024 4:21 PM MDT | Last Updated: June 6



Jeremy MacKenzie, right, and Morgan Guptill are shown on Tuesday, April 30, 2024, outside a provincial courtroom in Dartmouth, N.S. (Richard Cuthbertson/CBC)

the province's chief medical officer of health during a protest against COVID restrictions outside his home, ruling their rights were violated because it's taken too long to bring them to trial.

Jeremy MacKenzie, a 38-year-old podcaster and founder of the controversial group Diagon, and his partner, Morgan Guptill, 34, were charged in 2022 with criminal harassment, mischief, making harassing phone calls and intimidation of a health professional.

The pair were scheduled to go on trial next week in Dartmouth, N.S. But on Wednesday, provincial court Judge Jill Hartlen ruled the time between arrest and trial violates the 18-month ceiling set by the Supreme Court of Canada, even after taking into account delays caused by the defence.

MacKenzie is known for creating Diagon, a group Prime Minister Justin Trudeau has called white nationalist. MacKenzie has denied allegations of extremism and violence, and has maintained Diagon is simply a loose-knit community of fans of his podcast.

While he has faced other charges in a number of provinces, all of those have been withdrawn or resolved, including those related to firearms allegedly found during a January 2022 search of his parents' home in Pictou, N.S.



The province's chief medical officer of health, Dr. Robert Strang, speaks at a news conference in 2021. (Communications Nova Scotia)

The charges dealt with Wednesday [relate to a three-day protest in March 2022 against COVID-19 restrictions](#) outside the Fall River, N.S., house of Chief Medical Officer of Health Dr. Robert Strang.

MacKenzie and Guptill have alleged their rights were violated in a number of ways after they were taken into custody, and have claimed the decision to arrest and charge them was politically motivated and influenced by the office of Premier Tim Houston.

Hartlen [shot down that assertion last month](#), ruling there was no evidence police acted to "improperly stifle political activity." She has sided with the defendants in some other respects, however, including over MacKenzie's right to a lawyer of his choice following his arrest.

prosecution, was the math surrounding delays in bringing the case to trial, which was to take place nearly 27 months after the arrests. After subtracting defence delays, she calculated the time to trial still breached the crucial Supreme Court deadline by one month.

One particular issue, she said, was a decision not to hold the trial alongside a series of Charter hearings earlier this year, which would have allowed the trial to wrap up in early May and within the 18-month threshold.

She noted MacKenzie's lawyer, Sherif Foda, had warned last year he would seek to have the charges stayed if a "blended" approach was not taken and it led to trial delays.

Hartlen said the prosecution had wanted to separate the two, but it was her decision to do so, and she acknowledged the way she approached it was "less than ideal."

Protest details

MacKenzie and Guptill declined to comment outside the court. Prosecutor Emma Woodburn said in an email that the ruling was not the outcome the Crown had hoped for, but it respects the decision of the judge, who provided "thorough reasons."

In a statement, Strang said he respected the decision of the judge and understands the reasons for it, but added the stay of proceedings "in no way condones the actions taken by the protesters."

At the time of the protest outside Strang's home, many restrictions related to COVID-19 had been lifted, but a number remained, including the requirement to wear face masks in schools.

The court previously heard that Strang's daughter had a panic attack, and his wife had to escort care workers for their autistic son away from the home because they were too intimidated to leave on their own.

to call the Strang home, Hartlen said in a previous ruling, and protesters were livestreaming video of the home, zooming in with their phones to view the interior.

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Diagolon founder Jeremy Mackenzie's final charges have been stayed

By Clayton DeMaine, True North Wire - June 8, 2024



Source: YouTube

Controversial podcaster Jeremy Mackenzie is free and clear after the final outstanding charges against him were stayed.

Charges against Mackenzie, a 14-year military veteran who served in Afghanistan, and his girlfriend Morgan Guptill, were stayed by a Nova Scotia judge who found that the 19 months between being charged and the end of the trial was an unreasonable length of time.

These were the last remaining criminal charges against Mackenzie after charges in Quebec and Saskatchewan and others in Nova Scotia were similarly stayed or dropped.

In the latest one, Mackenzie and Guptill were charged with criminal harassment of Nova Scotia chief medical officer Dr. Robert Strang. They were arrested on the third day of protesting on a public street near his residence.

Each of the 23 charges thrown at Mackenzie across three separate provinces has been dropped, stayed, or resolved, including a series of firearms charges in Saskatchewan.

Mackenzie created an online community called Diagonal, which he describes as a fictitious meme country represented by a black flag with a diagonal white line. In an interview, he told True North that although he is “relieved” the criminal cases are behind him, he was disappointed that he didn’t get a chance to defend himself in front of the public and a jury.

“In a way we’re relieved and just thankful to have that real estate in our heads back. This is just another problem we don’t have to deal with anymore. But this never should have happened in the first place. And it’s just a travesty of justice and our resources,” Mackenzie said.

Mackenzie, who testified before the Public Order Emergency Commission remotely from jail in 2022, said the way that he and his girlfriend have been treated by the justice system has been disproportionate to what “real criminals” face.

Mackenzie said that on top of having his bail denied, he was placed in solitary confinement multiple times. He also said he faced physical attacks because of the media’s and the Liberal government’s characterization of him.

Mackenzie and Diagonal were singled out by the Liberal government during the [Freedom Convoy](#) as a national security risk, a position partially relied on to justify the use of the [Emergencies Act](#).

An [investigative report](#) by lawyer Caryma Sa’d, who has represented Mackenzie, alleged that the government knew that Diagonal was not violent or even a traditionally definable group.

“We have criminals running around this country doing whatever they want,” he said. “In the time that it took to have this case in Nova Scotia finally thrown out, four cases of pedophiles and people luring children were tossed out because they ran out of time to prosecute.”

Despite being free of criminal charges, Mackenzie still maintains that he was targeted for his political views.

“It lends more weight, not less, to the idea that people in this country who are political dissidents and unhappy with the way our rulers are conducting business are targeted by the state and punished for dissenting,” he said, “It doesn’t paint a good picture of our legal system and doesn’t do anything to dispel that.”

Mackenzie also took aim at the relative media silence about his charges being stayed.

“A lot of things were said. Media had printed a lot of out of context things and headlines. They really went to town to slander my reputation,” Mackenzie said. “Now that it’s all over, they have nothing to say. And there’s no one here to apologize and say ‘We jumped to conclusions and painted you as this person without getting the facts.’ None of them showed up.”

The RCMP launched an investigation into Mackenzie at the [request of Conservative Leader Pierre Poilievre](#) over comments Mackenzie made on a podcast threatening to rape Poilievre’s wife, Anaida. Mackenzie said the distasteful comments were made as a joke. The RCMP never laid charges.

Author

Clayton DeMaine, True North Wire

This is **Exhibit "N"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law



Project NATTERJACK

National After-Action Review

into the RCMP's response to the 2022 Freedom Convoy

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Aussi disponible en français sous le titre : Analyse nationale après action de la réponse de la GRC au Convoi de la liberté 2022.

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External Reviewer introduction

After almost 35 years of public service with the Royal Canadian Mounted Police (RCMP) and having performed a myriad of uniform, Federal Policing, and international liaison duties, I retired in December 2021, in the midst of a global public health crisis that, in some ways united us, but in others, sadly, divided us. Nobody was exempt from the unforeseen impacts (social, economic, political) a global pandemic would bring to bear on individuals, families, businesses, and governments – it truly was “unprecedented.” In Canada, the impacts and stress of fighting this pandemic contributed to growing frustrations and disenchantment for some, which culminated in a series of demonstrations across the country, referred to as the “Freedom Convoy.”

As an Ottawa resident, I felt a strong sense of connection to and empathy for the people of Ottawa, and also to Canadians in other communities negatively impacted by the actions of demonstrators. My professional life of public service innately pulled me to lend a hand to the employees of the RCMP and other law enforcement colleagues facing this unprecedented, dynamic, and challenging set of circumstances. I appreciated the delicate balance law enforcement officials had to strike between the *Charter* protected freedoms of thought, belief, expression, and peaceful assembly with the impact unlawful actions had on others’ desire to get on with their everyday lives – as difficult and restrictive as that already was in a global pandemic. I was keenly aware of the frustrations Canadians expressed with the law enforcement response, particularly as the blockade in Ottawa intensified, hearing a range of disappointment to anger from family, friends, and neighbours.

While the demonstrations and blockades were eventually resolved, it wasn’t without a lot of questions, shaken trust, and confidence in the institutions of government, including the actions/response of the police at the municipal, provincial, and federal levels. Pursuant to the provisions of the *Emergencies Act*, the federal government was required to hold a public inquiry to examine “the circumstances that led to the declaration being issued and the measures taken for dealing with the emergency.” With this legislated requirement, the Public Order Emergency Commission was initiated on April 25, 2022, with the appointment of Justice Rouleau as Commissioner of this inquiry. Beyond the Commissioner’s mandate stated above, he was also required, among other things, to “examine the efforts of police and other responders prior to and after the declaration.”

Prior to the Public Order Emergency Commission, the Deputy Commissioner of Federal Policing and now Commissioner, Michael Duheme acknowledged the importance of conducting a deep and honest analysis of the RCMP’s response to the “Freedom Convoy” related events, by ordering a National After-Action Review in March 2022. Embracing and understanding both our successes and failures in relation to these demonstrations is vitally important to organizational learning and making the necessary improvements to prevent, and/or respond to future similar events. The RCMP acknowledges that maintaining and, in some areas, restoring public trust and confidence in policing after such an intense period of disorder requires a candid examination of all facets of the RCMP response.

In January 2023, I was asked to join the NATTERJACK team as an external reviewer to aid and examine such fundamental questions in relation to the RCMP response as: 1) What did we expect to happen? 2) What actually happened? 3) Was there a difference between what we expected and what



actually happened and, if so, why? And finally, most importantly, 4) What can we change and improve on for next time?

In my specific role, I reviewed all documents in possession of Project NATTERJACK, including employee survey results, interviews of key RCMP personnel and internal correspondence such as situation and intelligence reports generated pre, during, and post “Freedom Convoy” related events. Recognizing the critical importance of law enforcement partners’ feedback, I also participated in the interviews of senior ranking leaders of the Ottawa Police Service and Ontario Provincial Police to secure their candid views on how the RCMP could better respond/support/lead in an integrated policing environment in future events. Finally, I spent considerable time reviewing previous inquiries and after-action reports in order to assess the evolution of changes in police responses to public order events and, more importantly, better understand recurring areas/themes that haven’t advanced to the degree required for the RCMP to be effective in their response. With this in mind, and having reviewed this report in its entirety, I acknowledge and fully endorse the findings and recommendations resulting from the thorough examination of the 4 principal areas (command and control, intelligence sharing, mobilization, and employee wellness) the team was asked to undertake as part of the National After-Action Review.

I would like to thank and recognize the tremendous work of the entire NATTERJACK team who worked countless extra hours to collect, collate, analyze, document, and organize the massive amount of information required in support of the Public Order Emergency Commission, as well as this National After-Action Review. Special thanks goes out to the RCMP’s National Office of Investigative Standards and Practices for their assistance with the numerous interviews of key RCMP personnel involved in the RCMP response to the “Freedom Convoy” related events. I would also like to thank the RCMP’s National Program Evaluation Services, Internal Audit, Evaluation and Review Branch who assisted with employee survey design and analysis. Finally, I would like to thank all of our law enforcement partners, in particular, Commissioner Tom Carrique of the Ontario Provincial Police and Chief Eric Stubbs of the Ottawa Police Service for permitting the NATTERJACK team to interview key personnel in their respective organizations who were involved in the law enforcement response to the Freedom Convoy. Looking through the lens of law enforcement partners and taking receipt of their constructive feedback on all aspects of the RCMP response is key to our organizational learning, improvement and growth.

This report is dedicated to all RCMP employees (Regular Members, Civilian Members, Public Service Employees) as well as members of the broader law enforcement community who make considerable sacrifices every day in the name of public safety. In conducting this review, I heard and read countless examples of perseverance, sacrifice, professionalism, courage and self discipline, demonstrated by many employees within and outside the RCMP. Working for hours beyond scheduled shifts; sleeping in hallways for short naps before returning to support the law enforcement response at various locales across the country; standing in the bitter cold to maintain the security of a particular location; being part of a public order unit at the frontlines of a hostile crowd; tactical and other support units entrusted with ensuring oversight and member safety; liaison team members interacting with demonstrators in highly charged circumstances – I could go on and on. However, I would be remiss if I didn’t also thank and acknowledge the families of law enforcement employees who sacrifice so much, not only when prolonged events such as the “Freedom Convoy” take place, but on a daily basis when duty calls and holidays, birthdays, and sporting or social events don’t get to be enjoyed as a couple/partners or family unit because the duty of public service/public safety calls. To law enforcement employees, families across the country – all of you must be congratulated, commended, and thanked for your commitment to keeping Canadians and their communities safe!



While the RCMP and other law enforcement agencies across Canada have learned and put into practice significant positive changes in planning, communicating, and responding to public order events, the fact remains we need to evolve, adapt, develop, and implement standardized, seamless, inter-operable responses if we are to be effective in our commitment to the safety and security of Canadians, and maintain their trust and confidence. However, implementing these critically important changes cannot rest on the will of RCMP leaders alone, it must come with the support of appropriate legislative changes, along with greater investment from government. My sincere hope is that the lessons learned through this National After-Action Review, and the corresponding recommendations herein will assist in bringing about continued substantive and progressive change in how the RCMP responds to future events. Canadians are counting on us!

Sincerely,

Eric Slinn, Retired Assistant Commissioner



Introduction

In early January and February 2022, the RCMP was engaged in managing multiple and concurrent “Freedom Convoy” related events¹ nation-wide. On January 22, 2022, hundreds of trucks and vehicles travelled across Canada to the National Capital Region in opposition to the Government of Canada’s vaccine mandate for truckers travelling into Canada from the United States (U.S.). The convoys converged in Ottawa on January 28, 2022, to hold a demonstration on Parliament Hill where they were joined by thousands of demonstrators. The demonstrators proceeded to occupy parts of the downtown core for the next 3 weeks.

Concurrently, in other parts of the country, demonstrators began to establish blockades at various ports of entry including in Coutts, Alberta, the Pacific Highway Crossing in British Columbia, and the Emerson port of entry in Manitoba. The RCMP acted as the police of jurisdiction for managing the response to these blockades in E, K and D Divisions (Alberta, British Columbia, and Manitoba, respectively). The RCMP also deployed resources to provide assistance to the police of jurisdiction responsible for managing blockades and occupations elsewhere across the country, in particular in the National Capital Region and in Windsor, Ontario, at the Ambassador Bridge port of entry. On February 14, 2022, the Government of Canada invoked the *Emergencies Act*. Prior to the invocation of the *Emergencies Act*, the RCMP had already resolved the blockades at various ports of entry in K, E, and D Divisions.

National After-Action Review mandate

In the aftermath of the convoy related events and the invocation of the *Emergencies Act*, former Deputy Commissioner of Federal Policing, and now Commissioner, Mike Duheme ordered a National After-Action Review to examine and make recommendations specific to the RCMP’s role and response leading up to, during and at the conclusion of the convoy related events that took place in multiple RCMP jurisdictions across the country. Project NATTERJACK was tasked to conduct the National After-Action Review with the assistance of Retired Assistant Commissioner Eric Slinn. The National After-Action Review examines the following 4 areas of review:

1. Intelligence sharing, in particular:
 - a) How the threat picture was collected, assessed, and shared amongst agencies responsible for responding to the “Freedom Convoy”
2. Command and control mechanisms, in particular:
 - a) Interagency cooperation and coordination between National Headquarters and the police of jurisdiction at ports of entry along the Canada-U.S. border (Pacific Highway, Coutts, Emerson, Windsor, and the Maritime provinces)
 - b) Use of Gold, Silver, Bronze Command Structure(s) and the Critical Incident Command model internally, as well as when working with police of jurisdiction or other policing agencies

¹ Henceforth referred to as the convoy related events.



- c) The peace officer authorities at the federal, provincial, and municipal levels, both under the *Emergencies Act* and within existing legislation, policy, and agreements
- 3) Mobilization, in particular:
 - a) Mobilization of RCMP members and other employees to respond to demonstrations
- 4) Employee wellness, in particular:
 - a) Member and employee morale, support provided professionally and otherwise
 - b) Safety measures and equipment provided
 - c) Training (specific training, training recertification, additional training needed, etc.)

The report begins with a narrative description of all key RCMP activities nationwide from the period January 13, 2022, to February 27, 2022. We then examine each of the 4 areas of review and outline our findings and recommendations that reflect the lessons learned from the convoy related events.

Methodology

NATTERJACK used quantitative and qualitative research methods and conducted an all source analysis based on information collected in its holdings in relation to events prior to, during, and post convoy related events.

As a principal quantitative method, National Program Evaluation Services, Internal Audit, Evaluation and Review and NATTERJACK developed a survey that was in effect for a 5-week period (September 6, 2022, to October 7, 2022). The survey targeted all categories of employees (Regular Members, Civilian Members, and Public Service Employees) who performed any operational, analytic, logistical or administrative role during the convoy related events nationwide. In particular, the survey sought RCMP employee feedback on: interagency cooperation and coordination; information sharing; mobilization; training; equipment; employee morale and support; and the authorities of peace officers.² A total of 2,139 individuals responded (fully or partially) to the survey. Respondents who reported that they did not have a role in the convoy events were excluded from the analysis (n=498) leaving a total of 1,641 survey responses included in the analysis of results.³

Furthermore, only 1,419 of the 1,641 respondents reported on their operational role during the convoy related events. Of the 1,419 respondents who reported on their operational role, the largest proportion reported being front line uniform employees (44.6%), followed by administrative support (11.4%), Emergency Response Team and tactical troop (11.3%), intelligence (9.8%), logistical support to front-line (9.7%) and communications (7.3%). 19.2% of respondents reported they had another operational role which included air service, IT support, and investigative support. 14.2% of respondents preferred not to answer.

²Please see Appendix B – Survey Questionnaire for the complete survey and related questions.

³Please see Appendix C – Survey Results for a 1-page high level overview of key findings.



Additionally, the National Office of Investigative Standards and Practices conducted interviews with 11 individuals who were part of the national Gold, Silver, Bronze Command Structure. NATTERJACK also conducted 15 interviews with 19 other Gold, Silver, Bronze commanders and personnel from National Headquarters, K, E, and National Division who played a key role relevant to the areas of review. Finally, NATTERJACK and retired Assistant Commissioner Slinn conducted interviews with senior officials from the Ottawa Police Service and the Ontario Provincial Police. All interviews of RCMP employees were conducted using a standard interview guide that was developed by National Office of Investigative Standards.

NATTERJACK would like to thank everyone who participated in the survey, and interviews. This includes a special thanks to RCMP employees; National Program Evaluation Services and Internal Audit, Evaluation and Review; National Office of Investigative Standards; and to Ottawa Police Service and Ontario Provincial Police executive personnel. We would not have been able to complete this review without the assistance and support of the stakeholders noted above.



Narrative description (January 13, 2022 – February 27, 2022)

Timeline of events in the National Capital Region

*Note that external Government of Canada briefings are identified in bold.

Thursday, January 13, 2022

- The Parliamentary Protective Service advised the RCMP's Federal Policing National Intelligence - Ideologically Motivated Criminal Intelligence Team of an upcoming demonstration called "Operation Bearhug 2.0" also referred to as "Freedom Convoy 2022."

Friday, January 14, 2022

- Ideologically Motivated Criminal Intelligence Team notified the RCMP's Protective Operations Coordination Centre and the Ottawa Police Service of a trucker convoy, "Freedom Convoy 2022," set to converge in Ottawa on January 29, 2022.

Monday, January 17, 2022

- Ideologically Motivated Criminal Intelligence Team disseminated "Strategic Intelligence Assessment – Racially and Ethno-Nationalist Motivated Threat Landscape" internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, various Federal Policing Director Generals and Directors and individual points of contact from Federal Policing National Security and Federal Policing Strategic Policy.
- Ideologically Motivated Criminal Intelligence Team advised the Ontario Provincial Police, Parliamentary Protective Service, Ottawa Police Service, National Division Intelligence Officer and the Protective Operations Coordination Centre of significant donation amounts being raised via the CANADA UNITY GoFundMe website.
- Ideologically Motivated Criminal Intelligence Team advised Protective Intelligence Unit, Ontario Provincial Police, Parliamentary Protective Service, Ottawa Police Service, National Division, and Protective Operations Coordination Centre that open source information suggests truckers and their supporters plan to block Parliament Hill until all COVID-19 public health mandates are removed. In addition, Ideologically Motivated Criminal Intelligence Team advised of online discussions on social media platforms of potential routes within Ontario and other provinces, and that other provinces may hold other demonstrations on January 23, 2022, before starting a 'slow roll' to Ottawa.

Tuesday, January 18, 2022

- Ideologically Motivated Criminal Intelligence Team sent a Request for Information to Division Intelligence Officers for its monthly "National Threat Landscape" report and requested additional information related to the convoy events.



- **The Assistant Deputy Minister National Security Operations meeting first occurred on this date and subsequent meetings were held on the following dates: January 25 to January 28; February 1; February 4; February 6 to February 11; February 13 to February 18; February 23.**
- Ideologically Motivated Criminal Intelligence Team disseminated “Special Threat Advisory – Anti-Public Health Order: Escalation in Online Violent Rhetoric” internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Director Generals from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at the Privy Council Office, Public Safety, Canadian Security Intelligence Service, Communications Security Establishment, Canada Border Services Agency, Transport Canada, Global Affairs Canada and the Integrated Terrorism Assessment Centre.
- Ideologically Motivated Criminal Intelligence Team advised Ottawa Police Service, Ontario Provincial Police Project HENDON, Parliamentary Protective Service, the Protective Operations Coordination Centre and National Division of open source information suggesting a convoy may attend 24 Sussex Drive, the former residence of the Prime Minister.

Wednesday, January 19, 2022

- The Protective Operations Coordination Centre opened a Police Reporting and Occurrence System file in light of the information received suggesting a convoy will converge in Ottawa at 24 Sussex Drive.
- Ideologically Motivated Criminal Intelligence Team disseminated “Strategic Intelligence Assessment – Racially and Ethno-Nationalist motivated threat landscape” externally to other Canadian law enforcement agencies and Government of Canada intelligence counterparts at Privy Council Office, Canadian Security Intelligence Service, Communications Security Establishment, Canada Border Services Agency, Global Affairs Canada, Integrated Terrorism Assessment Centre, Transport Canada, and Public Safety.

Thursday, January 20, 2022

- Protective Intelligence Unit disseminated a Morning Update, which included promotional material suggesting that 2 “Freedom Convoys,” 1 from the West coast and 1 from the East coast, with plans to converge in Ottawa on January 28, 2022, to hold a demonstration on Parliament Hill. The update also made note of open source information previously reported by Ideologically Motivated Criminal Intelligence Team suggesting that the convoys may be converging at 24 Sussex Drive. The Morning Update is shared with National Division Protective Policing and executive team, Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service intelligence and Major Events, La Sûreté du Québec Intelligence, Parliamentary Protective Service Intelligence.



- E Division advised Ideologically Motivated Criminal Intelligence Team of a convoy departing from British Columbia, Nova Scotia, and Ontario to converge in Ottawa.
- C Division's Threat Detection Unit advised Protective Intelligence Unit and the RCMP's Federal Policing Threat Assessment Section of convoys departing the province of Québec to go to Ottawa on January 28 to 29, 2022.
- RCMP Protective Policing shared the convoy's itinerary with the Office of the Sergeant-at-Arms and Corporate Security, Protective Intelligence Unit, Federal Policing Threat Assessment Section, National Capital Region Command Centre, Prime Minister Protection Detail, and other protective policing units.

Friday, January 21, 2022

- Federal Policing Threat Assessment Section tasked Protective Intelligence Unit to produce an analytical report to support the Protective Operations Coordination Centre senior non-commissioned officers and management meeting, with a deadline of Monday, January 24, 2022.
- INTERSECT⁴ advised law enforcement partners in the National Capital Region, which includes Protective Intelligence Unit, of the planned convoy demonstration on January 28 and 29 in Ottawa.
- Ideologically Motivated Criminal Intelligence Team reached out to points of contact from Contract and Indigenous Policing's Operational Research Unit and the National Public Order Program to inquire about whether Contract and Indigenous Policing was tracking the convoy events.
- Ideologically Motivated Criminal Intelligence Team received a Request for Information from Ottawa Police Service on "Freedom Convoy" related events in RCMP jurisdiction. Ideologically Motivated Criminal Intelligence Team forwarded Ottawa Police Service's request to Divisional Criminal Analysis Sections and Federal Policing National Security National Critical Infrastructure Team.

Monday, January 24, 2022

- Protective Intelligence Unit prepared an intelligence update to advise of the convoy's plan to converge on Parliament Hill on January 29, 2022, and disseminated it to the Director General of Protective Policing, Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service, la Sûreté du Québec and Parliamentary Protective Service.
- Protective Intelligence Unit prepared a security overview outlining how the convoy may impact protective operations in the National Capital Region and disseminated it to the Director General of Protective Policing, and Contract and Indigenous Policing's Officer in Charge of the National Police Intervention Unit.

⁴ INTERSECT, established in 2008, is a multi-jurisdictional, all-hazards emergency preparedness program within the National Capital Region. INTERSECT is co-chaired by Ottawa Police Service, the RCMP and the City of Gatineau and has 28 private and public agencies from critical infrastructure sectors at various levels at the municipal, provincial and federal levels, in the National Capital Region of Ontario and Quebec.



- INTERSECT advised law enforcement partners in the National Capital Region that the situation remains fluid and that all affected police agencies and the City of Ottawa are aware of and coordinating a response to the various convoys.
- Protective Intelligence Unit received Ontario Provincial Police's Project HENDON "Situational report 020-2022 Freedom Convoy 2022" which provided situational awareness on ideologically motivated demonstrations with impacts for public safety in Ontario.
- Contract and Indigenous Policing advised Ideologically Motivated Criminal Intelligence Team that they are tracking convoy events on a Protest Mapping application based on information they receive from the Divisions and the National Operations Centre.
- Ideologically Motivated Criminal Intelligence Team received a Request for Information from Ottawa Police Service. Ideologically Motivated Criminal Intelligence Team forwarded the request to Contract and Indigenous Policing and D Division for awareness and response.
- At the request of Federal Policing National Security Incident Response Team, Ideologically Motivated Criminal Intelligence Team provided Federal Policing National Security senior management a summary of the convoy events via email. Federal Policing National Security shared this information with other Federal Policing senior management team members and with Assistant Deputy Minister National Security Operations.

Tuesday, January 25, 2022

- The "Freedom Convoy" from British Columbia entered Ontario.
- Protective Intelligence Unit provided intelligence updates throughout the day on the status of the convoys, and disseminated them to the Director General of Protective Policing, Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service, La Sûreté du Québec and the Parliamentary Protective Service. Protective Intelligence Unit establishes contact and information sharing process with Federal Policing National Security.
- Protective Intelligence Unit participated in Ontario Provincial Police Project HENDON conference call where the Ontario Provincial Police advised there is an intelligence gap with respect to the demonstrator's intentions in Ottawa. Protective Intelligence Unit requests for Ontario Provincial Police to send any information that pertains to the protective mandate to the Protective Intelligence Unit general inbox.
- Protective Intelligence Unit disseminated a security update dated January 24, 2022, to the Tactical Internet Operational Support unit and C Division Protective Unit.
- Ideologically Motivated Criminal Intelligence Team disseminated "Special Threat Advisory 2022-02 FREEDOM CONVOY 2022: Converging in Ottawa January 28/29, 2022" internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Director Generals from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government



of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.

Wednesday, January 26, 2022

- INTERSECT advised law enforcement partners in the National Capital Region that the demonstration will be an extremely fluid event that could go on for a prolonged period.
- Protective Intelligence Unit provided intelligence updates throughout the day on the status of the convoys, and disseminated them to the Director General of Protective Policing, Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service, La Sûreté du Québec and Parliamentary Protective Service.
- Protective Intelligence Unit and National Division's Division Intelligence Officer drafted a briefing note to the Director General Protective Policing outlining the convoy's impact on the protective policing mandate.
- Protective Intelligence Unit produced 3 situational reports (1, 2 and 3) on the "Freedom Convoy" in the National Capital Region. The Director General of Protective Policing disseminated the situational reports to the Assistant Commissioner of National Security and Protective Policing and "National" Division's Commanding Officer.
- Ottawa Police Service Joint Intelligence Group met with the Protective Intelligence Unit, Ideologically Motivated Criminal Intelligence Team, Ontario Provincial Police, La Sûreté du Québec, Service de Police de la Ville de Gatineau and Parliamentary Protective Service. Protective Intelligence Unit shared an intelligence update with Ottawa Police Service and provided Federal Policing Threat Assessment Section with Ottawa Police Service information for situational awareness.
- **Ministerial Briefings on the "Freedom Convoy" first occurred on this date and subsequent briefings were held on January 26 and 27 and then held daily from January 30 to February 23, 2022.**
- Combined Intelligence Group was stood up through National Division, with representation from key internal (Federal Policing Threat Assessment Section) and external operational stakeholders (Ottawa Police Service, Ontario Provincial Police, Parliamentary Protective Service, Canadian Security Intelligence Service, Department of National Defense, Communications Security Establishment, Service de Police de la Ville de Gatineau, La Sûreté du Québec) to facilitate the sharing of information amongst partners in support of operations related to the "Freedom Convoy" 2022 event in the National Capital Region.
- Initiated an interdivisional request for Tactical Support Group support from C and O Divisions. Planned for resources to arrive in the National Capital Region on January 28, 2022, and deploy National Division Tactical Support Group resources to Protective sites.
- The RCMP enhanced its protective policing posture by increasing the presence of uniformed police officers at various protected sites by augmenting close protection support to protectees and increasing patrols.



Thursday, January 27, 2022

- Protective Intelligence Unit produced 3 situational reports (4, 5, and 6). The Director General of Protective Policing disseminated the situational reports to the Assistant Commissioner of National Security and Protective Policing and National Division's Commanding Officer.
- Protective Policing assigns an increased security package for ministers and protectees. Additional protective resources from C Division are secured, with an anticipated arrival in the National Capital Region on January 28, 2022.
- In Ontario, convoys from Windsor, Fort Erie, Vaughn, and Woodstock were en route to Ottawa.
- Federal Policing National Intelligence Director of Strategic Intelligence, Ideologically Motivated Criminal Intelligence Team, Combined Intelligence Group and National Division Intelligence Officer agreed to redirect all Request for Information(s) from external agencies to the Combined Intelligence Group.
- Ideologically Motivated Criminal Intelligence Team disseminated "Special Threat Advisory - FREEDOM CONVOY 2022 UPDATES 1 and 2" internally to Criminal Operations Officers, Division Intelligence Officer, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Director Generals from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.
- Ideologically Motivated Criminal Intelligence Team sent the Federal Bureau of Investigation a Request for Information on convoy events in the U.S. the Federal Bureau of Investigation's response is incorporated into the Ideologically Motivated Criminal Intelligence Team Special Threat Advisory work.
- Combined Intelligence Group participated in 2 INTERSECT meetings.
- **The first Deputy Minister's Oversight Committee meeting is held on this date and subsequent meetings were held on the following dates: January 31 to February 3; February 10 to February 14; and February 24.**

Friday, January 28, 2022

- Convoys started arriving in Ottawa and blocked major streets in the downtown core.
- Protective Intelligence Unit produced 8 situational reports (7,8,9,10,11, 12, 13, and 14). The Director General of Protective Policing disseminated the situational reports to the Assistant Commissioner of National Security and Protective Policing and National Division's Commanding Officer.
- 0800 hrs the National Capital Region Command Centre was activated.



- Ottawa Police Service requested assistance from Protective Intelligence Unit to identify individuals suspected of having access to radioactive material. Protective Intelligence Unit transferred the request to Protective Policing.
- Protective Intelligence Unit prepared an intelligence update outlining the convoy's itinerary and status of GoFundMe at \$5.9 million, and disseminated it to the Director General of Protective Policing, Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service, La Sûreté du Québec and Parliamentary Protective Service.
- Protective Intelligence Unit received an Integrated Terrorism Assessment Centre UNCLASSIFIED report "TH 22/08-A Canada: Extremists may attempt to seize the opportunity of public protest" and shared it with Ottawa Police Service.
- 1000 hrs Protective Intelligence Unit activated the Combined Intelligence Group.
- Ideologically Motivated Criminal Intelligence Team disseminated "Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 3" internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Directors General from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.
- Ideologically Motivated Criminal Intelligence Team received a response from the Federal Bureau of Investigation to their Request for Information.
- Two additional convoys, 1 from the West coast and 1 from the East coast were approaching Ottawa.

Saturday, January 29, 2022

- Protective Intelligence Unit produced 1 situational report (15). The Director General of Protective Policing disseminated the situational report to the Assistant Commissioner of National Security and Protective Policing and National Division's Commanding Officer.

Monday, January 31, 2022

- The RCMP Commissioner met with Ottawa Police Service Chief Peter Sloy and Ontario Provincial Police Commissioner Thomas Carrique to discuss the ongoing Freedom Convoy Blockades in Ottawa.
- Ideologically Motivated Criminal Intelligence Team disseminated "Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 4" internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal



Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Directors General from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.

- RCMP Protective Policing began to escort and provide close protection for VIPs/ministers.
- The first call between the Deputy Commissioner of Federal Policing and Ottawa Police Service occurred, subsequent meetings were held on the following dates: January 31; February 6; February 7; February 13; February 18 to February 21.

Wednesday, February 2, 2022

- The RCMP begins to send frontline resources to support Ottawa Police Service. Deployed National Headquarters resources to offer relief to National Division members regular time off.
- Ideologically Motivated Criminal Intelligence Team sent a Request for Information to Division Intelligence Officers and Division Criminal Analysis Sections for information on “Freedom Convoy” related events.

Thursday, February 3, 2022

- Deployed National Headquarters frontline resources to offer relief to “National” Division members regular time off.
- Ideologically Motivated Criminal Intelligence Team disseminated a “Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 5” internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Director Generals from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.

Friday, February 4, 2022

- Numerous Quebec convoys enter Ottawa and surrounding area.
- The RCMP deployed frontline resources following Ottawa Police Service’s first call for support. National Headquarters secured 20 members for night shift coverage. National Division secured 18 members for day shift coverage.



- Ideologically Motivated Criminal Intelligence Team and Contract and Indigenous Policing Director General National Criminal Operations Officers hold teleconference call where it is agreed upon to add Ideologically Motivated Criminal Intelligence Team to the National Criminal Operations Officers email distribution list to provide Ideologically Motivated Criminal Intelligence Team access to Divisional situation reports.

Saturday, February 5, 2022

- Multiple farm tractor convoys arrive in Ottawa and surrounding area.
- The RCMP deployed 52 members for day shift coverage and 20 members for night shift coverage (some deployed as relief for protective duty deployments and 25 were for Assist Ottawa Police Service and surge capacity).

Sunday, February 6, 2022

- City of Ottawa declared a State of Emergency.
- The RCMP deployed 52 members for day shift coverage and 20 members for night shift coverage (some deployed as relief for protective duty deployments and 25 were for Assist Ottawa Police Service and surge capacity).

Monday, February 7, 2022

- The RCMP's "Freedom Convoy" operation transitioned beyond National Capital Region Command Centre to the RCMP Operations Coordination Centre at RCMP National Headquarters as a result of the magnitude of the demonstrations in Ottawa. The Deputy Commissioner of Federal Policing issued instructions to create a second command to lend assistance.
- The RCMP deployed 25 members for day shift coverage and 15 members for night shift coverage for Assist Ottawa Police Service and as requested for surge capacity and/or assist to Protective.
- Ideologically Motivated Criminal Intelligence Team provided a briefing on the strategic outlook of the Convoy to Federal Policing senior management.

Tuesday, February 8, 2022

- The RCMP established Bronze command - RCMP Ottawa Command: Assist Ottawa Police Service.
- O Division deployed 266 RCMP resources to support mobilization efforts for Assist Ottawa Police Service.

Wednesday, February 9, 2022

- Ideologically Motivated Criminal Intelligence Team sent a Request for Information to Division Criminal Analysis Sections for information on "Freedom Convoy" related events.

Thursday, February 10, 2022

- Ideologically Motivated Criminal Intelligence Team disseminated a "Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 6" internally to Criminal Operations Officers,



Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Director Generals from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, Integrated Terrorism Assessment Centre and the Government Operations Centre. Ideologically Motivated Criminal Intelligence Team disseminated Special Threat Advisory – FREEDOM CONVOY 2022 UPDATE 1,2,3,4 and 5 to the Government Operations Centre.

- Ideologically Motivated Criminal Intelligence Team responded to a request from the Deputy Commissioner of Federal Policing office’s regarding intelligence support for the convoy events.
- Ideologically Motivated Criminal Intelligence Team and the Joint Intelligence Group met to discuss the handoff of taskings and Requests for Information to the Joint Intelligence Group, once the Joint Intelligence Group is activated.
- **The Incident Response Group meeting first occurred and subsequent meetings were held on the following dates: February 12; February 16; February 17; February 19 to February 22.**

Friday, February 11, 2022

- The Province of Ontario declared a State of Emergency.

Saturday, February 12, 2022

- Integrated Command Centre which included Ottawa Police Service, Ontario Provincial Police, RCMP, and La Sûreté du Québec established in Ottawa at the RCMP Operations Coordination Centre. Through the Integrated Command Centre, the RCMP collaborated with Ottawa Police Service (who retained operational command) and Ontario Provincial Police to develop and implement an enforcement plan to respond to the situation in Ottawa.
- The RCMP activated the national Gold, Silver, Bronze Command Structure in response to the “Freedom Convoy” related events across Canada.
- The Gold, Silver, Bronze Command Structure stood up its own intelligence team, the Joint Intelligence Group, as the primary point of contact and coordinating body for all national level situational awareness and operational intelligence sharing.

Sunday, February 13, 2022

- The RCMP Legal Services Unit requested information to support the declaration of a Public Order Emergency from Ideologically Motivated Criminal Intelligence Team. Ideologically Motivated Criminal Intelligence Team shares the following reports with Legal Services Unit: Special Threat Advisory - FREEDOM CONVOY 2022 UPDATES 1, 2, 3, 4, 5, National Threat Landscape reports on the convoy related events and Ideologically Motivated Criminal



Intelligence Team Strategic Intelligence Assessment 2201-01 “RACIALLY AND ETHNO-NATIONALIST MOTIVATED THREAT LANDSCAPE WITHIN CANADA.”

- Privy Council Office requested information from Ideologically Motivated Criminal Intelligence Team on the convoy related events and Ideologically Motivated Criminal Intelligence Team disseminated the above noted reports to the Assistant Secretary to the Cabinet, Intelligence Assessment Secretariat.

Monday, February 14, 2022

- Executive Director of Intelligence and International Policing received a request from the National Security and Intelligence Advisor for a threat assessment on the threat of the blockades, the individuals involved, the weapons, motivations, and threats to the national interest and institutions. The Executive Director tasked the request to Ideologically Motivated Criminal Intelligence Team. Ideologically Motivated Criminal Intelligence Team provided an email response to the National Security and Intelligence Advisor’s request.
- Government of Canada announced *Emergencies Act* invocation.
- The Joint Intelligence Group commenced reporting of daily situational reports from this date until February 27, 2022. The daily reports were distributed internally to the Commissioner’s office, Assistant Commissioner of Contract and Indigenous Policing, Director General National Criminal Operations Officers; Federal Criminal Operations Officers and Criminal Operations Officers; Division Emergency Operations Centre; Federal Policing Director Generals; Bronze Public Safety/Government of Canada RCMP Liaison Officer; National Communications Service; Director of the National Operations Centre; Contract and Indigenous Policing Operational Readiness and Response; and the Senior Executive Committee. Unclassified daily reports were also disseminated to external partners including the Canadian Armed Forces; Canada Border Services Agency; Public Safety; Canadian Security Intelligence Service; Global Affairs Canada; Financial Transactions and Reports Analysis Centre; Transport Canada; Privy Council Office; Communications Security Establishment; Privy Council Office Intelligence Assessment Secretariat; Immigration, Refugees and Citizenship Canada; Public Health Agency of Canada; Treasury Board of Canada Secretariat.
- After the invocation of the *Emergencies Act*, RCMP commenced preliminary meetings with financial institutions to develop a better understanding of the *Emergency Economic Measures Order*.
- The first meeting is held between the Ontario Provincial Police and the Deputy Commissioner of Federal Policing, subsequent meetings are held on the following dates: February 14 to February 17; February 23 and February 24.

Tuesday, February 15, 2022

- *Emergencies Act* proclamation: *Emergency Measures Regulations* and *Emergency Economic Measures Orders* came into effect.
- Federal Policing Criminal Operations Financial Crimes had their first meeting with Corporate Security and Chief Anti-Money Laundering Officers from financial institutions. The Federal Policing Criminal Operations Financial Crimes offered to act as the liaison on behalf of all Canadian law enforcement when disclosing information to financial institutions under the *Emergency Economic Measures Orders* in order to help financial institutions meet their obligations.



- Cryptocurrency Alert #1 with 34 Bitcoin wallet addresses were disclosed to the Virtual Currency Money Service Businesses.
- Ideologically Motivated Criminal Intelligence Team provided information to Silver Commander, Departmental Security Branch and Director General of National Headquarters on the potential for insider threat concerns.

Wednesday, February 16, 2022

- Ideologically Motivated Criminal Intelligence Team disseminated a “Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 7” internally to Criminal Operations Officers, Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Directors General from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, and Integrated Terrorism Assessment Centre.
- As per the *Emergency Economic Measures Orders*, Federal Policing Criminal Operations Financial Crimes met with Corporate Security and Chief Anti-Money Laundering Officers and provided 18 information disclosures to financial institutions.

Thursday, February 17, 2022

- Cryptocurrency Alert #2 with 113 Bitcoin wallet addresses were disclosed to the Virtual Currency Money Service Businesses.
- Federal Policing Criminal Operations Financial Crimes met with Corporate Security and Chief Anti-Money Laundering Officers and provided 17 information disclosures to financial institutions.
- National Division tasked Ideologically Motivated Criminal Intelligence Team to conduct a threat assessment on a group of interest.

Friday, February 18, 2022

- Parliament Hill was closed. The Integrated Command Centre established a secured area in downtown Ottawa.
- Tactical Support Groups began to initiate clearing of Wellington Street. Tactical Support Groups cleared the intersection of Mackenzie King Bridge and Nicholas Street on the eastern side of the Rideau Canal eastern pathway. Over 100 arrests had been made and 21 vehicles had been towed.
- Federal Policing Criminal Operations Financial Crimes met with Corporate Security and Chief Anti-Money Laundering Officers from financial institutions and provided 21 information disclosures.



- Ideologically Motivated Criminal Intelligence Team completed an assessment on a group of interest and disseminated the report “Intelligence Package 2202-01 – GROUP OF INTEREST” to National Division, Federal Policing National Security and the Joint Intelligence Group.

Saturday, February 19, 2022

- Federal Policing Criminal Operations Financial Crimes provided 1 information disclosure to financial institutions.
- Cryptocurrency Alert #3 with 13 Bitcoin wallet addresses were disclosed to the Virtual Currency Money Service Businesses.

Sunday, February 20, 2022

- House of Commons debated *Emergencies Act*.
- As of 2200 hrs Coventry Road was clear of demonstrators. Law enforcement made 2 arrests and towed 25 vehicles from the site. A large police presence remained.

Monday, February 21, 2022

- House of Commons voted on *Emergencies Act* and measures passed in the House.
- The RCMP issued a public statement to clarify that it shared information on owners and/or drivers of vehicles involved in the illegal blockades with financial institutions and that the RCMP did not provide information on donors to financial institutions.
- Starting on this date, Federal Policing Criminal Operations Financial Crimes began to provide updates to financial institutions when it no longer believed that an entity the RCMP had previously disclosed information on, was engaged in prohibited activities under the *Emergency Economic Measures Orders*.

Tuesday, February 22, 2022

- Senate debate on *Emergencies Act* begins.
- Federal Policing Criminal Operations Financial Crimes shared 10 Bitcoin wallet addresses with virtual asset service providers.

Wednesday, February 23, 2022

- *Emergencies Act* is revoked and Ontario lifted the state of emergency.
- The Integrated Command Centre reduced the size of the Secured Area.
- The RCMP issued a public statement to clarify that the onus to determine which financial products should be frozen lies with financial institutions.

Thursday, February 24, 2022

- The City of Ottawa lifted its State of Emergency.
- Ideologically Motivated Criminal Intelligence Team disseminated a “Special Threat Advisory - FREEDOM CONVOY 2022 UPDATE 8” internally to Criminal Operations Officers,



Division Intelligence Officers, senior management including the Deputy Commissioner of Federal Policing, Deputy Commissioner of Contract and Indigenous Policing, Assistant Commissioner of National Security and Protective Policing, Assistant Commissioner Federal Policing Criminal Operations, Assistant Commissioner Contract and Indigenous Policing, Executive Director of Intelligence and International Policing, Executive Director of Federal Policing Strategic Management, and various Directors General from Federal Policing and Contract and Indigenous Policing. Ideologically Motivated Criminal Intelligence Team also disseminated the report externally to Government of Canada intelligence counterparts at Privy Council Office, Public Safety, Canadian Security Intelligence Service, Canada Border Services Agency, Communications Security Establishment, Global Affairs Canada, Transport Canada, Integrated Terrorism Assessment Centre, and Five Eyes agencies.

Saturday, February 26, 2022

- The Joint Intelligence Group was stood down.

Sunday, February 27, 2022

- The Combined Intelligence Group was stood down.

Timeline of events in RCMP Divisions

E Division: Demonstrations at the Pacific Highway port of entry

The Pacific Highway port of entry is between Surrey, British Columbia, and Blaine, Washington, U.S. Surrey RCMP is the police of jurisdiction for the area of the Pacific Highway. Prior to the commencement of the blockade at Pacific Highway border crossing in Surrey, E Division maintained situational awareness and reported on demonstrations relating to public health measures. The RCMP gathered intelligence with respect to these events in order to prepare operational responses on an as needed basis.

Friday, January 28, 2022

- E Division's Real Time Intelligence Centre was tasked with providing situational awareness on all demonstration activity in British Columbia related to the "Freedom Convoy" and public health measures.

Monday, February 7, 2022

- E Division activated a Gold, Silver, Bronze Command Structure to provide command and control support to the districts and other police of jurisdiction. E Division Gold, Silver, Bronze command was tasked with maintaining situational awareness of the demonstrations.
- Community Industry Response Group was tasked to monitor and report on demonstration activities related to the "Freedom Convoy."

Tuesday, February 8, 2022

- E Division members were deployed to the British Columbia Legislature, Peace Arch, and Osoyoos Border Crossing to assist with other demonstrations taking place.

Thursday, February 10, 2022

- At 0800 hrs a Gold, Silver, Bronze command meeting was held to discuss the command structure and resources available across E Division.



Saturday, February 12, 2022

- Demonstrators set up a blockade at the Pacific Highway port of entry, forcing the port of entry to close.
- Under the direction of the Gold commander, the Community-Industry Response Group prepared operational plans to respond to convoy related protests across the province.
- The Command Team developed an operational plan to disperse demonstrators at the Pacific Highway port of entry.

Sunday, February 13, 2022

- The RCMP began to clear demonstrators who had been blocking vehicle access from the Pacific Highway port of entry and a small number of people were arrested.
- At 1152 hrs, the RCMP advised drivers and pedestrians to stay away from the area and use an alternate port of entry.

Monday, February 14, 2022

- The *Emergencies Act* is invoked.
- Tactical Support Group and uniformed members cleared all demonstrators along 176th Street and opened access to the Pacific Highway port of entry. The RCMP arrested 12 demonstrators for *Criminal Code* offences.

Tuesday, February 15, 2022

- Demonstrators returned to 176th Street and 7th Avenue near the Pacific Highway port of entry.
- The Pacific Highway port of entry remained open. Tactical Support Group and uniformed members continued to control access to the northbound and southbound entrance of the Pacific Highway port of entry.

Thursday, February 17, 2022

- Approximately a dozen demonstrators were still on site at the corner of 176th Street and 8th Avenue.
- The RCMP set up checkpoints on side streets between 2nd and 4th Avenue.

Friday, February 18, 2022

- The RCMP set up additional checkpoints to prepare for another convoy heading towards the Pacific Highway port of entry.
- The RCMP Commissioner sent a letter to the Minister of Public Safety and Solicitor General for British Columbia to inform the Minister that the Commissioner was invoking sub article 9.4 of the B.C. Police Service Agreement to temporarily deploy Regular Members to Ottawa.

Saturday, February 19, 2022

- The Pacific Highway port of entry was closed.
- A convoy of approximately 400 vehicles arrived at the Pacific Highway port of entry to demonstrate.
- Tactical Support Group members were deployed to Pacific Highway port of entry.
- At 2034 hrs the Pacific Highway port of entry was re-opened.



Sunday, February 20, 2022

- Approximately 80-100 demonstrators, and 40 vehicles remained at 8th Avenue. No demonstrators were located at the Pacific Highway port of entry.

Monday, February 21, 2022

- Approximately 5 demonstrators remained at the intersection of 176th Street and 8th Avenue. No demonstrators were located at the Pacific Highway port of entry.

Other activities – British Columbia

- There were Convoy related demonstrations across various RCMP Districts in British Columbia, however these were one-off events and were managed by local RCMP detachments.
- Between January 27 to February 23, 2022, the RCMP also deployed resources in British Columbia to assist local police of jurisdictions with demonstrations at other ports of entry and the Legislative Assembly in Victoria.

K Division: Demonstrations at Coutts port of entry

The Coutts port of entry is positioned on Highway 4 in Canada, and the I-15 in the state of Montana. Coutts is in the Milk River Detachment area. Del Bonita is in the Raymond Detachment area, and Carway is in the Cardston Detachment area.

Wednesday, January 26, 2022

- The Government of Alberta's Minister of Justice's Office advised K Division of an upcoming blockade at the Coutts port of entry.

Thursday, January 27, 2022

- The Edmonton Police Service alerted K Division Special Tactical Operations of a planned blockade at Coutts port of entry. Special Tactical Operations started planning for the blockade and identified 10 uniformed members for Special Tactical Operations.
- Special Tactical Operations created a unified command with K Division Integrated Traffic Unit and Alberta Sheriffs Commercial enforcement.

Friday, January 28, 2022

- K Division Criminal Analysis Section shared an intelligence report on the planned blockade for January 29, 2022, at the Coutts, Carway, and Del Bonita ports of entry. The impacted detachments, including Leduc, Milk River, Raymond, Athabasca, Airdrie, Barrhead, Blackfalds, Bidsbury, Innisfail, Morinville, Okotoks, Olds, Parkland, Ponoka, Red Deer, Westlock, Wetaskiwin, Grand Prairie were notified.
- K Division approved a draft operational plan.

Saturday, January 29, 2022

- Vehicles blockaded Highway 4, the main highway leading to and from the Coutts port of entry.
- K Division activated the Alberta Divisional Emergency Operations Centre and the Gold, Silver, Bronze Command Structure. K Division developed a deployment plan for Coutts-Sweetgrass.
- K Division Community Conflict Management Group members were deployed to liaise with individuals involved in the blockade.



Sunday, January 30, 2022

- The RCMP, Canada Border Services Agency, and U.S. Customs and Border Protection formed a coordination group, the Coutts Coordination Group.
- K Division Special Tactical Operations shared the arrest plan and high-volume arrest protocol with the Southern Alberta District command team and provided a situational awareness briefing.
- Splinter groups began to form from the original blockade organizing group. The splinter groups refused to engage in ongoing communications with Community Conflict Management Group members.

Monday, January 31, 2022

- Community Conflict Management Group members communicated with original blockade organizers throughout the day, but could not reach an agreement to end the blockade. The RCMP continued to attempt to negotiate a peaceful resolution to the blockade throughout its duration.
- The Community Conflict Management Group began executing a plan to escort approximately 30 semi-trucks that were stuck north of the border due to the blockade.

Tuesday, February 1, 2022

- K Division requests the deployment of Alberta Sheriff's highway patrol with valid Class 1 licences to Coutts.
- The RCMP intended to take enforcement action to remove the blockading vehicles however, local tow truck companies withdrew their assistance prior to enforcement action due to concerns arising from negative attention and commentary on social media.

Wednesday, February 2, 2022

- Approximately 100 semi-trucks continued to block the Coutts port of entry.
- K Division reached out to over 80 different tow truck companies in Alberta, British Columbia, and Saskatchewan for assistance. No company contacted by the RCMP would agree to assist. The RCMP also engaged with Canada Border Services Agency to allow the entry of foreign tow trucks from the U.S., and reached out to over 25 American tow truck companies. The American companies also refused to assist.
- Discussions between RCMP members and the demonstrators resulted in the demonstrators agreeing to open up 1 northbound and 1 southbound lane on Highway 4.
- Commanding Officer of K Division requested that the Acting Minister of Justice and Solicitor General of Alberta invoke Article 9.1 of the Provincial and Municipal Police Services Agreements, authorizing the redeployment of RCMP officers assigned to specific municipalities to the Coutts port of entry blockade.
- K Division requested air services support from F and K Divisions from January 29, 2022, to February 3, 2022.

Thursday, February 3, 2022

- RCMP members escorted 4 commercial vehicles from a checkpoint to the Coutts port of entry. The demonstrators responded by moving vehicles to completely shut down a stretch of Highway 4.



Friday, February 4, 2022

- K Division submitted a request to RCMP National Headquarters for Canadian Armed Forces equipment and personnel to assist in Coutts.

Sunday, February 6, 2022

- Community Conflict Management Group members liaised with demonstrators and the community to develop a process to move the demonstration to a checkpoint for public and officer safety.

Monday, February 7, 2022

- K Division Criminal Analysis Section disseminated an Open Source Intelligence report on Coutts and related public order events to K Division Gold, Silver, Bronze command and Canada Border Services Agency.
- Three tractors blocked the Coutts port of entry throughout the night.

Tuesday, February 8, 2022

- After the Alberta Premier announced that provincial mandates would be lifted in Alberta within the coming weeks, demonstrators realigned the existing commercial vehicles and tractors to block the Coutts port of entry.

Wednesday, February 9, 2022

- All K Division Special Tactical Operations members given a mandatory deployment to the Coutts blockade.

Thursday, February 10, 2022

- RCMP received information that a small group of individuals within the larger protest groups, was determined and prepared to commit violence, including killing police, if police were to take any enforcement action to clear the blockade.

Friday, February 11, 2022

- The RCMP obtained judicial authorization to intercept private communication pursuant to section 184.4 of the *Criminal Code* to prevent imminent harm to police.

Saturday, February 12, 2022

- The RCMP requested Canada Border Services Agency suspend all services at the Coutts port of entry to control vehicle access to the port of entry and preserve public safety.

Sunday, February 13, 2022

- A farm tractor and semi-truck breached a police check point at the Coutts port of entry and attempted to ram police vehicles. The RCMP arrested both drivers, and seized both vehicles.
- The RCMP obtained search warrants for a residential property and the Smugglers Saloon in Coutts, Alberta.

Monday, February 14, 2022

- In the early morning, the RCMP executed search warrants on 3 separate trailers located on a residential property and arrested 11 individuals, with charges including conspiracy to murder RCMP officers. A significant cache of firearms and ammunition were seized.
- Later in the day, the RCMP arrested 2 additional individuals related to the above noted search warrant in Coutts, Alberta.



- The RCMP was also investigating 3 additional individuals believed to be connected to the large group of individuals arrested earlier in the morning, as well as 20 individuals who played a key role in the blockade.
- At approximately 1400 hrs the Federal Government invoked the *Emergencies Act*.
- Organizers of the blockade approached the Community Conflict Management Group members at approximately 1600 hrs voicing their intention to dissolve the blockade. An agreement was struck to vacate the location by 0900 hrs on February 15, 2022.
- At approximately 1900 hrs the Coutts port of entry is reopened.

Tuesday, February 15, 2022

- The blockade dispersed peacefully. The Coutts port of entry remained fully operational.
- The Alberta Minister of Transport set up an alternate demonstration site in Milk River.
- While events continued north of the Coutts port of entry and at the Milk River site, no further attempts to block the highway and the port of entry occurred.

Wednesday, February 16, 2022

- A K Division Gold, Silver, Bronze daily meeting was held to provide updates on the current situation at the protest sites and the enforcement plan.

Other activities – Alberta

Tuesday, February 1 to Thursday, February 10, 2022

- Other solidarity protests took place in Airdrie, Calgary, Cochrane, Edmonton, Lethbridge, and Okotoks. The RCMP was the police of jurisdiction for the protests in Airdrie, Cochrane and Okotoks.

Monday, February 14, 2022

- The RCMP entered into a memorandum of agreement with Edmonton Police Service to provide assistance in support of Ottawa Police Service in the National Capital Region.

D Division: Blockade at Emerson port of entry

Wednesday, January 26, 2022

- An individual identifying as the demonstration organizer advised the RCMP they were planning a slow-roll demonstration on January 29, 2022, near the Canada-U.S. border crossing in Emerson (Emerson port of entry). The RCMP advised the individual that any unlawful activity during the demonstration could result in criminal, traffic, or bylaw sanctions.

Thursday, January 27, 2022

- The RCMP advised the demonstration organizer of possible violations under the *Criminal Code* and *Highway Traffic Act* in addition to potential penalties.
- The RCMP prepared a media release to advise the public of potential traffic delays at the Emerson port of entry.

Saturday, January 29, 2022

- Demonstrators held a slow-roll demonstration at the Emerson port of entry and the RCMP maintained a presence to ensure public safety and to assist with traffic congestion.



Sunday, January 30, 2022

- Demonstrators held another slow-roll at the Emerson port of entry and the RCMP maintained a presence to ensure public safety and to assist with traffic congestion.

Monday, January 31, 2022

- Demonstrators held another slow-roll at the Emerson port of entry. RCMP advised the demonstration leader to end the event as a blizzard was expected. All demonstrators departed from the port of entry area by 2100 hrs.

Wednesday, February 2, 2022

- A small group of semi-trucks and vehicles returned to the Emerson port of entry for another slow-roll. The RCMP was in communication with the demonstration leader and it was agreed that trucks would not stop on the highway or otherwise impede traffic. The demonstration leader relocated the demonstration to the Manitoba Legislative Assembly in Winnipeg.

Wednesday, February 9, 2022

- The RCMP were advised that a group of convoy supporters may attempt to block the Emerson port of entry.
- The RCMP developed an operational plan in the event of a blockade at the Emerson port of entry.

Thursday, February 10, 2022

- Approximately 50 semi-trailers, farm vehicles and passenger vehicles blocked the Emerson port of entry.
- Divisional Liaison Team members met with a lawyer representing the demonstrators. Through discussions, the demonstrators agreed to allow transports carrying livestock, Canada Border Services Agency and emergency vehicles through the blockade.
- From February 10 to 14, Division Liaison Team members attended the Emerson port of entry to liaise with demonstrators to discuss a peaceful resolution to the blockade.

Friday, February 11, 2022

- Demonstrators continued to block the Emerson port of entry.
- The Government of Manitoba announced it was relaxing a number of its public health orders.
- D Division Criminal Operations Officers held an operational planning session to discuss enforcement action at the Emerson port of entry.

Saturday, February 12, 2022

- Division Liaison Team met with the demonstrators' lawyer to discuss access to the Emerson port of entry for livestock and to advise of the potential charges that the demonstrators could face if the blockade was not cleared.

Sunday, February 13, 2022

- D Division Criminal Operations Officers and Manitoba East District held an operational planning session to discuss enforcement action at the Emerson port of entry.
- Division Liaison Team advised the demonstrators' lawyer of potential enforcement actions, including charges against demonstrators. The demonstrators' lawyer advised the RCMP that a decision to end the blockade was going to be addressed the morning of February 14, 2022.



Monday, February 14, 2022

- The RCMP continued to negotiate with the demonstrators.
- At approximately 1400 hrs the Federal Government invoked the *Emergencies Act*.
- That afternoon, demonstrators advised the blockade would likely end soon.
- D Division Criminal Operations Officers and Manitoba East District planned to initiate enforcement action as early as February 15, 2022 should the blockade still remain.

Tuesday, February 15, 2022

- The demonstrators agreed to end the blockade at midday on February 16, 2022.

Wednesday, February 16, 2022

- The RCMP coordinated and escorted the convoy vehicles out of the Emerson area to ensure a safe and orderly departure. The RCMP maintained a presence in the area to ensure the highway and the port of entry remained open and accessible.

Other activities – Manitoba

- There were other convoy related protests across the province where the RCMP was not the police of jurisdiction. The vast majority of these events were peaceful and required minimal police intervention.

O Division: Assistance to police of jurisdictions

O Division was not the police of jurisdiction for convoy related events in Ontario. O Division provided assistance to other police of jurisdictions including the Ontario Provincial Police, Ottawa Police Service and the Windsor Police Service.

Blockade in Ottawa, Ontario

Thursday, January 27, 2022

- O Division received a request from RCMP National Division for uniformed members to deploy to Ottawa on January 28, 2022, for the anticipated “Freedom Convoy” demonstration.

Friday, January 28, 2022

- O Division, Divisional Emergency Operations Centre was activated to oversee the coordinated management of O Division deployments across Ontario.

Sunday, February 6 to 13, 2022

- O Division deployed members to Ottawa to assist Ottawa Police Service.

Blockade at Ambassador Bridge in Windsor, Ontario

Friday, February 4, 2022

- Windsor Police Service advised O Division of a convoy planning to block the Ambassador Bridge.

Saturday, February 5, 2022

- Canada Border Services Agency advised O Division the convoy had made the first pass of Ambassador Bridge but that the bridge was not yet blocked.

Monday, February 7, 2022

- Demonstrators blocked traffic from the U.S. from entering Canada via the Ambassador Bridge.



Tuesday, February 8, 2022

- The Ambassador Bridge closed. Windsor Police Service began working to divert traffic to the Blue Water International Bridge.

Thursday, February 10, 2022

- Windsor Police Service contacted the Minister of Public Safety to request RCMP assistance with the Ambassador Bridge blockade. That same day, the RCMP redeployed a Tactical Support Group that was originally deployed in Ottawa to Windsor.

Thursday, February 10 and Friday, 11, 2022

- Ontario Provincial Police members assumed the role of lead agency in coordinating a law enforcement response to resolve the blockade and the deployed RCMP members operated under the Ontario Provincial Police's direction.

Friday, February 11, 2022

- The Province of Ontario declared a state of emergency.
- O Division deployed 2 additional Emergency Response Teams to Windsor.

Saturday, February 12, 2022

- RCMP members assisted Ontario Provincial Police and Windsor Police Service to enforce the City of Windsor's injunction.
- RCMP members liaised between Ontario Provincial Police and Transport Canada to respond to Ontario Provincial Police's request to restrict airspace over the Ambassador Bridge and blockade area during the enforcement of the injunction order.
- O Division received an anonymous tip regarding an explosive device at the Ambassador Bridge. The RCMP assisted Windsor Police Service in the investigation and determined the threat was not credible.

Sunday, February 13, 2022

- O Division deployed additional RCMP members to the Ambassador Bridge to assist Ontario Provincial Police and Windsor Police Service to keep the Ambassador Bridge clear.
- Later that night, the Ambassador Bridge fully reopened.

Demonstrations in other RCMP jurisdictions

F Division

Thursday, February 10, 2022

- F Division South District became aware of a planned demonstration to take place on February 12, 2022, at the Regway port of entry and another protest at the North Portal port of entry in the Estevan Detachment region. South District Management prepared an operational plan in consultation with F Division Criminal Operations Officers and the Community Conflict Management Group.
- During the course of the demonstrations, F Division had bi-daily briefings with Canada Border Services Agency.

Saturday, February 12, 2022

- The Combined Traffic Services Section, Integrated Border Enforcement Team, Forensic Identification Services, and the Provincial Response Team set up multiple check points at



strategic locations and made roving patrols along the highways around the Regway and North Portal ports of entry.

- The Community Conflict Management Group team deployed and liaised with the demonstrators.
- At 1300 hrs, demonstrator vehicles made contact with a check point. At 1500 hrs, all demonstrator vehicles were directed to a farmer's field, which demonstrators had organized in advance as a demonstration site on private property. At 1530 hrs, 100 demonstrators made up of adults and children walked towards the Regway port of entry facility. Demonstrators remained at the entrance to the Regway port of entry for 15 minutes, took a group photo and returned to their vehicles and drove to the farmer's field. At 1720 hrs, demonstrators peacefully left the farmer's field.
- The planned demonstration did not take place at the North Portal port of entry.

Wednesday, February 16, 2022

- A convoy of 30 semi-trucks and 40 passenger vehicles traveled from Yorkton to Estevan.
- At 2200 hrs, demonstrators set up camp on private land near the North Gate port of entry (demonstrators were provided permission by the local landowner to use their property). The landowner denied police access to the property.
- Members from a check point near the North Portal port of entry were re-deployed to the Northgate port of entry to prevent a blockade at the rural port of entry.
- RCMP members remained overnight at the checkpoints and the port of entry.

Thursday, February 17, 2022

- The local landowner revoked permission for demonstrators to use their property. Demonstrators spent the night in the City of Estevan before travelling to the North Portal port of entry.
- Another 2 groups of demonstrators were expected to join the main group of demonstrators at the North Portal port of entry over the next 4 days.
- RCMP members were briefed on how to use and distribute printed "Notice to Demonstrators" to advise demonstrators of what a lawful protest entails.
- Demonstrators set up another demonstration site on private land near the North Gate port of entry.

Friday, February 18, 2022

- RCMP members remained overnight.
- At the North Portal port of entry, there are approximately 2-3 vehicles. At the Northgate port of entry camp, there are approximately 20-25 demonstrators. The demonstrators advised that they did not plan to block roadways or the border.

Saturday, February 19, 2022

- At the North Portal port of entry, there are approximately 53 vehicles. At the Northgate port of entry camp, there are approximately 28 vehicles.
- By 1900 hrs, approximately 40 vehicles left the camp near North Portal and only 4-5 demonstrators remain.



Sunday, February 20, 2022

- At the North Portal port of entry, RCMP observed minimal demonstration activity. At the Northgate port of entry camp, there are approximately 20-25 demonstrators remaining.
- Community Conflict Management Group members continue to liaise with the organizer of the Northgate Camp to determine their intentions.
- At 1100 hrs, F Division Divisional Emergency Operations Centre Command and South District Command held a briefing to determine the continued RCMP footprint at the ports of entry.
- At 1300 hrs, the North Portal Camp is shut down. RCMP is unable to contact the organizer of the Northgate Camp.
- F Division Divisional Emergency Operations Centre and South District Command and Criminal Operations Officers decided to stand down Tactical Support Group and Community Conflict Management Group resources. Division Criminal Analysis Section continued to monitor social media for future convoy related activity.

M Division

Between Saturday, January 22 and Thursday, March 3, 2022:

- Weekly “Freedom Convoy” demonstrations at the Whitehorse Legislature, and Shipyard’s Park and slow-rolls in downtown Whitehorse.
- Smaller scale “Freedom Convoy” demonstrations occurred in Watson Lake and Dawson City.
- Community Conflict Management Group members were in regular communication with demonstration organizers and a standing operational plan was in place in case of potential issues or blockades.

G Division

Saturday, January 29, 2022

- The RCMP maintained a presence to ensure public safety.
- Approximately 60-70 vehicles participated in a demonstration and travelled 5 kilometers through Yellowknife ending at Yellowknife City hall.
- 30-50 demonstrators gathered in downtown Hay River and 20-30 vehicles drove around Fort Smith.

Saturday, February 12, 2022

- The RCMP maintained a presence to ensure public safety.
- In Yellowknife, 35 people demonstrated in a heated tent for 3.5 hours.
- In Hay River, 10 people demonstrated at the Hay River recreational Centre for 1.5 hours.

B Division

Saturday, February 12 to Sunday, February 13, 2022

- The RCMP maintained a presence to ensure public safety.
- Demonstrations were held in St. John’s, Marystown, Grand Falls, Corner Brook and Stephenville.



- Tactical Support Group and Emergency Response Team members were deployed to Ottawa to assist National Division.

Tuesday, February 22, 2022

- B Division members were deployed to Ottawa.
- Demonstrations occurred at the Confederation building and other locations across the province.

C Division

- The RCMP was not the police of jurisdiction for convoy related events in Quebec. C Division deployed members and provided assistance to National Division in Ottawa.

H Division

- Between January and March 2022, there were various convoys and stationary demonstrations across Nova Scotia. The events did not require police intervention except when a convoy briefly blocked the roadway to the Marine Atlantic Ferry Terminal for several hours on February 12, 2022. All events concluded without incident.

Friday, February 11, 2022

- H and J Division responded to a demonstration at the Nova Scotia/New Brunswick port of entry. The demonstration ended the same day.

Saturday, February 12, 2022

- A group gathered in Enfield to conduct a “slow roll” convoy where demonstrators travelled from Enfield to Stewiacke and back, and then departed for Halifax at 1400 hrs.
- A group of 12 vehicles blocked access to the Marine Atlantic Ferry Terminal.
- Demonstrators gathered at the Nova Scotia/New Brunswick port of entry and left at approximately 14:00 hrs.

J Division

Thursday, January 27, 2022

- J Division stood up a Gold, Silver, Bronze Command Structure to manage the demonstrations.
- The RCMP maintained a presence to ensure public safety.
- A single convoy comprised of vehicles from Newfoundland, Nova Scotia, and Prince Edward Island converged in Aulac, New Brunswick, en route to Ottawa.
- J Division’s Community Engagement Liaison Team liaised with demonstration organizers throughout the events.

Saturday, January 29, 2022

- Demonstration occurred at the New Brunswick/Maine port of entry where demonstrators blocked the port of entry briefly but the blockade ended the same day.

Wednesday, February 9, 2022

- J Division Gold, Silver, Bronze command held a meeting to discuss plans for responding to demonstrations.

Thursday, February 10, 2022



- The Province of New Brunswick published a revised Mandatory Order under the *Emergency Measures Regulations*, to prohibit demonstrators from blocking highways, and to grant additional peace officer authorities to seize supplies and vehicles participating in the blockades.
- J Division Gold, Silver, Bronze command held a meeting to discuss plans for responding to the demonstrations.

Friday, February 11, 2022

- Demonstration occurred at the Nova Scotia/New Brunswick port of entry and ended the same day. J and H Division RCMP maintained a presence to ensure public safety.
- Divisional Emergency Operations Centre was on call for the night.

Saturday, February 12, 2022

- At 0800 hrs Divisional Emergency Operations Centre was activated to level 4.
- At 1300 hrs, J Division created an operational plan to respond to the demonstrations along the Nova Scotia/New Brunswick border.
- Demonstrators gathered at the Nova Scotia/New Brunswick port of entry and left at approximately 1400 hrs. Community Engagement Liaison Team liaised with demonstrators.

Sunday, February 13, 2022

- Divisional Emergency Operations Centre continued to monitor for future related events.

L Division

Monday, January 24, 2022

- L Division Criminal Analysis Section/Criminal Intelligence Service Prince Edward Island shared information with Federal Policing National Intelligence Ideologically Motivated Criminal Intelligence Team, Ottawa Police Service and Ontario Provincial Police related to the convoy travelling to Ottawa. Division Criminal Analysis Section and Criminal Intelligence Service Prince Edward Island identified convoy related events in Prince Edward Island at Borden-Carleton, Confederation Bridge, Charlottetown and Summerside, and a demonstration at the Nova Scotia/New Brunswick border.

Tuesday, January 25, 2022

- L Division Criminal Operations Officers received information regarding a potential demonstration at the Confederation Bridge on January 27, 2022.

Wednesday, January 26, 2022

- A draft operational plan was created to prepare for the demonstration at the Confederation Bridge and shared with responding members in L Division.

Thursday, January 27, 2022

- Approximately 150 vehicles, 2 transport trucks, and a few hundred people gathered in Borden-Carleton to send off the convoy heading to the Confederation Bridge.
- At 0800 hrs, a convoy of vehicles travelled across the Confederation Bridge toward Aulac, New Brunswick.



- L Division maintained contact with the Confederation Bridge Manager, Highways and Bridge Scales, J Division, various RCMP intelligence units, and RCMP Media and Communications units.

Saturday, February 12, 2022

- A slow-roll demonstration of approximately 1,500 vehicles occurred in Charlottetown, where the Charlottetown Police Service was the police of jurisdiction. Part of the convoy headed toward the Confederation Bridge where there was a large RCMP presence. Demonstrators held their demonstration in Summerside where the Summerside Police was the police of jurisdiction and the RCMP assisted.

Key areas of review

Chapter 1 – Command and control systems

Gold, Silver, Bronze Command System

Gold, Silver, Bronze is a command structure whose hierarchical framework is used for the command and control of major incidents and disasters. This command structure is based on roles and responsibilities rather than rank. The Gold, Silver, Bronze command framework delivers strategic, operational and tactical responses during major incidents or operations.

The Gold, Silver, Bronze Command System is composed of 3 basic tiers:

- Gold command sets the strategic objectives of the operational plan, establishes tactical parameters that Silver and/or Bronze commands must follow. The Gold Commander has oversight and overall command responsibility throughout the incident, and assigns responsibilities to the Silver command(s).
- Silver command prepares and coordinates the operational plan, following the strategic objectives established by the Gold Commander. The Silver Commander collaborates and coordinates with partner agencies and assigns responsibilities to the Bronze command(s), in accordance with the strategic and tactical boundaries set out by Gold command.
- Bronze command is responsible for the deployment of resources in their assigned geographical or functional area of responsibility to accomplish the Silver Commander's operational plan. Bronze command will prepare tactical plans unique to their assigned responsibilities.

A Gold, Silver, Bronze Command Structure may be activated in response to the following types of incidents: national security events; multi-jurisdictional criminal events; public order events; natural disasters; or any other major incidents or disasters. Gold, Silver, Bronze is primarily used for police-led events, but can be used in conjunction with the Incident Command System or other incident management systems⁵. Gold, Silver, Bronze does not supersede or replace Incident Command System or other incident management systems, particularly in cases where it is more appropriate to create a Unified Command or where the police do not have the primary incident management role.

⁵ E Division Operations Manual 5.100.3.3.1-5



Incident Command System

Incident Command System “is a model for command, control, and coordination of emergency response at an emergency site. It provides a way of coordinating the efforts of agencies and resources as they work together toward safely responding, controlling and mitigating an emergency incident.”⁶ Incident Command System was originally designed to respond to wildfires in California and was first adopted in Canada in the 1990s in British Columbia. Incident Command System has evolved into an all-risk system that is appropriate for all types of emergencies including public order events, mass casualty incidents, multi-jurisdictional and multi-agency incidents, etc.

Incident Management Structure

The Incident Management System in Ontario is a response system for managing all stages of an incident. An incident under this system refers to “an occurrence or event that requires a coordinated response by emergency services or other responders to protect people, property and the environment.”⁷ Incident Management System provides a framework to communicate, coordinate and collaborate during an incident whether it is at an incident site, a designated location, a planned event or an emergency operation. Incident Management System can be used by all levels of government, Indigenous partners, nongovernmental organizations and the private sector. Incident Management System incorporates Incident Command System as 1 of its key building blocks and provides a more comprehensive system for multiple jurisdictions to work together to respond to incidents.⁸ However, Incident Command System is site specific whereas Incident Management System is designed for Emergency Operations Centre, and non-site-specific responses. Incident Management System is compatible with Incident Command System and is interoperable with other incident management systems used by other provinces and territories in Canada.

Unified Command Structure

Unified Command allows all agencies with geographic or functional jurisdiction for an incident to manage the incident by establishing a common set of objectives and strategies. A senior officer from each jurisdiction comes together to form a unified command. All involved agencies contribute to the command process by: determining overall objectives; planning jointly for operational activities while conducting integrated operations; and maximizing the use of all assigned resources.

RCMP actions

RCMP Divisions

Several Divisions, namely E, K, J, and L, adopted the use of a Gold, Silver, Bronze model to manage the convoy related events in each respective province. Some RCMP Divisions have adopted the use of a Gold, Silver, Bronze model to respond to a variety of events in their respective jurisdiction; however, the current command and control structure approved in national policy and training is Incident Command System.

⁶ Initial Critical Incident Response - Level 100 Agora course. Agora is the RCMP's internal online learning platform, which employees (Regular Members, Public Service Employees, Civilian Employees) access to complete various RCMP online courses.

⁷ Please refer to the Government of Ontario's Incident Management Guidance: Version 2.0.

⁸ Incident Management System 100 - Introduction to the Incident Management System for Ontario.



National Division

On January 28, 2022, Ottawa Police Service activated the National Capital Region Command Centre in response to the “Freedom Convoy” demonstration in the National Capital Region. Ottawa Police Service, Ontario Provincial Police and the RCMP employed a Unified Command structure within the National Capital Region Command Centre with the Ottawa Police Service leading as the Police of Jurisdiction. RCMP National Division provided assistance to Ottawa Police Service until February 8, 2022 when the RCMP created “Bronze command: Assist Ottawa Police Service” as a stand-alone command situated within the National Capital Region Command Centre to consolidate the RCMP’s assistance to Ottawa Police Service. It should be noted Ottawa Police Service used Incident Management System, the Ontario Provincial Police used Incident Command System and the RCMP used a Gold, Silver, Bronze Command Structure.

On February 12, 2022, an Integrated Command Centre was established as an operational working group between Ottawa Police Service, the RCMP, and Ontario Provincial Police. The Integrated Command Centre was physically situated at RCMP National Headquarters. The RCMP worked with Ottawa Police Service, the Ontario Provincial Police, and other law enforcement partners including the Sûreté du Québec, Service de Police de la Ville de Gatineau, Toronto Police Service, York Regional Police, Peel Regional Police, and OC Transpo to develop the Integrated Command Centre enforcement plan to respond to the situation in the National Capital Region. As with the National Capital Region Command Centre, Ottawa Police Service maintained operational command of the Integrated Command Centre. Integrated Command Centre planning was led by the Integrated Operational Planning Cell, under the direction of the Integrated Command Centre’s Unified Command Structure and Executive Steering Committee. The Executive Steering Committee was made up of RCMP Deputy Commissioner of Federal Policing, Ottawa Police Service Deputy Chief, and Ontario Provincial Police Deputy Chief.

National Headquarters

The RCMP’s overall response to the convoy events in Canada was governed by a separate, national Gold, Silver, Bronze Command Structure, which was activated on February 12, 2022. The RCMP established its national Gold, Silver, Bronze Command Structure, in part, to provide a framework for the RCMP’s role in assisting Ottawa Police Service as well as to manage the mobilization of RCMP resources nationwide.

The national Gold, Silver, Bronze Command Structure’s roles included:

- Mobilization of resources, as required, to execute operational plans
- Collection, assessment and development of intelligence and situational awareness reports on all relevant activities and persons to support operational planning
- Provision of necessary logistical, financial, and administrative support to facilitate operations
- Liaison between the RCMP and other government departments and external partners as needed for a coordinated response and clear messaging
- Communications, including media relations
- Labour relations, and employee health and safety
- Establish and maintain standard operating procedures to manage resource or information requests, taskings, and decisions made under the auspices of the Gold, Silver, Bronze



The national Gold, Silver, Bronze Command Structure communicated with relevant Divisional employees through teleconference meetings, referred to as “daily briefs,” which occurred twice per day from February 15, 2022 to February 22, 2022. Relevant Divisional employees attended “daily briefs” to provide and receive information updates on the convoy events within their respective jurisdiction. Gold commanders for each respective Division were responsible for all communications with the national Gold, Silver, Bronze Command Structure.

Key findings

Use of Gold, Silver, Bronze

Absence of Gold, Silver, Bronze training

Overall, interviewees expressed that they did not have a clear understanding of the roles and responsibilities associated with the Gold, Silver, Bronze Command Structure as they did not have formal Gold, Silver, Bronze training, with the exception of E Division. E Division has been using the Gold, Silver, Bronze Command Structure to manage a variety of events in B.C., in particular public order events, on a regular basis since 2017. There are terms of reference for each position and interviewees expressed that they understood their roles and responsibilities despite some interviewees not having had formal Gold, Silver, Bronze training.

Interviewees who had not received formal Gold, Silver, Bronze training indicated that they understood their roles and responsibilities as they had acquired experience working within a Gold, Silver, Bronze Command Structure for other events such as natural disasters, COVID-19 response or public order events. At National Headquarters, interviewees described their experiences within the national Gold, Silver, Bronze Command Structure for the Freedom Convoy events as the events unfolded in the National Capital Region and across the country. Specifically, individuals were drafting the “National Guidance for 2022 Convoy Protests” document in mid February 2022 and the document was only finalized on March 10, 2022. The common sentiment among most interviewees at National Headquarters was “the plane was being built as we flew it.” Interviewees from National Headquarters also advised they not only lacked Gold, Silver, Bronze training, but also experience as Gold, Silver, Bronze commanders. In particular, Civilian Members and Public Service Employees interviewees had neither Gold, Silver, Bronze nor Incident Command System training despite being placed in various Gold, Silver, Bronze commander roles within the national Gold, Silver, Bronze Command Structure.

In contrast, all RCMP Regular Members interviewed noted that they had received formal training in Incident Command System. As per the RCMP’s “National Operational Standard 99.2 Active Threat Training and Equipment,” RCMP operational frontline members must complete the Initial Critical Incident Response training, which consists of the online course “Initial Critical Incident Response - Level 100.”

While there is training on command systems, the RCMP does not have an organizational definition of a “major event.” Each command system (Incident Command System; Gold, Silver, Bronze; Incident Management System; etc.) defines a major event differently. Within RCMP policy, a major event is defined differently in Protective Policing policy versus Federal Policing and Contract and Indigenous Policing. A major event is defined in the context of each business line, but not for the organization as a whole. This leads to confusion around what exactly a major event is, and can make it difficult for decision makers to determine whether the event reaches a threshold that requires a command structure or additional support.



Recommendation 1.1: It is recommended that the RCMP provide an organizational definition of a major event for clarity and consistency of use. The definition can be based on an existing definition such as those found in Incident Command System, Gold, Silver, Bronze or the RCMP Operations Manual, but must be consistently used across both Federal Policing and Contract and Indigenous Policing.

NATTERJACK recognizes that this important work is already underway. The RCMP is currently updating the Operational Manual to update the requirements on Independent Officer Reviews and After-Action Reviews. While in draft format right now, there is a requirement to give clear direction, standard templates and ensure that all Divisions are aware of a national standard. This effort would also need to include a new definition for an operational debrief as outlined in the Mass Casualty Commission and the creation of the new team, given that After-Action Reviews and Independent Officer Reviews are currently well described in policy but they do not meet the requirements of the Mass Casualty Commission recommendations.

Recommendation 1.2: It is recommended that the RCMP initiate Initial Critical Incident Response Level 100 mandatory training for all RCMP employees, including Civilian Members and Public Service Employees.

NATTERJACK recognizes that this important work is already underway as Contract and Indigenous Policing continues to undertake a review of Initial Critical Incident Response 100 and 200. At present, this has resulted in the creation of working group to assess potential changes of both course levels. Once complete, a report will follow at a later date clarifying results and lessons learned for Initial Critical Incident Response mandatory training. In turn, any recommended changes will be articulated to the National Policy Health and Safety committee prior to effective implementation.

Recommendation 1.3: Aligned with Mass Casualty Commission Recommendation P.5⁹, it is recommended that the RCMP ensures that anyone who is in an incident command role in National Headquarters is trained at the appropriate level before assuming this command role. Anyone chosen for an incident command role should be selected based on command experience irrespective of management level as a Regular Member, Civilian Member, or Public Service Employee.

As explained above, Gold, Silver, Bronze is a command and control system which clarifies reporting lines and accountability is based on roles rather than rank. However, interviewees described that some decision makers did not follow the Gold, Silver, Bronze Command Structure, and did not allow certain Gold, Silver, Bronze commanders to make decisions in their respective areas of responsibility, with the exception of E Division.

This led to some Gold, Silver, Bronze commanders expressing that their expertise and experience was not acknowledged and that they were not trusted to make the decisions associated with their roles.

⁹ Mass Casualty Commission Recommendation P.5: The Commission recommends that RCMP policies should be amended to make roles and responsibilities during a critical incident response clearer. In the period before a critical incident commander assumes command, ad hoc command of the response should be situated with a suitably experienced, properly trained, and appropriately resourced supervisor within the district command structure.



For example, interviewees observed some members of senior management directly reaching into other Gold, Silver, Bronze commanders and making decisions without consulting with the respective Gold, Silver, Bronze commander. Some interviewees described this as the “platinum” and “titanium” levels of the Gold, Silver, Bronze Command Structure. According to interviewees, this also caused delays in decision making. To illustrate this further, only 52% of survey respondents felt that their “command structure aligned well with other lines of efforts (e.g., other sections and/or other command structures) within the RCMP.”

In a similar vein, some interviewees expressed that the right people were not identified for specific Gold, Silver, Bronze roles. According to Gold, Silver, Bronze principles, roles should be assigned based on experience and expertise rather than rank. However, interviewees observed that some roles were based on rank and did not account for the individual’s experience, or lack thereof to fulfil the job function.

Interagency cooperation and coordination

Need for a standard command and control system

As noted above, the current command and control structure approved in policy and training is Incident Command System. However, it should be noted that, based on recommendations from both the Public Order Emergency Commission and the Mass Casualty Commission, an RCMP working group led by Contract and Indigenous Policing is reviewing its current model of complex/major incident response and is evaluating other models that could enhance how the RCMP responds to these events.

This issue is not limited to the RCMP as there is currently no standard command and control model across Canadian law enforcement agencies. Some interviewees observed that external agencies including law enforcement and emergency services were not familiar with the Gold, Silver, Bronze Command Structure. For example, in Alberta Incident Command System is the official incident management system and partner agencies like Emergency Medical Services are not familiar with Gold, Silver, Bronze. Similarly, law enforcement agencies in Ontario also employ Incident Command System and interviewees noted that they often had to explain the Gold, Silver, Bronze structure and associated terminology to external partners. External law enforcement interviewees also expressed the need for all Canadian law enforcement agencies to adopt 1 standard command and control system. During the convoy events in the National Capital Region, the Ottawa Police Service utilized Incident Management System, the Ontario Provincial Police used Incident Command System and the RCMP used Gold, Silver, Bronze. To illustrate this further, only 51% of respondents felt that their “command structure worked well with other policing, security and enforcement agencies, including other Police of Jurisdiction.”

Recommendation 1.4: Aligned with Public Order Emergency Commission Recommendation 15,¹⁰ it is recommended that the RCMP work with external stakeholders including, the Canadian Association of Chiefs of Police, the Canadian Police College, Public Safety Canada

¹⁰ Public Order Emergency Commission Recommendation 15: The RCMP should consider leading an initiative, working with other police agencies, for police services across the country to adopt a single command and control model, with shared nomenclature to facilitate integrated operations in appropriate situations.



and their provincial and territorial counterparts to develop and implement a standard command and control model for Canadian law enforcement agencies.

NATTERJACK recognizes the challenges associated with getting all law enforcement agencies to agree to 1 command and control model and as an alternative, collective efforts should focus on ensuring the inter-operability of existing command and control models. NATTERJACK also recognizes that this important work is already underway in reciprocal Public Order Emergency Commission and Mass Casualty Commission recommendations as part of a commitment by the RCMP National Integrated Operations Council¹¹.

Authorities of peace officers

Approximately half of survey respondents (53%) indicated that the authorities available for peace officers were sufficient to effectively do their job. Other respondents felt it was unclear why existing authorities were not sufficient for the police to respond to the convoy related events. Specifically, respondents felt it was unclear what impact the invocation of the *Emergencies Act* had on the police response and police authorities.

Furthermore, some respondents expressed they felt uncomfortable applying the peace officer authorities granted once the *Emergencies Act* was invoked as they did not feel that they had a clear understanding of those authorities. While respondents indicated the briefings they received from their command structure on the *Emergencies Act* were effective, they reiterated that they did not have a clear understanding of how they relate to their peace officer authorities. Some respondents who were deployed in the National Capital Region also indicated they felt uncomfortable enforcing certain legislation because the police of jurisdiction did not appear to be taking enforcement action.

Respondents were of the view that they should have been provided more training and better reference material on the applicable legislation they were being asked to enforce. It should be noted that reference material on peace officer authorities were provided to Regular Members. However, in some instances, this was done after the demonstration had begun. In addition, some respondents were unfamiliar with common law authorities that could be exercised for public order events in general. This was rectified on February 10, 2022, when aids (quick reference charts) were distributed to members supporting Assist Ottawa Police Service from the RCMP.¹²

Inefficient swearing in process

In the National Capital Region specifically, Regular Members were sworn in as Special Constables in Ontario. However, due to COVID-19, this process only took place over Microsoft Teams once per day in the morning and the process only started on February 6, 2022. This method was not efficient as Regular Members who were deployed prior to February 6, 2022, and those who worked the overnight shift were not sworn in as Special Constables. The swearing in process has been rectified following the convoy related events and was in place for Canada Day operations. The current practice in the National Capital Region is to use a Commissioner of Oaths to swear in police officers from external agencies reporting for duty during the pre-shift briefing. The Public Order Emergency

¹¹ National Integrated Operations Council is the national Tier II-level committee composed of Core (Contract Policing) and Federal Policing Criminal Operations Officers. National Integrated Operations Council provides authoritative subject matter expertise in policing operation.

¹² Please refer to Annex E for a copy of the scanned handouts provided to frontline Assist-Ottawa Police Service.



Commission report made a recommendation for the Government of Canada to work with other affected governments to develop an expedited accreditation process for the RCMP and interprovincial police officers.

Through consultation with senior Ontario Provincial Police officials, NATTERJACK has learned that the Ontario Provincial Police has a process for swearing in Ontario Provincial Police officers and Quebec Police Officers working along the Ontario-Quebec border to be able to work as a police officer on either side of the border. This best practice should be examined by the RCMP to assist in developing an expedited accreditation process for Regular Members being deployed to Ontario, Quebec and other regions where the RCMP is not the police of jurisdiction.

Recommendation 1.5: Aligned with Public Order Emergency Commission Recommendation 20¹³, it is recommended that the RCMP work with other affected police services to develop an expedited accreditation process for swearing in Regular Members.

Other key findings

Communication and leadership

Interviewees from National Headquarters reported that the daily briefs were informative and provided clear updates that were documented by scribes. In addition, respondents felt that the operational briefings were effective for information sharing and helped to keep employees informed of the rapidly changing environment to which they were being deployed. Furthermore, interviewees felt that the communication from regular Divisional Gold, Silver, Bronze meetings was excellent and no challenges were reported. However, according to survey respondents, daily briefings did not take place everywhere so employees felt they did not always receive clear directives.

Results on leadership and supervision were mixed based on interview and survey results. Some respondents felt they had strong team leaders and that their supervisors communicated well, were collaborative, and provided clear directions on taskings. While others indicated there was a need for better leadership generally, as decision making and communication were slow. Almost 40% of respondents disagreed that decisions made by RCMP management were well-communicated within the organization. Specifically, survey respondents described internal communication from management with respect to the decisions that were being made as limited, inconsistent, not timely, and inaccurate.

Recommendation 1.6: It is recommended that the RCMP re-examine internal communication policies and practices to ensure RCMP employees receive consistent, timely and appropriate levels of communication in support of their respective roles during major events.

Second, interviewees and respondents highlighted the need to minimize “silos,” namely working independently as opposed to collaboratively when working on the same issue and for better internal liaison and integration across the organization. For example, interviewees noted that in general, different Bronze commanders performing similar roles and responsibilities were not communicating

¹³ Public Order Emergency Commission Recommendation 20: The federal government, working together with other affected governments, should develop an expedited accreditation process for RCMP or interprovincial officers to exercise legal authority to enforce provincial legislation or municipal by-laws where applicable, and where their training and education ensure that they are competent to exercise such authority.



with one another across the country. However, interviewees expressed that each Division was focused on resolving the blockades in their respective jurisdiction and did not have time to liaise with other Gold, Silver, Bronze commanders across the country to share information or lessons learned.

Finally, interviewees also remarked that with respect to communication with the public, in certain instances, stronger messaging is needed to support members. For example, interviewees explained that they were doing their best in a challenging situation, but they felt that the RCMP's national communication messaging could have improved support for its members rather than succumbing to public scrutiny. Similarly, survey respondents felt that communication with the public could have been more proactive and timelier to correct false narratives about the RCMP's actions.

Recommendation 1.7: Aligned with Public Order Emergency Commission Recommendation 22¹⁴ and Mass Casualty Commission Recommendation P.17¹⁵ it is recommended that the RCMP assign a media liaison officer for every public order event to ensure timely and accurate communication with the public.

NATTERJACK recognizes that both the Public Order Emergency Commission and Mass Casualty Commission highlighted the need to be proactive and transparent with the public during a major event or critical incident. RCMP National Communications recently developed a Crisis Communications Reference Guide and Standard Operating Procedures for their employees to outline principles and approaches for managing critical incidents and crises, including training and awareness on how to approach communicating with the public. The guidebook and standard operating procedures continue to be reviewed regularly.

Enhanced readiness

Interviewees and respondents observed poor internal coordination, readiness and planning during the convoy events across the country. Specifically, interviewees explained that with respect to the command structure at National Headquarters, employees did not have terms of reference for the roles and responsibilities they were assigned and there were no business rules or standard operating procedures in place. Respondents also identified the need for more readiness and planning, such as the use of table-top exercises or mock scenarios to put the Gold, Silver, Bronze Command Structure into practice. For interoperability, increased practice will improve “muscle memory” thereby ensuring

¹⁴ Public Order Emergency Commission Recommendation 22: Municipalities, police services boards, and police services should, when dealing with major events, provide the public with accurate, useful, and regularly updated information.

¹⁵ Mass Casualty Commission Recommendation P.17: The Commission recommends that (a) The RCMP should amend its policies, procedures, and training to reflect the approach recommended in the 2014 MacNeil Report about the RCMP's response to the Moncton Mass Casualty; that is, that the RCMP should activate public communications staff as part of the critical incident package. (b) The RCMP should train critical incident commanders and front-line supervisors in their responsibilities to provide timely and accurate public communications about a critical incident. This responsibility should be stated within RCMP policies and procedures. (c) The RCMP should fully integrate public communications into its approach to critical incident response, including training and tabletop scenarios, and communications officers should train and practice alongside other members of the command group. (d) Consistent with their legal duty to warn the public, police agencies should disseminate public information using methods that ensure that public communications reach those who are most affected by an incident in a timely manner. When choosing communications strategies, police agencies should attend to matters of equity and substantive equality, including demographic differences in the use of social media platforms, as well as the accessibility of reliable internet and cell service.



that all key employees (Regular Members, Civilian Members and Public Service Employees) involved in the event response will know what to do when responding to an incident or event. This will also ensure employees can effectively work with one another and have an appreciation of each other's roles and responsibilities.

Enhanced readiness is being examined by the RCMP Operations Coordination Centre¹⁶ as they are escalating preparedness across the organization. At present, the RCMP Operations Coordination Centre aims to coordinate, mobilize and train through hosting table top exercises to meet the needs of all rapidly evolving national critical incidents. After recent meetings with the Divisions, the RCMP Operations Coordination Centre is completing a national standard operating procedure in order to support senior decision makers in the midst of a crisis.

Recommendation 1.8: Aligned with Mass Casualty Commission Recommendation P.5¹⁷, it is recommended that the RCMP continue to develop clear and consistent terms of reference and/or standard operating procedures to respond to future major events.

The RCMP is currently updating the Operations Manual to provide national standards, consistent terms of reference, and standard operating procedures to respond to major events force wide.

¹⁶ The RCMP Operations Coordination Centre was formerly known as the National Operations Coordination Centre. The RCMP Operations Coordination Centre, with extended capabilities and under the purview of Federal Policing, operates 24/7 365 days of the year to monitor, support and coordinate the RCMP's official response to airborne incidents, emergencies, national security investigations, law enforcement operations, major events. The RCMP Operations Coordination Centre is a state-of-the-art facility that was designed and built in 2020 for the coordination of major crises, to provide advanced capacity for geospatial mapping, to respond to air incidents, to facilitate interagency information and intelligence sharing, as well as to help plan for and support operational readiness across the organization.

¹⁷ Mass Casualty Commission Recommendation P.5: The Commission recommends that RCMP policies should be amended to make roles and responsibilities during a critical incident response clearer.



Recommendation 1.9: Aligned with Mass Casualty Commission Recommendation C.8,¹⁸ P1.1,¹⁹ P.8²⁰, and P.16.c²¹, it is also recommended that the RCMP work with other law enforcement partners to develop and implement national table-top exercises that includes at a minimum, 1 annual exercise involving all categories of employees for the RCMP (Regular Members, Civilian Members, and Public Service Employees) to enhance readiness and preparedness.

Existing best practices

E Division

Interviewees described the convoy events as “business as usual” for E Division as there is a unit, the Community-Industry Response Group discussed in Chapter 1, that provides strategic oversight to address incidents related to public order to ensure a consistent, standardized, and impartially administered police response across the province. The Community-Industry Response Group employs a Gold, Silver, Bronze Command Structure to manage public order events across the province.

Major Event Coordination Centre

Since the convoy related events, the RCMP is establishing a centre of expertise, the Major Event Coordination Centre, to set up integrated command structures for government-led events and international sporting events hosted in Canada. The Major Event Coordination Centre supports the planning and operational delivery of designated major events where the RCMP is the lead federal security agency²². Work is also underway to examine how to leverage the Major Event Coordination Centre’s capacity to help support the coordination of federal law enforcement assistance to a police

¹⁸ Mass Casualty Commission Recommendation C.8: The Commission recommends that: (a) All public safety agencies should develop and promote pre-critical incident wellness planning. (b) All public safety agencies should develop wellness programming that is proactive and preventive in nature. (c) The leadership of public safety agencies should take proactive steps to ensure that all responders are accorded equal organizational support and to promote healthy help-seeking behaviour. (d) Public safety agencies in each jurisdiction should collaborate to provide training, including tabletop exercises, to civilian members of the responder community, including volunteers, as 1 aspect of their pre-critical incident planning.

¹⁹ Mass Casualty Commission Recommendation P1.1: Prepare for critical incidents before they happen, first by acknowledging that they can arise, by training personnel, and by establishing clear roles and responsibilities for critical incident response.

²⁰ Mass Casualty Commission Recommendation P.8: The Commission recommends that the RCMP and other first-responding agencies should engage with appropriate experts and training institutions to incorporate “grim storytelling” and other skills of critical incident decision-making into basic and advanced training for police and communications operators. This training is especially important for critical incident commanders, risk managers, and front-line supervisors. These skills should be reinforced in critical incident command and emergency management courses and practised regularly.

²¹ Mass Casualty Commission Recommendation P.16.c: Interagency scenario-based and tabletop exercises should be incorporated into existing agency training wherever possible. If this is not possible, agencies should regularly make time for dedicated interagency training.

²² There is a standing federal government directive where the RCMP is the lead security agency for certain pre-designated events and the Major International Event Security Costing Framework is automatically invoked. For other federal events within Canada where Internationally Protected Persons (as defined in section 2 of the *Criminal Code of Canada*) are expected to attend, or international sporting events where the overall responsibility for security rests with the federal government, the host federal agency may request a major event designation from the Prime Minister through the Minister of Public Safety.



of jurisdiction, when requested, for other types of events including but not limited to natural disasters, critical incidents, and mass casualty events. This could include providing guidance and support in logistics, mobilization of resources and the development of an integrated intelligence group to coordinate information sharing.

Chapter 2 – Intelligence sharing and related activities

RCMP actions

National Headquarters and National Division

There were 6 groups in the National Capital Region that were responsible for specific aspects of the intelligence picture that helped to guide the RCMP's operational response to the convoy related events:

- Protective Intelligence Unit
- Combined Intelligence Group
- Federal Policing Gold, Silver, Bronze Joint Intelligence Group
- Federal Policing National Intelligence - Ideologically Motivated Criminal Intelligence Team
- Federal Policing Criminal Operations - Financial Crimes
- Tactical Internet Operational Support

Protective Intelligence Unit

The Protective Intelligence Unit is composed of RCMP intelligence officers and intelligence analysts who produce operational, tactical, and strategic intelligence reports to assist investigations and operations relating to the RCMP's protective operations mandate to protect the Prime Minister, Supreme and Federal Court Justices, International Protected Persons, and other designated protected persons. When the National Capital Region Command Centre²³ is activated, the Protective Intelligence Unit also provides intelligence support to those supporting the operational event within the National Capital Region. The Protective Intelligence Unit led Combined Intelligence Group is stood up any time there is a major event in the National Capital Region. Leading up to the convoy, Protective Intelligence Unit maintained separate and distinct responsibilities from the Combined Intelligence Group and focused on supporting protective policing operations.

Combined Intelligence Group

Led by the Protective Intelligence Unit, the Combined Intelligence Group was activated on January 28, 2022, with the addition of intelligence analyst resources from National Division's Criminal Analysis Unit and law enforcement and intelligence partners including Ottawa Police Service, Service de Police de la Ville de Gatineau, Canada Border Services Agency, and the Ontario Provincial Police. The Combined Intelligence Group provided tactical intelligence products to support the National Capital Region Command Centre, and the Integrated Command Centre in the National Capital Region. The Combined Intelligence Group's focus was on both the RCMP's protective operations and national security mandates during the period of the Convoy-related protests and blockades in the National

²³ The National Capital Region Command Centre is a permanent facility used for the joint planning and coordinated execution of police and first responder activities in a Unified Command Structure under the umbrella of National Division.



Capital Region. The Combined Intelligence Group produced a total of 240 reports from January 28 to February 27, 2022.

Joint Intelligence Group

The RCMP national Gold, Silver, Bronze Command Structure established its own intelligence team, the Joint Intelligence Group, as the primary point of contact and coordinating body for all national level situational awareness and operational intelligence sharing²⁴. The Joint Intelligence Group became operational on February 12, 2022, and reported on convoy related events across Canada, including those impacting critical infrastructure, violent incidents, and blockades at various ports of entry, to the national Gold, Silver, Bronze Command Structure. Between February 14 - February 27, 2022, the Joint Intelligence Group produced 40 situational updates on protest activities nationwide²⁵.

Federal Policing National Intelligence - Ideologically Motivated Criminal Intelligence Team

Ideologically Motivated Criminal Intelligence Team is an intelligence unit within Federal Policing National Intelligence which provides strategic intelligence on the ideologically motivated threat landscape. In the lead up to the “Freedom Convoy” arriving in Ottawa, Federal Policing National Intelligence Ideologically Motivated Criminal Intelligence Team, was actively collecting information on various public order events to provide strategic intelligence reporting on the national threat landscape to senior management and RCMP Divisions. Once Ideologically Motivated Criminal Intelligence Team became aware of the planned convoy travelling to Ottawa, Ideologically Motivated Criminal Intelligence Team proactively shared information and intelligence about the convoy to Ontario Provincial Police and to the Security and Intelligence Community, including the Privy Council Office. Ideologically Motivated Criminal Intelligence Team also shared the information internally with RCMP Protective Policing units whose operations might be impacted by the convoy event in Ottawa. During the convoy related events, Ideologically Motivated Criminal Intelligence Team was focused on the strategic intelligence picture and produced 10 Special Threat Advisories between January 18 to February 23, 2022.

Federal Policing Criminal Operations - Financial Crime

Federal Policing Criminal Operations Financial Crimes is an operational policy centre at National Headquarters. During the convoy related events, Federal Policing Criminal Operations Financial Crimes was responsible for implementing the *Emergency Economic Measures Order* which came into effect on February 14, 2022, when the *Emergencies Act* was invoked. The *Emergency Economic Measures Orders* provided the RCMP and other provincial and territorial institutions the authority to share personal information with financial institutions on individuals or entities that were engaged, directly or

²⁴ The daily reports were distributed internally to the Commissioner’s office; Assistant Commissioner of Contract and Indigenous Policing; Director General National Criminal Operations Officers; Federal Criminal Operations Officers and Criminal Operations Officers; Division Emergency Operations Centre; Federal Policing Director Generals; Bronze Public Safety/Government of Canada RCMP Liaison Officer; National Communications Service; Director of the National Operations Centre; Contract and Indigenous Policing Operational Readiness and Response; and the Senior Executive Committee. Unclassified daily reports were also disseminated to external partners including the Canadian Armed Forces; Canada Border Services Agency; Public Safety; Canadian Security Intelligence Service; Global Affairs Canada; Financial Transactions and Reports Analysis Centre; Transport Canada; Privy Council Office; Communications Security Establishment; Privy Council Office Intelligence Assessment Secretariat; Immigration, Refugees and Citizenship Canada; Public Health Agency of Canada; Treasury Board of Canada Secretariat.

²⁵ It should be noted that Joint Intelligence Group was stood down on February 26, 2022; however, the last report was finalized on February 27, 2022.



indirectly, in an activity prohibited by sections 2 to 5 of the *Emergency Measures Regulations*, referred to as designated persons under the *Emergency Economic Measures Orders*.

Under the *Emergency Economic Measures Orders*, financial institutions were obligated to report the existence of property in their possession or control, which they had reason to believe was owned, held or controlled by or on behalf of a designated person as well as any information about a transaction or proposed transaction in respect of that property to the RCMP Commissioner or the Director of Canadian Security Intelligence Service. In order to streamline communications and the sharing of information with financial institutions, the RCMP's Federal Policing Criminal Operations Financial Crimes offered to act as a conduit, and did so, for provincial and territorial institutions. Between February 15 to 23, 2022, Federal Policing Criminal Operations Financial Crimes made 57 disclosures to financial institutions, which involved the naming of 62 individuals, and 17 businesses.

Federal Policing Criminal Operations Financial Crimes also requested assistance from National Division's Sensitive and International Investigations unit to collect information from the demonstration sites in the National Capital Region in order to provide financial institutions with the most up to date information possible.

Tactical Internet Operational Support

Tactical Internet Operational Support conducts internet research in support of open source information taskings that are linked to an active investigation. During the convoy related events, Tactical Internet Operational Support was tasked by the Director General of Covert Operations and Open Source and Data Sciences to provide operational support to the Combined Intelligence Group and the Joint Intelligence Group. K Division also requested assistance from Tactical Internet Operational Support for an ongoing criminal investigation.

RCMP Divisions

NATTERJACK also reviewed the intelligence collection, assessment and sharing practices in K and E Divisions as these were protracted events that resulted in blockades where the RCMP was the police of jurisdiction at the Coutts port of entry and the Pacific Highway port of entry, respectively.

K Division Criminal Analysis Section

Leading up to the convoy related events in Alberta, K Division Criminal Analysis Section maintained situational awareness on anti-vaccine and COVID-19 restriction demonstrations in December 2021. As convoy related events started to manifest across Alberta, K Division was focused on vehicle-based demonstrations on provincial highways. Other demonstrations, for example at the provincial legislature, were the responsibility of the respective police of jurisdiction.

Once the demonstration at Coutts started, K Division Criminal Analysis Section began to provide open source intelligence support to operations. A K Division Criminal Analysis Section analyst was assigned to the Divisional Emergency Operations Centre to liaise between senior management and Division Criminal Analysis Section, and an intelligence analyst was deployed to Coutts as the Bronze Intelligence Commander. Another Division Criminal Analysis Section analyst was assigned to the criminal investigation at Coutts. K Division Criminal Analysis Section produced a total of 162 intelligence products in support of the freedom convoy event.



E Division

In E Division, the Community-Industry Response Group and Real Time Intelligence Centre resources were engaged in ongoing intelligence gathering to ensure the best available information is used for planning and decision making. The Community-Industry Response Group provides strategic oversight addressing incidents related to public order, national security, and crime issues. Its mandate is to ensure a consistent, standardized, and impartially administered police response across the province. The mission of Real Time Intelligence Centre is to coordinate actionable information and intelligence for partners during unfolding events. The goal of the Real Time Intelligence Centre is to enhance public safety by sharing timely and relevant information to support frontline law enforcement operations. During the convoy related events in British Columbia, E Division produced 15 briefing notes related to the Freedom Convoy events.

D Division

In D Division, the RCMP was the police of jurisdiction for the Emerson blockade. D Division collected open source information and used the Tactical Internet Intelligence Unit to maintain awareness of convoy related events.

F Division

While there were no blockades in F Division, the RCMP responded to demonstrations at various ports of entry in Saskatchewan. F Division Criminal Analysis Section analysts were tasked to conduct open source research and open source information collection. They provided this information in the form of email updates.

Key findings

How the threat picture was collected and assessed

Barriers to accessing information

Interviewees remarked that their teams' intelligence reporting was overly reliant on open source information. This observation is unsurprising as all intelligence practitioners interviewed noted that there were limitations to their information and intelligence collection practices. Some interviewees remarked that their intelligence teams did not have access to information obtained from frontline members, which could be used to corroborate the open source information that was collected by intelligence analysts. Others at National Headquarters indicated that they did not have access to information collected at the Divisional level, specifically situational reports. Interviewees felt that there was a lack of interoperability between intelligence and operations during the convoy related events.

Absence of intelligence coordination

Interviewees specifically noted the lack of intelligence coordination within the RCMP, and in particular between Federal Policing and Contract and Indigenous Policing during the convoy related events. Currently, Ideologically Motivated Criminal Intelligence Team under Federal Policing, is responsible for intelligence collection on the ideologically motivated threat landscape. However, in practice, intelligence coordination on public order events has fallen to Ideologically Motivated Criminal Intelligence Team even though these events do not generally touch the Federal Policing mandate and may have very little nexus to Ideologically Motivated Criminal Intelligence Team's mandate. There is no analogous intelligence collection and coordination function within Contract and Indigenous Policing for public order events even though the RCMP may be responding to multijurisdictional



public order events as the police of jurisdiction. Interviewees observed the need for Federal Policing and Contract and Indigenous Policing senior management to consider the creation of a Contract and Indigenous Policing public order intelligence unit at National Headquarters to address this gap. Additionally, Public Order Emergency Commission recommendations in relation to the creation of a national intelligence coordinator for major events and public order events that are multijurisdictional and/or have national significance.

Interviewees also observed that it was particularly challenging to collect information on convoy events from the Divisions because information and intelligence on public order events that impact RCMP jurisdictions is collected at the Divisional level and the Divisions do not have a direct reporting line to intelligence teams under Federal Policing situated at National Headquarters, such as Ideologically Motivated Criminal Intelligence Team. During the convoy related events, Ideologically Motivated Criminal Intelligence Team sent requests for information to Division Criminal Analysis Sections and relied on its informal networks and relationships with the Divisions to collect information to report on the strategic intelligence picture.

As interviewees indicated, this is neither a sustainable nor efficient structure for information and intelligence collection on public order events that are multijurisdictional or have national significance. Simultaneously, Contract and Indigenous Policing's National Criminal Operations Officers office tasked Divisional Criminal Operations Officers to provide situational reports in each respective Division. Contract and Indigenous Policing used the information to produce an interactive map of convoy related events across the country. However, the product did not provide analytical assessments as Contract and Indigenous Policing at National Headquarters does not have an intelligence analysis capacity. As a result, interviewees and survey respondents noted that the map was limited in its utility. While Ideologically Motivated Criminal Intelligence Team has the intelligence analysis capacity, they did not have access to the Divisional situational reports being collected by Contract and Indigenous Policing until February 14, 2022.

Interviewees also observed a gap in intelligence coordination at the national level for public order events that impact multiple RCMP jurisdictions. Although Ideologically Motivated Criminal Intelligence Team had been collecting information from the Divisions and reporting on public order events that may have a nexus to ideologically motivated violent extremism, there were information gaps as described above. As a result, the national Gold, Silver, Bronze command structure stood up the Joint Intelligence Group on February 12, 2022, to provide national level situational awareness on the convoy related events. Similarly, external law enforcement partners expressed that there is a need for the RCMP to play a more prominent role with respect to intelligence collection, coordination and dissemination on public order events that are multijurisdictional and/or have national significance.

Ideologically Motivated Criminal Intelligence Team and the Joint Intelligence Group were both operating to provide the strategic threat picture, and reaching in directly to the Divisions for intelligence updates. As such, some interviewees noted that they were inundated by requests for intelligence updates from different intelligence teams at National Headquarters. In addition, interviewees noted that the Gold Commander for each respective Division were responsible for providing an intelligence update to the national Gold, Silver, Bronze structure on a daily basis, and that the Divisions were already providing National Headquarters with the most up to date intelligence and information through their Gold Commanders.



NATTERJACK facilitated “hot wash” meeting with directors and managers within the intelligence program at National Headquarters as part of a lessons learned exercise. Both meeting participants and interviewees observed that intelligence teams in the RCMP, specifically Ideologically Motivated Criminal Intelligence Team, Combined Intelligence Group, and the Joint Intelligence Group were duplicating efforts as a result of unclear roles and responsibilities for each team with respect to intelligence reporting for the convoy related events. For example, Ideologically Motivated Criminal Intelligence Team is a strategic intelligence unit that focuses on ideologically motivated issues but not all public events are ideologically motivated, the Combined Intelligence Group and Joint Intelligence Group included this in their reporting which was focused on reporting at an operational/tactical level. In addition, participants noted that this led to circular reporting. Both Ideologically Motivated Criminal Intelligence Team and the Joint Intelligence Group were represented on the national Gold, Silver, Bronze Command Structure with similar intelligence roles and responsibilities to provide the national threat picture. Based on the comments from participants and interviewees, the duplication of intelligence efforts can be minimized through increased coordination at National Headquarters for intelligence collection on public order events.

According to interviewees, this confusion is also in part due to the lack of an effective governance structure of the RCMP’s intelligence program. In this context, governance is meant to clarify the roles and responsibilities for both National Headquarters and the Divisions involved in any intelligence production to ensure there is a clear understanding of who is responsible for what and where clients can seek intelligence products internally. This would also assist in ensuring that operational reporting lines are clearly established and maintained. In the future, this would benefit in reducing the amount of duplication of production observed during the convoy. For example, in the Public Order Emergency Commission report, the former Director General of Federal Policing National Intelligence explained that the Freedom Convoy illuminated the challenge of coordinating the production and dissemination of intelligence at the federal level. The issue is too many departments interpreting information individually, leading to varied perspectives. To address this, the Public Order Emergency Commission recommends creating a central body to consolidate intelligence products to ensure a cohesive briefing for senior officials.²⁶

NATTERJACK is aware of ongoing work on this issue, it is being examined by the Federal Policing Transformation team. They are focusing on modernization and improvements to the governance of the RCMP intelligence program.

Recommendation 2.1: It is recommended that the RCMP develop and implement a Major Event Intelligence Unit to oversee the management, collection, coordination, and dissemination of information and intelligence on major planned or unplanned events that are multijurisdictional and/or have national significance.

Recommendation 2.2: It is recommended that the RCMP continue existing efforts to develop a governance structure for its intelligence program that clarifies the roles, responsibilities, and reporting lines of various intelligence program areas to minimize the duplication of intelligence efforts across the organization.

²⁶ Public Order Emergency Commission Report Volume 3, p. 278



Need for a standard analytical assessment framework and training

Moreover, for those reporting rapidly on the tactical and operational picture (the Combined Intelligence Group, Joint Intelligence Group, and the Divisions), there was no time for intelligence analysts to apply the intelligence cycle to the information collected and conduct an analysis due to the demand for constant situation updates. Interviewees commonly observed that when there is that much pressure to produce a report within an hour or a few hours' time it is not productive. In such an environment an analyst lacks the time required to review the information, assess its credibility and validity, and to analyze it in the context of the rapidly evolving situation to produce sound intelligence analysis to inform decision makers. As interviewees remarked, the “so what” and “now what” aspect from the analysis was completely missing from these assessments. Similarly, some commanders expressed that the products and information they received were not useful for their operational decision making.

All interviewees acknowledged the need for a standard analytical assessment framework that intelligence analysts can employ to provide relevant and useful intelligence assessments to decision makers. Interviewees also noted the need for intelligence analyst training specific to public order events and major events (this is addressed below). In 2019, the Federal Policing National Intelligence Special Advisory Group in collaboration with H Division Criminal Analysis Section analysts developed the Public Order Threat Assessment methodology as an analytical framework to help guide analysts in their intelligence assessments of public order events to inform operational and senior management decision making. The Public Order Threat Assessment will provide consistency for assessing the threat of the public order event. In early 2020, the Public Order Threat Assessment methodology was approved for use by the acting/Director General of Federal Policing National Intelligence and disseminated to Division Criminal Analysis Section managers nationally. The Public Order Threat Assessment methodology is not currently a recognized RCMP standard.

Intelligence literacy

Interviewees and survey respondents expressed the need to educate intelligence clients on the value of intelligence and how it can be used for decision making. Interviewees noted that the role of intelligence was not valued during the convoy related events. Some interviewees attributed this in part to the limited understanding that decision makers had about the role and capabilities of an intelligence analyst and how intelligence analysis could assist with decision making. Others noted that some intelligence analysts assigned to work on the convoy related events lacked the training, skillset and experience to conduct intelligence analysis for public order events. As a result, they were not able to paint the threat picture for decision makers. Interviewees noted that it would have been more efficient to identify intelligence analysts who have experience working in public order intelligence for these assignments.

Recommendation 2.3: It is recommended that the RCMP deliver information and training sessions on the role of intelligence for decision makers. The role of intelligence in decision making should be included in the curriculum of the RCMP's selected command and control model.

Recommendation 2.4: It is recommended that the RCMP Major Events Intelligence Unit, as a centre of expertise, be responsible for all intelligence analyst training on public order intelligence analysis. This would ensure the RCMP has a cadre of trained intelligence analysts



who could be deployed to RCMP Divisions when required to assist with public order events that are multi-jurisdictional and/or have national significance.

How the threat picture was disseminated

The Combined Intelligence Group was responsible for disseminating intelligence to frontline members in the National Capital Region and managed the interagency sharing of information and intelligence for the National Capital Region while the Joint Intelligence Group disseminated products to the National Gold, Silver, Bronze Command Structure and various Government of Canada agencies. Ideologically Motivated Criminal Intelligence Team disseminated information internally to various RCMP units, the Divisions and RCMP senior management and externally to other Government of Canada and law enforcement agencies. In E and K Division, intelligence reports were disseminated through their respective chain of command and also shared with various units at National Headquarters. Federal Policing Criminal Operations Financial Crimes disseminated both RCMP and third-party information and intelligence to financial institutions while the *Emergency Economic Measures Orders* was in effect.

Timeliness and accessibility issues

According to survey results, intelligence dissemination was not always timely or accessible. Specifically, respondents noted that they would receive information about various threats through media reporting and various social media pages rather than directly from the RCMP. With respect to the timeliness of information, about one-third of respondents (30%) disagreed that the information they received to support their work was timely, or received when needed. In addition, with respect to the accessibility of information, survey respondents noted that the reliance on email in order to communicate critical or time sensitive information was not efficient or effective.

Recommendation 2.5: It is recommended that the RCMP employ an intelligence coordination unit such as a Major Events Intelligence Unit to disseminate information and intelligence to deployed frontline members for public order events that are multijurisdictional and/or have national significance.

Gaps in frontline situational awareness

There were also gaps with respect to frontline situational awareness in RCMP Divisions. In particular, survey respondents who indicated they were deployed to the Coutts blockade raised issues with respect to the lack of information and situational awareness provided to frontline members on the possible threats to officer safety. Respondents expressed they were not aware of the threats to police officers until after the blockade concluded. Others noted that they only learned about the threats through media reporting. This raises a number of officer safety concerns for members who are deployed to the frontline and as an organization this issue must be addressed. It is imperative that all frontline members receive briefings prior to being deployed which includes information about possible threats to life, including an assessment of the threat level of the public order event to which the member/unit is being deployed.

Similarly, survey respondents observed initially there was limited distribution of intelligence reporting. This was rectified mid-February, whereby, frontline members began to receive intelligence reports to support their roles and responsibilities.



Recommendation 2.6: It is recommended that the RCMP provide regular operational updates to frontline members while being deployed to a major and/or public order event.

Information sharing with external partners

Interviewees noted limitations in their abilities to disseminate protected information and intelligence to certain external agencies and the private financial sector. Specifically, interviewees indicated that encryption was not available with all external agencies and the private sector. Interviewees noted that this added increased stress when having to manage the risk of sharing protected information through unencrypted channels. Interviewees highlighted that this issue was not isolated to the convoy related events, but rather is an organization wide issue that they experienced while carrying out their regular program mandated activities.

Recommendation 2.7: It is recommended that the RCMP work with external partners, including the private sector to develop a secure means to share information at the appropriate classification level.

Interviewees also indicated that there were issues with information and intelligence that was disseminated to external Government of Canada agencies. Specifically, some Government of Canada partners would misrepresent the information or misattribute third party information as RCMP information. Interviewees often noted that various Government of Canada partners would reach in directly to specific intelligence teams and or individuals for information which did not respect the RCMP chain of command or established protocols for requesting information from the RCMP. In addition, interviewees and survey respondents felt immense pressure from the Government of Canada to be briefed on a regular basis by RCMP senior management, in particular when briefings were requested on an hourly basis.

The Government of Canada's demands for hourly briefings left no time for intelligence units to prepare an assessment, nor to collect the most up to date information. Former Commissioner Brenda Lucki provided joint ministerial briefings to several ministers²⁷ before the "Freedom Convoy" arrived in Ottawa and then daily from January 30 to February 23, 2022. Information and intelligence updates were also shared with the interdepartmental Assistant Deputy Ministers committee on National Security Operations²⁸. When the national Gold, Silver, Bronze Command Structure was stood up on February 12, 2022, an individual was assigned the role of Public Safety/Government of Canada RCMP Liaison Officer within the Gold, Silver, Bronze Command Structure, however this role was only created 2 weeks into the convoy events in the National Capital Region.

Recommendation 2.8: It is recommended that the RCMP consider assigning a Liaison Officer for the Government of Canada prior to major events and public order events that are multijurisdictional and/or have national significance to manage the flow of information between the RCMP and the Government of Canada.

²⁷ Public Safety Minister Marco Mendicino, Minister of Emergency Preparedness Bill Blair, Minister of Transport Omar Alghabra, and Minister of Intergovernmental Affairs Dominic LeBlanc participated in these briefings regularly, and the Privy Council Office then-Interim Clerk Janice Charette and National Security and Intelligence Advisor, Jody Thomas sometimes joined as well.

²⁸ Assistant Deputy Minister-level participants comprised of Privy Council Office, Canada Border Services Agency, Transport Canada, Canadian Security Intelligence Service, and other federal departments.



Other findings

Risks to the organization

A key issue noted by survey respondents is with respect to the information gaps in frontline situational awareness for deployed members, specifically information on officer safety threats. The fusion of intelligence and operations is key to any threat mitigation strategy. As such, de-confliction early on and often, at both the tactical and operational levels is key to ensure there is a common operating picture amongst employees.

As discussed above, another risk to the organization is in the area of information management, in particular with respect to the collection, storage and sharing of protected information and/or personal information with external agencies. The RCMP only conducts operationally relevant open source and social media research on subjects or issues that relate to a law enforcement mandated initiative, or program activity. The Office of the Privacy Commissioner already has concerns around the collection of open source personal information, in particular by law enforcement. The Office of the Privacy Commissioner has already engaged the RCMP on this matter with respect to how the RCMP shared personal information with financial institutions during the invocation of the *Emergencies Act* and the enactment of the *Emergency Economic Measures Orders*. Overall, the Office of the Privacy Commissioner found that the measures incorporated by the RCMP in relation to personal information disclosures were found to be limited in scope and nature. With respect to the means used by the RCMP to share information with financial institutions, the Office of the Privacy Commissioner recommended that the RCMP ensure that information is protected according to its sensitivities. NATTERJACK's findings also support this recommendation.

Some interviewees and survey respondents highlighted the need for clearer operational policy, training, and guidance on the accepted use of Open Source Intelligence related applications for ongoing operations or investigations. Specifically, for the RCMP there is a gap related to operational policy with respect to information collection on individuals who have no clear nexus to criminality. In the context of public order events in particular, the risk to the RCMP is exacerbated because the right to freedom of thought, belief, expression, and opinion, and the right to peaceful assembly are *Charter* protected activities. NATTERJACK is aware of a previously conducted audit of the RCMP's use of Open Source Intelligence, an updated policy will be released in 2024.

Recommendation 2.9: It is recommended that the RCMP review and clarify operational policy for information collection in support of operations that does not have a clear nexus to criminality. Such a policy should specify authorities for collection, information storage, consistent use, exchange and retention of information.

National Canadian Association of Chiefs of Police Intelligence Committee

While the integration of criminal analysts in criminal investigations has long been established as a vital pillar to such investigations, the same cannot be said in the context of public order events as evidenced through the findings of this review. Understanding roles, responsibilities, needs and limitations in the dynamic, rapidly changing environments that public order events often become is paramount to closing some of the gaps identified through this review. Another vehicle for facilitating and encouraging change is through uniform and standardized practices and policies that add to the professionalization of the criminal analyst's role. Many interviewees expressed a level of concern that beyond the informal networks that loosely bind criminal, tactical, and strategic analysts from a variety



of law enforcement and security and intelligence agencies, there is not a recognized national body that comes together to advocate, address and advance issues in criminal analysis. Examining the mandate of the Canadian Association of Chiefs of Police and the various committees, the absence of a Criminal Intelligence Committee to deal with a number of intelligence policy and related issues appears glaringly missing and should be explored.

Recommendation 2.10: It is recommended that the RCMP approach the Canadian Association of Chiefs of Police Executive Committee and explore the utility of creating an Intelligence Committee to advocate, address and advance issues of importance in criminal analysis that contribute to Canadian Association of Chiefs of Police’s overall mandate of “safety and security for all Canadians through innovative leadership.”

Existing best practices

K Division

After the Coutts blockade, K Division conducted an after-action review and Division Criminal Analysis Section reflected on lessons learned and made significant changes to improve their future response to public order events. In light of the lessons learned, K Division has adopted the following 4 practices:

- Open Source Intelligence training is a mandatory requirement for all Division Criminal Analysis Section analysts and each analyst is provided with the appropriate computer equipment and software to perform Open Source Intelligence functions.
- Division Criminal Analysis Section delivers regular training on notetaking and the Gold, Silver, Bronze Command Structure for all analysts.
- There are continued efforts to improve file management practices, such as working toward creating a common place to store information prior to an operational occurrence.
- With respect to employee wellness, Division Criminal Analysis Section has a dedicated intelligence wellness coordinator that delivers workshops, and connects analysts with the appropriate resources.

Chapter 3 – Mobilization

Mobilization of RCMP members

National Capital Region

Overall, interviewees and survey respondents described the mobilization process to deploy Regular Members in the National Capital Region as chaotic. Interviewees also noted that National Headquarters previously had a mobilization unit which was no longer in operation at the time of the convoy related events and suggested that the mobilization process was less efficient in the absence of a dedicated team to fulfil this role. According to interviewees, there were capacity gaps in terms of employees who were trained and knowledgeable in effective mobilization and scheduling from an administration perspective. In the National Capital Region, mobilization was placed on 1 person who worked long hours managing the deployment of all members instead of sharing the work amongst a team. Interviewees described a lack of resiliency, as there were singular key people working on the operation without rest.

Additionally, interviewees explained that there is a need for clear and established standard operating procedures governing mobilization. The absence of standard operating procedures contributed to



confusion and inefficiencies in coordinating the deployment of personnel. For example, interviewees noted that the Human Resource Management Information System was not used to identify whether Regular Members had up to date training and certification for deployment. According to interviewees, the Event Management System, which is used for major events, is not user friendly or searchable but the benefit of Event Management System is that it is linked to Human Resource Management Information System so the user can identify people for specific skill sets. Interviewees suggested that a system that can connect into Human Resource Management Information System and Microsoft Teams would be the most ideal for mobilization.

Moreover, during Public Order Emergency Commission testimony, former Deputy Commissioner of Federal Policing, now Commissioner, Michael Duheme observed that it was a challenge to track the number of resources deployed nationwide to assist with the convoy related events. Similarly, external law enforcement partners indicated that it was difficult to track of the number of Regular Members provided to assist in a particular event. Ongoing work in relation to the Mass Casualty Commission recommendations is being conducted to explore IM/IT solutions to improve the mobilization process.

Since the convoy related events, the Major Event Coordination Centre has been leveraged to provide mobilization support for designated major events such as the 15th Conference of the Parties to the United Nations Convention on Biological Diversity in Montreal. However, the RCMP still lacks a centralized mobilization unit for other events that requires the mobilization of RCMP resources.

Recommendation 3.1: Aligned with Public Order Emergency Commission Recommendation 12²⁹, it is recommended that the RCMP re-establish the National Headquarters mobilization unit to provide mobilization support for other events that are not designated major events.

Interviewees also explained that it was difficult to secure enough Regular Members to deploy to assist Ottawa Police Service because the deployment was optional and not a mandatory requirement. Specifically, “call out” emails were sent to National Headquarters employees asking members whether they were interested in deploying to assist Ottawa Police Service. It should also be highlighted that the convoy events were taking place during the height of the COVID-19 pandemic with existing capacity gaps impacting the number of human resources available due to illness.

Furthermore, it was also difficult to secure an appropriate number of marked police cars and equipment for Regular Members who were being deployed to assist Ottawa Police Service because the RCMP at National Headquarters does not carry out frontline policing duties and do not have a pool of marked police vehicles. National Headquarters is not equipped in the same way as an RCMP detachment. Similarly, external law enforcement agencies observed that since the RCMP scaled back its frontline presence in the National Capital Region in recent years, the impact on policing in the National Capital Region and specifically the RCMP’s ability to provide surge capacity on short notice, has not been accounted for previously.

²⁹ Public Order Emergency Commission Recommendation 12: The federal government should similarly consider the creation of a major event management unit or major event management coordinator to address and coordinate policing responses across the country to major events of a national dimension.



Recommendation 3.2: It is recommended that the RCMP Operations Coordination Centre liaise with Divisional Emergency Operations Centres to determine and maintain ongoing awareness of each Division's capacity and resources available to respond to events.

RCMP Divisions

In E Division, interviewees described the mobilization of resources as efficient and effective because a dedicated team, the Community-Industry Response Group, was responsible for the coordination of logistics and mobilization and all Regular Members were deployed from nearby Surrey detachment.

In K Division, interviewees noted some challenges specifically as it relates to mobilization and logistics. Initial challenges with logistics resulted from K Division Divisional Emergency Operations Centre and Southern Alberta District duplicating efforts to forecast resource needs, which resulted in a surge of resources sent to the Coutts port of entry without enough logistical planning to support the resources deployed. There was no unit or individual assigned to provide logistics or mobilization support at Coutts and the responsibility fell to a Bronze Commander who was already assigned a different area of responsibility. This individual was over tasked, thereby resulting in some instances where Regular Members did not receive relief or meals in a timely manner. Interviewees also indicated equipment was not always available for Regular Members and that they had difficulty finding members for relief duty.

In F Division the Divisional Emergency Operations Centre was activated to support detachments and other units assisting with the policing response at the Port of Regway and North Portal demonstrations. The Divisional Emergency Operations Centre coordinated all logistics, which relieved the pressure from the detachments and other assisting units by arranging accommodations, meals and human resources for the deployments. Additionally, F Division deployed Community Conflict Management Group members early on to ensure consistent engagement with the demonstrators and demonstration leaders. Community Conflict Management Group members explained to demonstrators what a lawful protest is, the actions the police would permit and what was unlawful (e.g., blocking the port of entry). These enabled demonstrators to seek out private land to stage lawful demonstration activity and prevented blockades from being set up at the ports of entry. The early and ongoing deployment of Community Conflict Management Group members was described as key to the success of the police response.

Other findings

Existing protocols to request police resources in Ontario

On February 2, 2022, Ottawa Police Service requested assistance from the RCMP. The RCMP requested that Ottawa Police Service enter into a Memorandum of Agreement to formalize Ottawa Police Service's request for RCMP assistance. However, this course of action did not follow existing protocols in Ontario under the *Ontario Police Services Act*, which states "a municipal chief of police who is of the opinion that an emergency exists in the municipality may request that the Commissioner have the Ontario Provincial Police give assistance"³⁰.

Interviewees indicated that the RCMP should have followed existing processes and advised Ottawa Police Service to send their request for additional resources to the Ontario Provincial Police before

³⁰ Police Services Act, R.S.O. 1990, c. P.15.9.6.



requesting resources from the RCMP. Alternatively, the RCMP should have advised Ottawa Police Service to request that the Provincial Public Safety Minister, in this case the Solicitor General of Ontario, submit a request to the Federal Public Safety Minister for additional resources from the RCMP.

Recommendation 3.3: Aligned with Public Order Emergency Commission Recommendation 3³¹, it is recommended that the RCMP develop a standard Memorandum of Agreement for deployments to prevent unnecessary and future administrative delays.

Equipment

Interviewees and respondents experienced issues with accessing reliable communications equipment for radio contact when deployed to the frontline, including police radios and batteries; the right-sized radio holders on belts, barcode scanners; and reliable cell phone service as an alternative means of communication. Interviewees also indicated that external agencies used different types of radios, so Regular Members had to be paired with an external partner to allow external agencies access to communications on RCMP issued radios.

Overall, the majority of respondents (63%) indicated they had all the uniform, tools, and technology required to perform their duties. The most prevalent theme was the need for better quality (e.g., windproof, lightweight) uniform and kit, including jackets, boots, gloves, and balaclavas for the cold weather. Another prevalent theme was the need for more high visibility public order gear such as: high visibility jackets and vest covers; zip/plastic cuffs; gas masks; shields; bump helmets and visors; hard body armour; safety glasses, etc. For some duties, respondents explained that there was a limited supply of use of force equipment such as carbines, conducted energy weapons, and pepper spray due to the non-operational nature of RCMP National Headquarters.

Respondents also indicated they needed more computer equipment and better-quality internet connection. Others indicated they lacked the necessary software for open source intelligence collection. As discussed in Chapter 1, K Division has adopted the practice of ensuring each analyst is provided with the appropriate computer equipment and software to perform open source intelligence functions. Ongoing work is also being conducted to ensure RCMP employees who are responsible for performing open source intelligence functions are equipped with the tools necessary to carry out this responsibility.

Chapter 4 – Employee wellness

Key findings

Extreme working conditions

Most interviewees reported that employees were working well beyond scheduled work hours. Intelligence practitioners for example, reported working 10 to 15-hour days without breaks as they were tasked to produce regular updates, sometimes hourly, or daily, depending on the team. In

³¹ Public Order Emergency Commission Recommendation 3: Police and other law enforcement agencies should develop, in conjunction with affected governments, protocols around requests for additional law enforcement resources, where a police service is unable to respond on its own to major events, including certain protests.



addition, when some intelligence practitioners requested additional time or human resources to complete analytical tasks, these requests were ignored, denied, or overcome by events.

Similarly, frontline members reported working between 16-18 hours per day during the convoy related events, not including the travel time to distant lodgings. Some interviewees also reported that employees had temporary cots set up in their offices to support the operation over 24-hour periods and were sleeping in their offices.

Relief is necessary for all employees who are deployed and/or working during public order events, major events, or other types of emergencies. Many Gold, Silver, Bronze commanders reported that during the convoy events, they were tasked with finding relief for themselves and their team when breaks were needed from the deployment. When considering survey results in relation to working conditions, a third of respondents found that their assigned duties were not manageable within assigned working hours suggesting a need to reassess the expectations placed on employees, as well as the need for flexibility where possible, to prevent employee burn out and promote employee wellness.

Recommendation 4.1: It is recommended that the RCMP ensure that there is effective staffing support and relief available for all categories of employees for future major events.

Working conditions

The pressures from government and the public to resolve the blockades were high during the convoy related events and many employees were working under stressful conditions, around the clock without rest or relief. Most interviewees indicated that they attempted to take this into consideration, particularly their tone when relaying commands and decisions to employees. However, conflicts did at times take place, which have been addressed through appropriate conflict resolution processes.

Interviewees also reported that employees were working under immense pressure and that after the convoy related events some of their employees took sick leave due to operational stress injuries. It is unclear if these employees took sick leave directly as a result of the pressures of working during the convoy related events or if there were prior circumstances that were exacerbated during the convoy related events. However, these anecdotes illustrate that work is still needed to improve the RCMP's workplace culture.³²

Morale and comradery

Interviewees and respondents reported that there was a high degree of comradery amongst RCMP employees working to resolve the convoy related events across the country. Specifically, respondents reported there was trust and teamwork among colleagues. In general, from those interviewed, morale

³² See the Task Force on Governance and Cultural Change in the RCMP report entitled *Rebuilding the Trust* (also referred to as the Brown Report); Professor Linda Duxbury's independent report entitled *The RCMP Yesterday, Today and Tomorrow: An Independent Report concerning Workplace Issues at the Royal Canadian Mounted Police*; Civilian Review and Complaints Commission's 2013 *Public Interest Investigation Report into RCMP Workplace Harassment*; Standing Senate Committee on National Security and Defence's 2013 report entitled *Conduct Becoming: Why the Royal Canadian Mounted Police Must Transform its Culture*; the RCMP Veteran Women's Council's 2014 report entitled *Addressing a Crisis in Leadership*; the Honourable Judy Sgro, and the Honourable Grant Mitchell's 2014 report entitled *Shattered Dreams: Addressing Harassment and Systemic Discontent within the RCMP*; and the RCMP's 2016 report entitled *Report on Allegations of Harassment and Sexual Misconduct at the RCMP's Canadian Police College*.



was positive and improved when employees clearly understood their roles and responsibilities and when they believed their contribution was valued.

Conversely, morale was low when employees did not have access to appropriate meals or breaks, or when their assignments were unclear. For example, some interviewees and respondents were discouraged with leadership inaction or when they believed their opinions were not taken seriously. This raised questions related to management trust in their employees. In addition, interviewees noted an absence of formal recognition or acknowledgment from senior management for the efforts and contributions made by RCMP employees during the convoy related events. According to all interviewees, the lack of recognition had an impact on employee morale.

Mental health support

Interviewees observed that frontline members who were deployed during convoy related events were being exposed to verbal abuse, and loud noises on a consistent basis by demonstrators. While various interviewees explained that they conducted follow ups and regular “check ins” with their staff to determine if they needed health breaks, they also indicated that there were limited mental health supports offered otherwise. Some peer to peer counselling took place during the convoy related events, but there was no follow up conducted. It should be noted that the RCMP has since developed an RCMP Employee and Family Resource Guide. The RCMP is also conducting a longitudinal study investigating the development of operational stress injuries in the RCMP. The goal of the study is to establish psychological baselines with cadets and measure the effectiveness of an evidence-based resilience training program in order to mitigate the severity of open source information, and to provide organizational recommendations while facilitating early access to effective mental health care.

Existing best practice

Bronze Commander – member wellness

E Division assigned a Regular Member to be the Bronze Commander responsible for member wellness during the convoy related events to look after the mental and physical wellbeing of members deployed. The Bronze Commander would attend all demonstration locations where members were posted to check in on employees and ensure they had what they needed (food, breaks, equipment, etc.).

If they did not have the required logistics, as a case example, food, accommodation, or portable toilets, the Bronze Commander would address the issue immediately with the Silver or Gold Commander to resolve it. Moving forward, E Division is also exploring the feasibility of expanding this role to include a representative from the National Police Federation anytime there is a deployment as some members may not feel comfortable raising certain workplace issues with another employee of the RCMP. The National Police Federation representatives attended various locations in the National Capital Region to engage with Regular Members and it was appreciated by command and frontline staff.

Recommendation 4.2: It is recommended that the RCMP assign an individual to be responsible for member wellness alongside a union representative during all RCMP major event deployments.

* To effectively implement this recommendation a review and revision of existing operational policy may be required.



NATTERJACK recognizes that the RCMP Occupational Health and Safety Branch is collaborating with stakeholders to ensure that employees are properly supported while responding to crises and major event. This work includes: integrative and intensive training to develop skills and build awareness about mental wellness; updating mental health training for supervisors and officers; peer support programs; and, expanding support for member's families.

Chapter 5 – Other findings

Information management

Interviewees and meeting participants indicated that taskings, emails, and reports were either saved in email folders, shared drives, Records Management Systems such as Police Reporting and Occurrence System³³ or Police Records Information Management Environment, or not at all. For instance, Ideologically Motivated Criminal Intelligence Team, Combined Intelligence Group, Joint Intelligence Group, and K and E Divisions saved their reporting in either Protected B or unclassified shared drives located on secure RCMP servers. Specifically, for the Freedom Convoy, K, L, J, F, and D Divisions also used Police Reporting and Occurrence System for the intelligence and criminal investigative files but the event file was managed separately using an electronic records management system. E Division used Police Records Information Management Environment for all files related to the criminal investigations, and GCdocs for the event file.

While the use of shared drives is a standard method in the RCMP for storing and protecting information, interviewees highlighted the need for an information management system that would enable multiple units to access the same information and work on the same file or issue concurrently. In particular, intelligence practitioners stated that it was inefficient to have to grant readable access to the various shared drives to individuals who required access to information. As holdings have become more siloed, not only does collection and collation become difficult for intelligence products, it exacerbates the difficulty of locating documents for proper review and disclosure.

Recommendation 5.1: It is recommended that the RCMP manage event files separately from the criminal investigative files to simplify criminal case disclosure and responses to *Access to Information and Privacy Act* requests.*

Recommendation 5.2: It is recommended that the RCMP utilize Police Reporting and Occurrence System and Police Records Information Management Environment for intelligence and criminal investigative files related to public order events to ensure that information is accessible to all RCMP intelligence practitioners working on the same file or issue(s) nationwide.*

*To effectively implement these 2 above noted recommendations a review and revision of existing operational policy may be required.

During the convoy related events, not all decisions were documented on a Records Management Systems. For example, those who were part of the national Gold, Silver, Bronze Command Structure did not use Records Management Systems. Some interviewees indicated that there were records of

³³ Police Reporting and Occurrence System is the RCMP's occurrence records management system, except for E Division, which uses Police Records Information Management Environment.



decision from meetings. However, these were not retained in an information management system that was readily accessible. Moreover, while some interviewees explained that they took notes to document decisions that were being made, others indicated that they did not take as many notes as they should have or that they did not have time to take notes.

Some commanders within the national Gold, Silver, Bronze Command Structure were assigned a scribe throughout the convoy related events, however, this practice was not consistent for all Gold, Silver, Bronze commanders throughout the country. In addition, most individuals who were assigned to be scribes did not have any previous training or experience as a scribe. Finally, interviewees observed that there were no business rules for file management during the convoy related events. For example, in K Division the event file management team developed business rules using the major case management business rules as a foundation.

Recommendation 5.3: It is recommended that the RCMP utilize trained scribes to document decisions of business value during events and for these notes to be transcribed and retained on the appropriate Police Reporting and Occurrence System/Police Records Information Management Environment or Secure Police Reporting and Occurrence System file consistent with Recommendation 5.2 above.

Politicization of the law enforcement response

Interviewees and survey respondents felt that the police response to the convoy events were highly politicized. This was particularly the case with respect to the convoy events in the National Capital Region, where various elected officials and senior Government of Canada officials were of the view that it was the RCMP's responsibility to resolve the blockades in Ottawa. The RCMP in the National Capital Region carries out Federal Policing activities which includes, but is not limited to, protective policing and national security investigations. As the police of jurisdiction in Ottawa, Ottawa Police Service has the primary responsibility to manage the police response to all demonstration activity. The RCMP can provide support to Ottawa Police Service when assistance is requested. However, the RCMP cannot assume command and control of the police response to demonstration activity as some officials suggested during the convoy event.

The act of participating in a demonstration is not in itself a form of Ideologically Motivated Violent Extremism activity, regardless of the demonstrator's beliefs, opinions, and/or ideologies. When there is a suspected threat to national security, the RCMP can assume a lead investigative role under the Federal Policing mandate. However, the criminal investigation remains separate from the police response to manage the demonstration activity taking place within a police of jurisdiction's area of responsibility.

Training

Regular member training

Generally, most respondents (70%) agreed that they had adequate training to perform their duties effectively and efficiently. Approximately 86% of respondents indicated that based on previous



training, they felt well prepared or somewhat prepared to apply use of force tactics³⁴, in comparison to 65% for public order tactics³⁵. There is little to no public order and/or tactical training for general duty Regular Members who are not a part of Tactical Support Groups or Public Order Units, nor was any training immediately provided before the convoy events to prepare Regular Members with knowledge of crowd control tactics. Regular Members also reported that they had not received instruction on public order tactics since their initial limited introduction at Depot.

Respondents explained that they were not prepared to apply public order tactics as there were not enough members working for some of the demonstrations to enforce the laws safely. In some instances, there was no planning and/or inconsistent direction provided by those in leadership roles on what to do, or what the desired or expected outcome should be. Other respondents indicated they felt unprepared to apply public order tactics due to an absence of intelligence communicated to them and a lack of specialized equipment such as protective gear or tow trucks. Some respondents also stated that they had no prior experience with large capacity crowd control nor any experience in applying applicable tactics.

A few survey respondents reported that the routine certifications required to undertake their role within the command structure was not up-to-date during the convoy related events. Specifically, these respondents reported that they were not up to date on their: conducted energy weapon training (8%), carbine operator course (5.2%), Physical Abilities Requirement Evaluation (4.8%), and Outdoor Immediate Action Rapid Deployment (4.4%) and Indoor Immediate Action Rapid Deployment training (4.3%).

To ensure that Regular Members are ready to be deployed for all types of events, improvements are required with respect to training. According to RCMP policy, Regular Members are not permitted to deploy operationally if they are expired on their Operational Skills Maintenance (Operations Manual M 17.2.2.1.3) or pistol Annual Firearms Qualification (Firearms Manual 2.1). They are also not permitted to carry and utilize specific intervention options such as patrol carbine (Operations Manual 4.15.4.2), Conducted Energy Weapon (Operations Manual 17.7.3.1.2) and Extended Range Impact Weapons (Operations Manual 17.3.2.2) if they have not completed a recertification within the previous 12 months. Policy also states that Immediate Action Rapid Deployment training is mandatory for all RCMP operational members, including a refresher course every 3 years (Operations Manual 16.10.2.3.1 and Operations Manual 16.10.2.2). Specifically, National Headquarters currently has a very low compliance rate with this mandatory policy.

Currently, the Mandatory Training Unit, which is responsible for training courses for Regular Members at National Headquarters is understaffed with only 3 full-time and 1 part-time Full Time Equivalent out of 7 training positions identified on the organizational chart. With the mandatory

³⁴ Use of force tactics refers to the incident management intervention model, first introduced in 1993, is defined as a visual aid that helps officers quickly respond appropriately to high-stress environment. The incident management intervention model trains members to consider all intervention options and outlines the various levels of force available, based on subject behaviour, situational factors (weather, location, size and number of subjects etc.), tactical considerations and officer perceptions. The incident management intervention model was developed by the Canadian Association of Chiefs of Police and is used by Canadian Police Services.

³⁵ Public order tactics refers to intervention techniques commonly used by police officers including verbal and non-verbal communication, physical control (handcuffs, take-downs, strikes etc.), intermediate weapons (pepper spray, conducted energy weapons, batons etc.).



training required above, this is very challenging for the current team to deliver on with its staff shortages.

Second, National Headquarters currently has a very low compliance rate with this mandatory training requirement, which necessitates the scheduling of several Immediate Action Rapid Deployment courses to bring this compliance rate up to an acceptable level. Due to the administratively heavy workload being completed from National Headquarters and a significant amount of the Regular Members being within the Officer rank, it is difficult to release Regular Members to complete the above noted mandatory training. These critical courses become pushed aside and skills quickly become outdated.

Alongside these issues, the current training facility located at 1200 Vanier (Nicholson Building) is unusable due to poor air quality resulting in employees experiencing sore scratchy throats, sinus congestion, and coughing. Due to the state of the building, other occupants have moved out of the building except for the Mandatory Training Unit and Regular Members required to attend the site for necessary training requirements. However, the poor air quality has resulted in the cancellation of 5 recertification training courses in late 2022 and early 2023. This has resulted in a backlog of members with expired certifications who are unable to deploy in a frontline capacity from National Headquarters. If the current situation is not resolved, the RCMP will be unable to provide surge capacity to policing partners in the National Capital Region. It is hopeful that with the addition of training members from the former National Division training program integrated within National Headquarters, that these concerns regarding resources and location can be rectified under a unified training program.

Recommendation 5.4: It is recommended that the RCMP ensure Regular Members are compliant with the mandatory training requirements necessary for front-line deployment. Particular emphasis needs to be placed on significantly increasing and maintaining compliance rates of Regular Members at National Headquarters.

Recommendation 5.5: It is recommended that the RCMP appropriately staff the National Headquarters Mandatory Training Unit to ensure mandatory training is delivered and compliance rates in this regard are significantly increased for National Headquarters Regular Member personnel consistent with Recommendation 5.4. Additionally, it is recommended that the RCMP secure a permanent suitable training facility to carry out this training.

Intelligence analyst training

Intelligence interviewees had 2 interesting observations and noted areas where improvement is required. First, there is a need for greater integrated training between intelligence analysts and Regular Members. All intelligence practitioners interviewed agreed not all Regular Members have a clear understanding of the role of intelligence analysts, including their capabilities and limitations. In addition, intelligence analysts may have limited exposure to operations and do not have access to take courses related to investigations, and major case management which could help increase the analyst's understanding of the information requirements that Regular Members may have during operations.

Second, interviewees also remarked that intelligence analysts who are asked to support public order events or major events require increased exposure on critical incident management and the RCMP's



command and control approach to be better prepared to provide intelligence products for decision makers. It should be noted that Civilian Members and Public Service Employees can take the online introductory course “Incident Command System 100” on Agora to learn more about Incident Command Systems. However, this is not a mandatory course for all Civilian Members and Public Service Employees.

While Regular Members can take the Community Conflict Management Course offered through Contract and Indigenous Policing, there is no training equivalent for public order events for intelligence analysts in the RCMP. From 2018 to 2020, Federal Policing National Intelligence coordinated the attendance of intelligence analysts from across the RCMP whose role included the production of public order intelligence analysis to attend the Community Conflict Management Group course as an observer to increase analysts’ exposure to the RCMP’s approach to public order policing and to allow intelligence analysts to learn about the role of Regular Members.

During the Community Conflict Management Group course, Regular Members also received training on the role of the intelligence analyst for public order events. This type of integrated training between intelligence analysts and Regular Members was beneficial for Regular Members, Civilian Members, and Public Service Employees as it created a realistic working environment that allowed Regular Members and intelligence analysts to develop a better understanding of each other’s roles.

Recommendation 5.6: It is recommended that the RCMP work with the Canadian Police College to facilitate the integration of intelligence analysts into the Community Conflict Management Group course.

Recommendation 5.7: It is also recommended that the RCMP develop and deliver a training course on public order intelligence for RCMP intelligence analysts working on such events. The course should provide analysts training on the following:

- **RCMP’s role during public order events**
- **Analysts role in producing tactical, operational, and strategic products**
- **Instruction on use of various analytical techniques during public order events, in particular the Public Order Threat Assessment methodology**
- **Suite of intelligence products for pre-event, during the event and post-event**
- **The need to share information and not restrict information between internal units and with external Canadian Law Enforcement Agencies while respecting the third-party rule³⁶**

List of recommendations

³⁶ According to the Criminal Intelligence Service of Canada, The Third-Party Rule is a non-enforceable, informal agreement that was created to support sharing (**not** restrict) while governing its use to protect sensitive operations, sources and methods from inadvertent disclosure. The third-party rule states that “dissemination is limited to the recipient. Do not disseminate. Contact the author of this document for permission to release any information.” In all cases, do not reclassify, copy, reproduce, use in whole or part or further disseminate, without the consent of the originator.



Within the report, the recommendations are highlighted within their respective section. The following is a complete list of recommendations contained within. To clearly understand the context of the recommendation, please refer to the designated section of the report.

Chapter 1 – Command and control systems

- 1.1 It is recommended that the RCMP provide an organizational definition of a major event for clarity and consistency of use. The definition can be based on an existing definition such as those found in Incident Command System, Gold, Silver, Bronze or the RCMP Operations Manual, but must be consistently used across both Federal Policing and Contract and Indigenous Policing.
- 1.2 It is recommended that the RCMP initiate Initial Critical Incident Response Level 100 mandatory training for all RCMP employees, including Civilian Members and Public Service Employees.
- 1.3 Aligned with Mass Casualty Commission Recommendation P.5, it is recommended that the RCMP ensures that anyone who is in an incident command role in National Headquarters is trained at the appropriate level before assuming this command role. Anyone chosen for an incident command role should be selected based on command experience irrespective of management level as a Regular Member, Civilian Member, or Public Service Employee.
- 1.4 Aligned with Public Order Emergency Commission Recommendation 15, it is recommended that the RCMP work with external stakeholders including, the Canadian Association of Chiefs of Police, the Canadian Police College, Public Safety Canada and their provincial and territorial counterparts to develop and implement a standard command and control model for Canadian law enforcement agencies.

*NATTERJACK recognizes the challenges associated with getting all law enforcement agencies to agree to 1 command and control model and as an alternative, collective efforts should focus on ensuring the inter-operability of existing command and control models.

- 1.5 Aligned with Public Order Emergency Commission Recommendation 20, it is recommended that the RCMP work with other affected police services to develop an expedited accreditation process for swearing in Regular Members.
- 1.6 It is recommended that the RCMP re-examine internal communication policies and practices to ensure RCMP employees receive consistent, timely and appropriate levels of communication in support of their respective roles during major events.
- 1.7 Aligned with Public Order Emergency Commission Recommendation 22 and Mass Casualty Commission Recommendation P.17, it is recommended that the RCMP assign a media liaison officer for every public order event to ensure timely and accurate communication with the public.
- 1.8 Aligned with Mass Casualty Commission Recommendation P.5, it is recommended that the RCMP continue to develop clear and consistent terms of reference and/or standard operating procedures to respond to future major events.



- 1.9 Aligned with Mass Casualty Commission Recommendation C.8, P1.1, P.8, and P.16.c, it is also recommended that the RCMP work with other law enforcement partners to develop and implement national table-top exercises that includes at a minimum, 1 annual exercise involving all categories of employees for the RCMP (Regular Members, Civilian Members, and Public Service Employees) to enhance readiness and preparedness.

Chapter 2 – Intelligence sharing and related activities

- 2.1 It is recommended that the RCMP develop and implement a Major Event Intelligence Unit to oversee the management, collection, coordination, and dissemination of information and intelligence on major planned or unplanned events that are multijurisdictional and/or have national significance.
- 2.2 It is recommended that the RCMP continue existing efforts to develop a governance structure for its intelligence program that clarifies the roles, responsibilities, and reporting lines of various intelligence program areas to minimize the duplication of intelligence efforts across the organization.
- 2.3 It is recommended that the RCMP deliver information and training sessions on the role of intelligence for decision makers. The role of intelligence in decision making should be included in the curriculum of the RCMP's selected command and control model.
- 2.4 It is recommended that the RCMP Major Events Intelligence Unit, as a centre of expertise, be responsible for all intelligence analyst training on public order intelligence analysis. This would ensure the RCMP has a cadre of trained intelligence analysts who could be deployed to RCMP Divisions when required to assist with public order events that are multi-jurisdictional and/or have national significance.
- 2.5 It is recommended that the RCMP employ an intelligence coordination unit such as a Major Events Intelligence Unit to disseminate information and intelligence to deployed frontline members for public order events that are multijurisdictional and/or have national significance.
- 2.6 It is recommended that the RCMP provide regular operational updates to frontline members while being deployed to a major and/or public order event.
- 2.7 It is recommended that the RCMP work with external partners, including the private sector to develop a secure means to share information at the appropriate classification level.
- 2.8 It is recommended that the RCMP consider assigning a Liaison Officer for the Government of Canada prior to major events and public order events that are multijurisdictional and/or have national significance to manage the flow of information between the RCMP and the Government of Canada.
- 2.9 It is recommended that the RCMP review and clarify operational policy for information collection in support of operations that does not have a clear nexus to criminality. Such a policy should specify authorities for collection, information storage, consistent use, exchange and retention of information.



2.10 It is recommended that the RCMP approach the Canadian Association of Chiefs of Police Executive Committee and explore the utility of creating an Intelligence Committee to advocate, address and advance issues of importance in criminal analysis that contribute to Canadian Association of Chiefs of Police’s overall mandate of “safety and security for all Canadians through innovative leadership.”

Chapter 3 – Mobilization

3.1 Aligned with Public Order Emergency Commission Recommendation 12, it is recommended that the RCMP re-establish the National Headquarters mobilization unit to provide mobilization support for other events that are not designated major events.

3.2 It is recommended that the RCMP Operations Coordination Centre liaise with Divisional Emergency Operations Centres to determine and maintain ongoing awareness of each Division’s capacity and resources available to respond to events.

3.3 Aligned with Public Order Emergency Commission Recommendation 3, it is recommended that the RCMP develop a standard Memorandum of Agreement for deployments to prevent unnecessary and future administrative delays.

Chapter 4 – Employee wellness

4.1 It is recommended that the RCMP ensure that there is effective staffing support and relief available for all categories of employees for future major events.

4.2 It is recommended that the RCMP assign an individual to be responsible for member wellness alongside a union representative during all RCMP major event deployments.

Chapter 5 – Other findings

5.1 It is recommended that the RCMP manage event files separately from the criminal investigative files to simplify criminal case disclosure and responses to *Access to Information and Privacy) Act* requests.*

5.2 It is recommended that the RCMP utilize Police Reporting and Occurrence System and Police Records Information Management Environment for intelligence and criminal investigative files related to public order events to ensure that information is accessible to all RCMP intelligence practitioners working on the same file or issue(s) nationwide.*

*To effectively implement these 2 above noted recommendations a review and revision of existing operational policy may be required.

5.3 It is recommended that the RCMP utilize trained scribes to document decisions of business value during events and for these notes to be transcribed and retained on the appropriate Police



Reporting and Occurrence System/Police Records Information Management Environment or Secure Police Reporting and Occurrence System file consistent with Recommendation 5.2 above.

- 5.4 It is recommended that the RCMP ensure Regular Members are compliant with the mandatory training requirements necessary for front-line deployment. Particular emphasis needs to be placed on significantly increasing and maintaining compliance rates of Regular Members at National Headquarters.
- 5.5 It is recommended that the RCMP appropriately staff the National Headquarters Mandatory Training Unit to ensure mandatory training is delivered and compliance rates in this regard are significantly increased for National Headquarters Regular Member personnel consistent with Recommendation 5.4. Additionally, it is recommended that the RCMP secure a permanent suitable training facility to carry out this training.
- 5.6 It is recommended that the RCMP work with the Canadian Police College to facilitate the integration of intelligence analysts into the Community Conflict Management Group course.
- 5.7 It is also recommended that the RCMP develop and deliver a training course on public order intelligence for RCMP intelligence analysts working on such events. The course should provide analysts training on the following:
- RCMP's role during public order events
 - Analysts role in producing tactical, operational, and strategic products
 - Instruction on use of various analytical techniques during public order events, in particular the Public Order Threat Assessment methodology
 - Suite of intelligence products for pre-event, during the event and post-event
 - The need to share information and not restrict information between internal units and with external Canadian Law Enforcement Agencies while respecting the third-party rule



Annex A: Mandate letter for National After-Action Review

Transit Slip

Security classification: Unclassified

Our file: 22-002452

Your file

Personal Information Banks: RCMP

To: National Office of Investigative Standards and Practices

From: Liam Price, Director General, Project NATTERJACK

Date: 2022-01-06

Subject: Request for National Office of Investigative Standards and Practices support to the National After-Action Review of the “Freedom Convoy”

Diary date: 01-03-2023

Page: 2

Remarks:

The Deputy Commissioner of Federal Policing has directed a National After-Action Investigative Review be completed with respect to the RCMP’s involvement in the events surrounding the “Freedom Convoy” in early 2022.

The National After-Action Review will be a Major Case Management based review conducted by Project Natterjack in partnership with Internal Audit, Evaluation and Review, National Office of Investigative Standards and Practices, and the Survey Center.

Please accept this memo as the mechanism for engaging National Office of Investigative Standards and Practice’s support for this effort.

The National After-Action Review’s mandate consists of two parts. The first examines the intelligence sharing and dissemination mechanisms, including their effectiveness, leading to the invocation of the *Emergencies Act*. The second examines the integrated response, both operationally and administratively, by the RCMP to the various demonstrations known as the “Freedom Convoy.”

The information gathered through the National After-Action Review will assist the RCMP in developing lessons learned from the events and more effective responses to future similar scenarios.

The National After-Action Review will assess certain themes of interest, including:

1. **Intelligence Sharing**, in particular:
 - a. How the threat picture was collected, assessed, and shared amongst agencies responsible for responding to the Freedom Convoy;
 - b. How social media was used by participants and supporters of the Freedom Convoy;
 - c. How crowd funding supported the Freedom Convoy nationwide; and,
 - d. Suspicions about ideologically motivated violent extremism-linked individuals associated to the Freedom Convoy.



2. **Command and Control Mechanisms**, in particular:
 - a. Interagency cooperation and coordination between National Headquarters and the police of jurisdiction at ports of entry along the Canada-U.S. border (Pacific Highway, Coutts, Emerson, Windsor, and the Maritime provinces).
 - b. Use of Gold, Silver, Bronze Command structure(s) and the Critical Incident Command model internally, as well as when working with police of jurisdiction or other policing agencies;
 - c. The peace officer authorities at the federal, provincial, and municipal levels, both under the *Emergencies Act* and within existing legislation, policy, and agreements.
3. **Mobilization**, in particular:
 - a. Mobilization of RCMP members and other employees to respond to the protests.
4. **Employee Wellness** – in particular:
 - a. Member and employee morale, support provided professionally and otherwise;
 - b. Safety measures and equipment provided;
 - c. Training (specific training, training recertification, additional training needed, etc.). The review aims to identify organizational risks, while also offering recommendations.

The National After-Action Review will require reviewing documentation related associated the above areas of interest already collected by Project Natterjack and conducting interviews with key individuals who held roles in the oversight and monitoring of the response to the Freedom Convoy. It may also be necessary to contact domestic or foreign partner agencies or units who could possess additional information.

Project Natterjack requests the National Office for Investigative Standards and Practices coordinate the interviews of National Capital Region Gold Silver Bronze Team Commanders and identified employees, leveraging expertise from divisional Offices for Investigative Standards and Practices offices to complete these in a timely manner. Materials for these interviews will be provided from the holdings of Project Natterjack, unless otherwise specified.

Divisions were made aware of the National After-Action Review in October 2022. It is requested that the interviews be completed in January and February 2023.

A final consolidated report will be authored by Project Natterjack, with external review and strategic recommendations to be prepared by retired Assistant Commissioner, Eric Slinn, based on the aforementioned areas of review.

If you have any questions or concerns, please do not hesitate to contact me at liam.price@rcmp-grc.gc.ca.

Regards,
Price, F. William, 000153730

Liam Price
Director General
Project NATTERJACK



Appendix B: Lessons learned: RCMP activities related to Freedom Convoy 2022 events

Introduction

The project team NATTERJACK is developing an after-action review that captures lessons learned from the RCMP's activities related to the Freedom Convoy 2022 events in January and February 2022. The goal is to identify, share and institutionalize insights, and inform policy-makers.

Survey responses will inform the after-action review on the following four topics:

- Information sharing
- Cooperation and coordination
- Authorities of peace officers
- Health and safety of employees (4 subtopics)

Each topic/subtopic has between 4 and 9 questions in this survey. Please note that you have the option in the survey of skipping over any topic you do not want to address or selecting "Prefer not to answer and/or Not applicable" within a block of topic questions as a response.

The survey should take about 10 minutes to complete. Your participation is voluntary, but will be greatly valued. The information you provide will be administered in accordance with the *Privacy Act* and other applicable laws and will be confidential. Your answers will remain anonymous and will only be shared in an aggregate format.

Important survey navigation information

Use the "Previous page" and "Next page" buttons located at the bottom of each page. Do not use the navigation buttons at the top of your browser or the corresponding shortcut keys.

Responses are required for all questions denoted with an asterisk (*).

Session timeout:

After one hour (60 minutes) of inactivity, your session will time out. You will not be able to access any of your unsaved information.

To save your information:

If you cannot complete the questionnaire in one session (60 minutes), you can save the information you have entered by pressing the "Save and continue later" button located at the bottom of the page. You will be asked to enter your email address so that the system can send you a link to continue at a later time. Please note that your email will not be saved and your responses will remain anonymous.

Select "Next Page" to begin the survey.

Notice: Please note that all information collected in this survey will remain confidential. However, do not include any protected or sensitive information in your comments.

Your roles(s)

In this section we would like to learn about your role(s) within the RCMP and with respect to RCMP activities associated with the Freedom Convoy 2022 events.



Note: Throughout this survey, your “role/responsibility, duty or command structure” is that which you were assigned during the Freedom Convoy 2022.

What was your role with respect to RCMP activities associated with the Freedom Convoy 2022 events?

Select all that apply.

- Front line uniform
- Administrative support (e.g. called to scribe or provide administrative support to a command structure or group involved in supporting blockade)
- Emergency Response Team and Tact Troop
- Logistical support to front line (e.g., aided with movement of vehicles, equipment/technology, delivery of meals, shift schedules)
- Intelligence support (e.g. Joint Intelligence Group, Combined Intelligence Group, Protective Intelligence Unit, Ideologically Motivated Criminal Intelligence Team, Division Criminal Analysis Section)
- Communications
- Other, please specify:
- Prefer not to answer
- I did not have a role with respect to RCMP activities associated with the Freedom Convoy.

What is your category of employee?

- Regular member
- Civilian member
- Public service employee
- Other, please specify:
- Prefer not to answer

What is your level/rank?

- Special constable
- Constable
- Corporal
- Staff Sergeant / Sergeant Major / Sergeant
- Inspector
- Superintendent
- Chief Superintendent or higher
- Prefer not to answer

How many years of service do you have with the RCMP?

- Less than 1 year
- 1-5 years
- 6-10 years
- 11-15 years
- 16-20 years
- 21-25 years
- 26-30 years
- 31-35 years
- More than 35 years
- Prefer not to answer



In which RCMP division was your substantive position in January-February 2022?

- B Division (Newfoundland and Labrador)
- C Division (Quebec)
- D Division (Manitoba)
- Depot Division (Regina, Saskatchewan)
- E Division (British Columbia)
- F Division (Saskatchewan)
- G Division (Northwest Territories)
- H Division (Nova Scotia)
- J Division (New Brunswick)
- K Division (Alberta)
- L Division (Prince Edward Island)
- M Division (Yukon)
- National Division
- National Headquarters
- O Division (Ontario)
- V Division (Nunavut)
- Prefer not to answer

Where were you deployed with respect to RCMP activities associated with the Freedom Convoy 2022 events?

Select all that apply.

- National Headquarters (Ottawa)
- Ottawa, Ontario (National Capital Region and downtown Ottawa)
- Windsor, Ontario
- Emerson, Manitoba
- Coutts, Alberta
- Pacific Highway crossing, British Columbia
- Other, please specify:
- Prefer not to answer

Information sharing

In this section we would like to learn more about information sharing in relation to the Freedom Convoy 2022, including the events leading up to the invocation of the *Emergencies Act*, and at the conclusion of the protest.

Please note: If you do not want to address this topic in your survey response, simply scroll to the bottom of this page and click on the "Next page" button.

From where did you **primarily** receive information needed to undertake your role(s) during the Freedom Convoy 2022 events?

Select all that apply.

- Protective Intelligence Unit
- Combined Intelligence Group
- Joint Intelligence Group
- Ideologically Motivated Intelligence Team
- National Operations Coordination Centre
- My command structure (e.g. from your supervisor/team lead)



- External partners (Canada Border Services Agency, Ontario Provincial Police, Ottawa Police Service, others)
- Colleagues (from your substantive and/or other divisions)
- Other, please specify:

Thinking about your experiences while on duty during the Freedom Convoy 2022 events, please indicate to which extent you agree or disagree with each of the following statements.

Note: “Information sharing” mechanisms for this survey include “Situational Reports”, “be on the look outs” and other internal communication tools used to convey information needed for your role(s) during the Freedom Convoy 2022 events.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
The information I received to support my role(s) was timely (received when needed).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The information I received to support my role(s) was accurate.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The information I received was directly relevant to my role(s).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Cooperation and coordination

In this section we would like to learn more about RCMP internal and inter-agency cooperation and coordination.

Please note: If you do not want to address this topic in your survey response, simply scroll to the bottom of this page and click on the “Next page” button.

Thinking about your experiences while on duty during the Freedom Convoy 2022 events, please indicate to which extent you agree or disagree with each of the following statements.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
Decisions made by RCMP management were well-communicated within the organization.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My command structure aligned well with other lines of effort (e.g. other sections and/or other command structures) within the RCMP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My command structure worked well with other policing, security and enforcement agencies, including other police of jurisdiction (e.g. Ottawa Police Services).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My command structure worked well with domestic and international intelligence agencies.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Authorities of peace officers

In this section we would like to learn more about the authorities of peace officers, both within existing legislation, policy and agreements and under the *Emergencies Act*, which was invoked between February 14-23, 2021.

Please note: If you do not want to address this topic in your survey response, simply scroll to the bottom of this page and click on the “Next page” button.

Thinking about your experiences while on duty during the Freedom Convoy 2022 events, please indicate to which extent you agree or disagree with each of the following statements.

Pre-Emergencies Act invocation

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
Authorities available for peace officers were sufficient to effectively do my job.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were well communicated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were timely (received when needed).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were consistent.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Post-Emergencies Act invocation

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
Authorities available for peace officers were sufficient to effectively do my job.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were well communicated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were timely (received when needed).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorities available for peace officers were consistent.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Health and safety of employees

In this section we would like to learn more about the health and safety of employees. Questions will focus on: the mobilization of employees, morale and support provided professionally and otherwise, training requirements (specific training, recertification, additional training needed) and safety measures and equipment.

Please note: If you do not want to address this topic in your survey response, simply scroll to the bottom of this page and click on the “Next page” button.

Thinking about your experiences while on duty during the Freedom Convoy 2022 events, please indicate to which extent you agree or disagree with each of the following statements.

Mobilization of employees



	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
My job responsibilities, duties, and expectations were made clear to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My job schedule was made clear to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I had a clear understanding of my command structure.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I received regular communication about changes in events or RCMP activities that affected my role(s).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There were enough resources in my command structure to undertake the duties required.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My duties were manageable within the assigned working hours.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Morale and support

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
I understood how my work supported my command structure's mandate.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Morale was positive within my command structure.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt respected and valued by my supervisor.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt respected and valued by my colleagues.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The pressure of my duties was manageable.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was consulted and/or able to provide feedback on matters related to my role(s) in RCMP activities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I had access to sufficient wellness (including mental health) support during my deployment.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Training requirements

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
I had adequate training to perform my duties effectively and efficiently.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Based on previous training you had received, how well prepared did you feel to apply public order tactics during the Freedom Convoy 2022 events?

- Well prepared
- Somewhat prepared
- Slightly prepared
- Not at all prepared

Please explain why you felt unprepared to apply crowd control tactics.

Based on previous training you had received, how well prepared did you feel to apply the use of force during the Freedom Convoy 2022 events?

- Well prepared
- Somewhat prepared
- Slightly prepared
- Not at all prepared

Please explain why you felt unprepared to apply the use of force.

Which of the following routine certifications, needed to undertake your role(s) within your command structure, were **not** up-to-date during the Freedom Convoy 2022 events?

Select all that apply.

- Annual Firearms Qualification
- Carbine Operator
- Conduced Energy Weapon
- First Aid
- Indoor Immediate Action/Rapid Deployment
- Initial Critical Incident Response
- Operational Skills Maintenance
- Outdoor Immediate Action/Rapid Deployment
- Physical Abilities Requirement Evaluation
- Other, please specify:
- Prefer not to answer

Safety measures and equipment

Thinking about your experiences while on duty during the Freedom Convoy 2022 events, please indicate to which extent you agree or disagree with the following statement.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
I had all the uniform, kit, tools, and technology required to safely and effectively undertake my role(s) during the Freedom Convoy 2022 events.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify which uniform, kit, tools and technology was needed and not available to you to safely and effectively undertake your role(s) during the Freedom Convoy 2022 events.



Reflections on lessons learned

As a reminder, the four topic areas explored in this survey include:

- Information sharing
- Cooperation and coordination
- Authorities of peace officers
- Health and safety of employees

Challenges, priorities to do differently: Reflecting on your experiences while on duty during Freedom Convoy 2022 events, what actions could the RCMP take to help improve members' and employees' ability to respond to comparable events in the future?

(250 characters max)

Worked well, priorities to continue to do: Reflecting on your experiences while on duty during Freedom Convoy 2022 events, what actions taken by the RCMP helped members' and employees' ability to respond to these events?

(250 characters max)

Demographic

We are collecting some information on the socio-demographic characteristics of survey respondents. This information will be used to help support our analyses of equity, diversity and inclusion as it relates to this survey. Your participation is voluntary and your responses will be kept confidential.

What is your age group?

- 24 years and under
- 25 to 29 years
- 30 to 34 years
- 35 to 39 years
- 40 to 44 years
- 45 to 49 years
- 50 to 54 years
- 55 to 59 years
- 60 years and over
- Prefer not to answer

Self-declaration to one or several designated employment equity groups through this survey is done purely on a voluntary basis. Data collected through this survey will be used exclusively to analyze survey results and does not otherwise modify self-identification data held by the RCMP for the purpose of implementing the *Employment Equity Act*.

What is your gender?

- Woman
- Man
- Another gender
- Prefer not to answer



Are you an Indigenous person?

- Yes
- No
- Prefer not to answer

Are you a person with a disability?

- Yes
- No
- Prefer not to answer

Are you a member of a visible minority group?

- Yes
- No
- Prefer not to answer



Appendix C: Survey results

Employee survey – NATTERJACK – September 2022

Approach

- **Dissemination:** The questionnaire was drafted by National Program Evaluation Services and administered in an online format (Simple Survey) by the Survey Centre. Communications drafted invitation messages, and posted the link to complete the survey on Infoweb. The survey was sent by email to all employees of the RCMP and included an introductory note and a link to the online survey in both English and French. The survey was in the field from September 6, 2022 (launch) to October 7, 2022 (deactivated) - duration 5 weeks.
- **Response rate:** A total of 2139 individuals responded (fully or partially) to the survey. Respondents who reported that they did not have a role in the Freedom Convoy events were excluded from the analysis (n=498) leaving a total of 1641 survey responses included in the analysis of results.

Coordination and collaboration

Results:

- Decisions made by RCMP management were well-communicated within the organization – Agree: 37%; Neither agree nor disagree: 22%; Disagree: 39%; Not Applicable: 2%
- My command structure aligned well with other lines of effort (e.g. other sections and/or command structures) within the RCMP – Agree: 52%; Neither agree nor disagree: 20%; Disagree: 24%; Not applicable: 4%
- My command structure worked well with other policing, security and enforcement agencies, including other police of jurisdiction (e.g. Ottawa Police Services) – Agree: 51%; Neither agree nor disagree: 21%; Disagree: 15%; Not applicable: 13%
- My command structure worked well with domestic and international intelligence agencies – Agree: 31%; Neither agree nor disagree: 29%; Disagree: 9%; Not applicable: 31%

Analysis of results:

- **Biggest concern was communication: Almost 40% of respondents disagreed that decisions made by RCMP management were well-communicated within the organization.**
- Leadership: Some respondents indicated the management team worked well and the command structure was effective, while others indicated that there was a need for better leadership generally, as decision making and communication were slow.
- Lack of pre-planning: Concerns were identified about the need for more readiness/planning, including: protocols (standard operating procedures, best practices, table-top exercises), and pre-established tracking tools (for personnel and equipment).
- Supervision (mixed): Strong team leaders (divisions, supervisors) communicated well, were collaborative, and provided clear tasking directions. In some spaces, there was also need for clearer communication of roles and lines of reporting, and better internal liaison/integration.



- External partners (mixed): Some respondents indicated there was good collaboration with external partners, while others indicated it could have been timelier and more meaningful.

Information sharing

Analysis of results:

- Many respondents agreed that the information they received to support their role(s) was relevant (66%), accurate (61%), and timely (55%).
- **Biggest concern was timeliness. About one-third of respondents (30%) disagreed that the information they received to support their work was timely (received when needed).**

Mobilization

Analysis of results:

- Respondents disagreed - My duties were manageable within the assigned working hours (31%); My schedule was made clear to me (29%); I received regular communication about the changes in events or RCMP activities that affected my role (29%).
- **Biggest concern was scheduling: Some respondents indicated scheduling was effective, others identified concerns: short notice, lack of flexibility.**
- Logistics: Some respondents indicated logistics were well planned and communicated, others had concerns: quality and availability of meals and refreshments, unsuitable accommodations and a lack of access to washrooms.
- Required resources: Some respondents indicated staffing was effective, others indicated capacity gaps in available resources (staffing, supplies).

Training

Results:

- Based on previous training you had received, how well prepared did you feel to apply public order tactics during the Freedom Convoy 2022 events?
 - Well prepared: 31%
 - Somewhat prepared: 34%
 - Slightly prepared: 16%
 - Not at all prepared: 19%
- Based on previous training you had received, how well prepared did you feel to apply the use of force during the Freedom Convoy 2022 events?
 - Well prepared: 56%
 - Somewhat prepared: 30%
 - Slightly prepared: 7%
 - Not at all prepared: 7%

Analysis of results:

- More respondents indicated they felt well prepared or somewhat prepared to apply the use of force (86%) versus apply public order tactics (65%).



- **In terms of areas for improvement, about 35% of respondents indicated they were only slightly prepared (16%) or not at all prepared (19%) to apply public order tactics.**
- Generally, most respondents (70%) agreed that they had adequate training to perform their duties effectively and efficiently. 14% of respondents disagreed.
- The majority of certifications were up-to-date. Physical Abilities Requirement Evaluation (10%) and Conducted Energy Weapon (8%) were the two out-of-date routine certifications identified by the most respondents.

Equipment

Results:

- I had all the uniform, kit, tools, and technology required to safely and effectively undertake my role(s) during the Freedom Convoy 2022 events.
 - o Agree: 63%
 - o Neither agree nor disagree: 8%
 - o Disagree: 14%
 - o Not applicable: 15%

Analysis of results:

- Many respondents (63%) indicated they had all the uniform, tools, and technology required to undertake their roles. About 14% of respondents disagreed.
- **Biggest concern was uniform and kit: more and better-quality cold weather gear (jackets, gloves, boots, balaclava), and high visibility or public order gear (e.g. shields, bump helmets, etc.).**
- On-site equipment: reliable communications (e.g. police radios), weapons (e.g. Conducted Energy Weapon), and surveillance equipment (e.g. body worn cameras).
- Computer equipment: more and better-quality computer hardware (laptops, internet connections) and software (e.g. tracking social media).
- Vehicles: needed some specialized heavy equipment to remove vehicles

Morale and support

Analysis of results:

- **Biggest challenge: 31% of respondents disagreed they were consulted and/or able to provide feedback on matters related to their role.**
- Strong comraderies: There was trust and teamwork among colleagues.
- Direction: Some respondents indicated joining instructions and assignments were effective, while others experienced a lack of clear, consistent and timely direction.

Authorities

Analysis of results:



- **Only about half of respondents (53%) indicated that authorities available for peace officers were sufficient to effectively do their job.**
- Some respondents indicated the Emergencies Act, and briefings on it, were effective. Others indicated concerns such as no clear definition or understanding of their authorities, and too much political intervention.



Appendix D: Quick reference charts

Ottawa truck demonstration

Situation: A large volume of trucks arrived in the downtown core of Ottawa on January 28th, 29th and 30th. The trucks remain in the downtown core causing traffic disruptions and ongoing disruptions to the daily lives of Ottawa residents.

Mission: Using an integrated response, the Ottawa Police and policing partners will keep the peace, enforce legislation, and maintain public safety for the duration of the Ottawa Truck Demonstration, with the utmost respect to the individuals *Charter of Rights and Freedoms* with priority on community and emergency services personnel safety and well-being.

Execution – main action plan: To de-escalate and negotiate the peaceful resolution and demobilization of the truck demonstration. Officers are expected to act professionally and use de-escalation techniques. Officers have full discretion to take appropriate action on any offences as laid out in various legislation and orders, consult with your command as required.

Authorities: Obstruct Police; Breach of the Peace; Causing a Disturbance (Impeding another person); Mischief; Intimidation; Statutory Civil Disobedience (Sections 30, 31, 35, 65, 66, 127, 129, 175, 180, 264.1, 266, 270 (1), 351 (2), 423 (1)(c), 421(1)(g), 430(1); Highway Traffic Act (Sections 132 (1), 134 (1), 134.1 (1); Arrests without Highway Traffic Act (Section 217(2) – ss 9(1), 12(1), 13(1), 33(3), 47 (5), 47(6), 47(7), 47(8) – 51, 53 – ss 106(8.2), 130, 172, 184 – ss 185(3), clause 200(1); R.S.O. 1990, c. H.8, s. 217 (2); 1993, c. 40, s. 8; 2009, c. 5, s. 56; R:S.O. 1990, c. H.8, s. 217 (4); R.S.O. 1990, c. H.8, s. 217 (5)

Admin: Records Management System CASE#: 22-17557. Use hashtag #Convoy in closing remarks on all reports and CAD calls related to the demonstration. OPS OT code: 0000CONVOY. Cost Centre: 124167

Comms/command: Event Commander: Superintendent Rob Bernier



Service de Police d'Ottawa

Avis aux participants à la manifestation

C'est une infraction criminelle que d'empêcher, d'interrompre ou de gêner volontairement l'emploi, la jouissance ou l'exploitation légitimes d'un bien.

On appelle cette infraction un méfait à l'égard des biens.

L'acte illégal de bloquer des rues dans le centre-ville a pour conséquence que des gens soient privés de l'emploi, de la jouissance et de l'exploitation légitimes de leur bien.

Nous vous prévenons que quiconque bloquera des rues, ou qui aidera d'autres à le faire, pourrait de ce fait commettre une infraction criminelle.

Vous devez donc cesser immédiatement toute activité illégale ou être sinon passible de devoir répondre d'accusations.

Vous pourriez être arrêté sans mandat pour cette infraction si vous êtes impliqué dans une infraction ou aidez autrui, directement ou indirectement, à la perpétration de cette infraction.

Que vous soyez ou non libéré sous caution dépendra de facteurs figurant dans la partie XVI du *Code criminel*.

Tout bien lié à l'infraction, y compris des véhicules, peut être saisi comme faisant partie de l'infraction. Les véhicules peuvent être retenus et, à la suite d'une condamnation, possiblement confisqués.

Les accusations ou condamnations liées à la manifestation peuvent entraîner une interdiction de franchir la frontière des États-Unis.

//

Ottawa Police Service

Notice to demonstration participants

It is a criminal offence to obstruct, interrupt or interfere with the lawful use, enjoyment, or operation of property.

The offence is known as mischief to property.

The unlawful act of blocking streets in the downtown core is resulting in people being denied the lawful use, enjoyment and operation of their property.

We are providing you notice that anyone blocking streets or assisting others in the block of streets may be committing a criminal offence.

You must immediately cease further unlawful activity or you may face charges.

You could be arrested without a warrant for this offence if you are a party to the offence or assisting others in the direct or indirect commission in this offence.

Whether you are released on bail depends on factors contained in Part XVI of the *Criminal Code*.



Offence-related property, including vehicles, may be seized as part of the offence. The vehicles may be detained and, following a conviction, possibly forfeited.

Charges or convictions related to the unlawful activity associated with the demonstration may lead to denial in crossing the USA border.



Quick Reference Chart					
	City injunction	Private injunction	Emergency legislation (provincial)	<i>Criminal Code</i>	<i>Highway Traffic Act</i>
Who	Anyone with notice	Anyone with notice	Anyone	Anyone	Anyone
Prohibited conduct/authorities	<ul style="list-style-type: none"> No open fire without a permit No discharge firecrackers/ fireworks No noise disruption No blocking or damaging road No physically counselling or preventing others from complying with order In downtown demonstration zone: No idling for more than 3 minutes in a 60 minute period (unless the vehicle is occupied and it is -15 or colder) Outside downtown demonstration zone: No idling for more than 3 	<ul style="list-style-type: none"> No use of airhorns or train horns (unless in professional capacity (i.e. firetruck, delivery, etc.)) 	<ul style="list-style-type: none"> Prohibits interference with critical infrastructure (i.e. 400-series highways, airports; canals; hospitals, etc.) Prohibits interference 	<ul style="list-style-type: none"> Mischief Nuisance Unlawful protest Obstruct Disobey court order FTC Recogn 	<ul style="list-style-type: none"> Police officer may direct traffic; to ensure orderly movement of traffic; prevent injury/ damage (134 Highway Traffic Act) Police officer may remove a vehicle to ensure orderly movement of traffic; prevent injury or damage (134.1 Highway Traffic Act) Police officer in lawful execution of duties may require driver of vehicle to stop (216(1) Highway Traffic Act) <p>*For roadway regulation and safety purposes</p>



	minutes in a 60 minute period (unless the vehicles is occupied and it is -5 or colder)				
--	--	--	--	--	--



Quick Reference Chart					
	City injunction	Private injunction	Emergency legislation (provincial)	<i>Criminal Code</i>	<i>Highway Traffic Act</i>
Geographical locations	City of Ottawa	Vicinity of downtown Ottawa (being any streets north of Highway 417)	Province of Ontario	Canada-wide	Province of Ontario
Power of arrest	<i>Criminal Code</i> Section 127 disobey a court order; or a civil arrest	<i>Criminal Code</i> Section 127 disobey a court order; or a civil arrest if individual refuses to sign written agreement	<i>Criminal Code</i> Section 129 obstruct when applicable. The Emergency Order does not create powers of arrest	<i>Criminal Code</i>	<i>Highway Traffic Act</i> Section 217(2) if police officer, on reasonable & probable grounds, believes contravention of section 216(1) occurred, may arrest without warrant
Time frame	Expires when City brings motion to amend	60 days from February 16, 2022	Revoked on February 26, 2022	Indefinite	Indefinite



This is **Exhibit "O"** to the Affidavit of **Vincent Gircys** sworn remotely by Vincent Gircys of the Village of Fonthill in the Province of Ontario before me at the City of Calgary in the Province of Alberta, on the 14 day of June, 2024, in accordance with O. Reg. 431/20, *Administering Oath or Declaration Remotely.*



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

RCMP officers uncomfortable with political pressure, Emergencies Act during Freedom Convoy: internal report

By **Cosmin Dzsurdzsa, True North Wire** - May 13, 2024



Source: X

An RCMP review of the federal police response to the 2022 Freedom Convoy reveals that officers were uncomfortable with the unprecedented invocation of the Emergencies Act and felt immense pressure from government officials.

The report titled, "National After-Action Review into the RCMP's response to the 2022 Freedom Convoy," was [made public](#) last week.

One of the key concerns raised by officers involved in the response was that they were uncomfortable in exercising the additional powers granted to police by Prime Minister Justin Trudeau's invocation of the Emergencies Act.

"Respondents felt it was unclear what impact the invocation of the Emergencies Act had on the police response and police authorities. Furthermore, some respondents expressed they felt uncomfortable applying the peace officer authorities granted once the Emergencies Act was invoked as they did not feel that they had a clear understanding of those authorities," wrote the RCMP.

indicated they felt uncomfortable enforcing certain legislation because the police of jurisdiction did not appear to be taking enforcement action.”

Although the Liberal government maintained that the police were independent and at arm’s length from government officials, officers responding to the protest reported that the need to provide hourly intelligence updates for ministers and the government’s politicization of policing harmed their efforts.

“Interviewees also indicated that there were issues with information and intelligence that was disseminated to external Government of Canada agencies. Specifically, some Government of Canada partners would misrepresent the information or misattribute third-party information as RCMP information,” the report reads.

As noted by the report, federal ministers often requested intelligence from the police and misinterpreted the data for their own ends.

“Interviewees often noted that various Government of Canada partners would reach in directly to specific intelligence teams and or individuals for information which did not respect the RCMP chain of command or established protocols for requesting information from the RCMP,” it continued.

At the height of the Liberal government’s response to the Freedom Convoy, then public safety minister Marco Mendicino claimed the police faced no pressure from the government and were entirely independent.

“The community expects the law to be obeyed and public safety to be upheld. The federal government has been there from day one to support the City of Ottawa and the Ottawa Police Service, and the RCMP has provided officers and other additional resources. It is important to note that operational decisions are made by the police, independent from the government,” Mendicino assured the House of Commons on Feb. 7, 2022.

Except respondent RCMP officers expressed in post-response interviews that they felt the pressure from the Liberals was “high” and their role was

“The pressures from government and the public to resolve the blockades were high during the convoy,” the report reads.

“Interviewees and survey respondents felt that the police response to the convoy events were highly politicized. This was particularly the case with respect to the convoy events in the National Capital Region, where various elected officials and senior Government of Canada officials were of the view that it was the RCMP’s responsibility to resolve the blockades in Ottawa.”

Additionally, RCMP respondents said that the intelligence provided to their respective task force was of dubious quality and had an overreliance on legacy media reports.

“According to survey results, intelligence dissemination was not always timely or accessible. Specifically, respondents noted that they would receive information about various threats through media reporting and various social media pages rather than directly from the RCMP,” the report reads.

At the time the legacy media [frequently cited](#) partisan groups like the Canadian Anti-Hate Network whose director was found to have spread a false narrative that an antisemitic flyer was present at the protest. In reality, the photograph was from an unrelated protest in Miami.

Media also reported a [false claim](#) that protesters involved with the Freedom Convoy were responsible for an attempted arson of a downtown Ottawa apartment building. Later investigation showed it had nothing to do with the protest.

Media reporting that relied on misinformation was even criticized by the final report produced by Public Order Emergency Commissioner Paul Rouleau.


“I am also satisfied that there was misinformation about the Freedom Convoy, which was used as a basis to unfairly discredit all protesters,” wrote Rouleau.

was prone to amplification in news media.”

Author

Cosmin Dzsurdzsa, True North Wire

This is **Exhibit "P"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law



News / Canada

Richard Warman's hate speech quagmire

Richard Warman, who has brought a total of 16 hate speech cases to the Canadian Human Rights Tribunal over the last decade, has only lost once, but he lost so big he may never win such a case again

Joseph Brean

Published Jan 13, 2012 • 5 minute read



Richard Warman, one of Canada's most prominent human rights lawyers. PHOTO BY DARREN CALABRESE/NATIONAL POST

Human rights lawyer Richard Warman, who embodies Canada's discomfort with its own hate speech laws, talks about his online undercover work against white supremacists the way some people talk about a youthful drug habit, as a foible not quite eclipsed by maturity, but distant enough to seem like someone else's problem.

"There was a brief period in 2004-2005 where I created pseudonyms on a couple of neo-Nazi forums in order to try and gather further information that would help to identify the individuals that I felt were violating [Section 13, the hate speech section of the Canadian Human Rights Act]," he said in an interview this week. "I tried to be very careful."

STORY CONTINUES BELOW

Though later denounced by the Canadian Human Rights Tribunal as “disappointing and disturbing,” this freelance espionage was nevertheless a legal method of gathering information on people who were ultimately found guilty of hate propaganda and ordered to stop. And just like Mr. Warman’s dominance of Canadian hate speech tribunals over the last decade, it was an unintended consequence of a hate speech law that allows anyone to complain about messages that are “likely to expose” identifiable groups to “hatred or contempt.”

TRE
1

[np-related]

Mr. Warman, who has brought a total of 16 hate speech cases to the Canadian Human Rights Tribunal over the last decade, has only lost once, but he lost so big he may never win such a case again.

2

“I tried to make sure that I was not approaching that line [of entrapment, or participation in hate speech], and I did my best to avoid anything that might look that way,” he said of his Nazi posing. “In hindsight, there are easy ways to look back and dissect whatever actions you’ve taken seven or eight years ago.... It was always a means of last resort, but I think [in future] it would be a very far-off distant means of last resort, because the benefit did not outweigh the issues that it subsequently created.”

3



NP Posted

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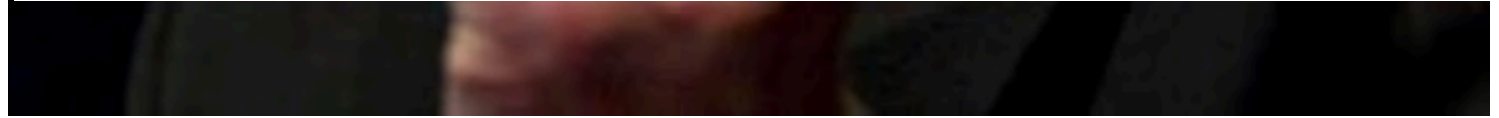
STORY CONTINUES BELOW

That is an understatement. Ever since the federal government announced its intention to repeal Section 13, and two courts heard cases that could also kill it, Canada’s noisy hate speech debate appears to be all over but the crying. Even Mr. Warman’s big loss, in the case of webmaster Marc Lemire, could prove little more than a convoluted sideshow.

So when Mr. Warman took the stage in Toronto this week to argue in support of Section 13 against the head of the Canadian Civil Liberties Association at an event sponsored by a new Jewish group, the Centre for Israel and Jewish Affairs, there was a sense of futility in the room. This was no “congress,” as the host grandly said, coyly usurping the name of CIJA’s predecessor, the Canadian Jewish Congress, which once gave Mr. Warman a major award. This was not even a seminar. This was a pantomime, with Mr. Warman as the villain.

He may be the only person to successfully use Section 13 in the last decade, and the focal point of its criticism, but Mr. Warman is cagey about accepting blame for its likely death. His undercover work is only a scandal for people who are “looking for a new club to beat the human rights system with,” he said. In those cases it is not even a legitimate argument, merely “subterfuge” for an anti-human rights agenda.





He knows his cartoonish reputation, and the “mystical” powers of censorship that are ascribed to him by critics. But he also knows the legal system, and that in reality it is near impossible to censor even the most vile voice. This is his basic justification for Section 13, because nothing else works.

To the point that the Criminal Code already has a hate propaganda section, which is mostly uncontroversial because it offers all the traditional legal safeguards and prosecutions require government approval, he said: “Only someone who has never tried to get criminal hate propaganda charges laid could ever say that... There is an institutional reluctance to lay these charges.”

That reluctance is also evident at the Canadian Human Rights Commission, which suspended Section 13 cases pending the outcome of a legal review. Although it can launch cases of its own, it has done so only once, which is how Canada ended up with a hate speech monitoring regime operated by a civilian, a private inquisition of one, with all the risks that entails, including real threats to Mr. Warman’s own life.

STORY CONTINUES BELOW

‘They were all self-nominating targets. I didn’t go particularly looking for anyone. They were already out there posting their hate propaganda on the Internet’ — Richard Warman

“It’s subjective opinion, right,” Mr. Warman said when asked about his confidence in what he was doing. “I was 100% confident in my own abilities,” he said. A few minutes later, he pointed out he was being facetious. Even still, it is hard to doubt the sentiment, given that he won 15 in a row.

“They were all self-nominating targets. I didn’t go particularly looking for anyone. They were already out there posting their hate propaganda on the Internet,” he said. “I would do it, in effect, on a triage basis. So I would take the worst offenders, or the individuals and groups who were in a leadership position, and then say ‘How do you structure this in a way that you address the worst problem initially, and work your way down. In a sense, I never got beyond the black letter law, because virtually all the cases I dealt with involved either the promotion or incitement to ethnic cleansing or genocide. I never ran out of bright red targets to address, so I never had to question myself, as to saying whether, well, this is getting a little grey, it’s a little weak, maybe this is something that doesn’t merit a human rights complaint. It was always situations where there was a crystal clear violation of the law.”

Mr. Warman said he thinks Section 13 has made it harder for hate groups to organize in Canada. This may be so, but as it teeters toward final judgment in Parliament and the courts, the only certainty about Section 13 is that Mr. Warman’s clarity is a thing of the past.

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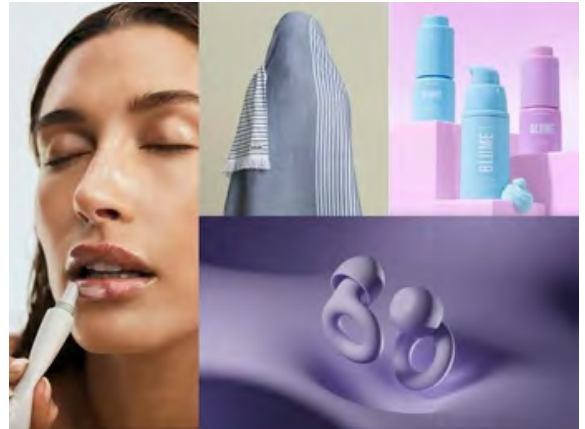
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This is **Exhibit "Q"** to the Affidavit of **Vincent Gircys** sworn remotely by Vincent Gircys of the Village of Fonthill in the Province of Ontario before me at the City of Calgary in the Province of Alberta, on the 14 day of June, 2024, in accordance with O. Reg. 431/20, *Administering Oath or Declaration Remotely*.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

2009 CHRT 10, 2009 TCDP 10
Canadian Human Rights Tribunal

Warman v. Northern Alliance

2009 CarswellNat 5326, 2009 CarswellNat 581, 2009 CHRT 10, 2009 TCDP 10

**Richard Warman, Complainant and Canadian Human Rights Commission,
Commission and Northern Alliance and Jason Ouwendyk, Respondents**

E.P. Lustig Member

Heard: August 18-20, 2008

Judgment: March 13, 2009

Docket: T1216/2807, T1217/2907

Counsel: Richard Warman, for himself
No one for Canadian Human Rights Commission
Paul Fromm, for Respondent, Jason Ouwendyk
No one for Respondent, Northern Alliance

Subject: Constitutional; Human Rights

Related Abridgment Classifications

Human rights

III What constitutes discrimination

III.2 Sex

III.2.e Sexual orientation

III.2.e.vi Miscellaneous

Human rights

III What constitutes discrimination

III.3 Race, ancestry or place of origin

III.3.e Communicating racist or hateful messages against identifiable group

Human rights

III What constitutes discrimination

III.4 Religion

III.4.c Miscellaneous

Human rights

III What constitutes discrimination

III.7 Disability

III.7.b Mental disability

III.7.b.vi Miscellaneous

Headnote

Human rights --- What constitutes discrimination — Sex — Sexual orientation — Miscellaneous issues

Human rights --- What constitutes discrimination — Race, ancestry or place of origin — Communicating racist or hateful messages against identifiable group

Human rights --- What constitutes discrimination — Religion — General principles

Human rights --- What constitutes discrimination — Handicap — Mental handicap — General principles

Table of Authorities

Statutes considered:

Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3

Generally — referred to
Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (U.K.), 1982, c. 11

Generally — referred to

s. 1 — referred to

s. 2(a) — referred to

s. 2(b) — referred to

s. 2(d) — referred to

s. 7 — referred to

Canadian Human Rights Act, R.S.C. 1985, c. H-6

s. 2 — referred to

s. 3 — referred to

s. 13 — referred to

s. 13(1) — pursuant to

s. 13(2) — referred to

s. 41(1)(e) — referred to

s. 44(3) — referred to

s. 44(3)(a) — referred to

s. 49(1) — referred to

s. 49(2) — referred to

s. 51 — referred to

s. 54(1) — referred to

s. 54(1)(a) — referred to

s. 54(1)(b) — referred to

s. 54(1)(c) — referred to

s. 54(1.1) [en. 1998, c. 9, s. 28] — referred to

E.P. Lustig Member:

I. The Complaints

1 This is a decision regarding two complaints filed by Richard Warman against the Northern Alliance and Jason Ouwendyk on January 21, 2006 alleging that the Respondents discriminated against persons or groups of persons on the basis of religion, sexual orientation, race, colour, national or ethnic origin and disability by repeatedly communicating messages through an Internet website that would likely expose Muslims, Hindus, Jews, gays and lesbians, East Asians, Hispanics, blacks, Arabs, and

other non-whites, Somalians, Eastern Europeans, Roma (aka Gypsies), and the mentally and physically disabled to hatred and/or contempt contrary to s. 13 (1) of the *Canadian Human Rights Act* (the "Act").

2 The complaints allege that the impugned conduct occurred between September 29, 2002 and the Fall of 2005. None of the examples of impugned messages included with the complaints appear to have been posted on the Internet website after January 2004. Reference, however, was also made in the complaints to photographs that were designed to expose persons or groups of persons to hatred or contempt on the basis of discriminatory grounds that according to archival information allegedly were available on the Internet until March 5, 2005.

3 The inquiry by this Tribunal into the complaints was requested by the Canadian Human Rights Commission (the "Commission") as being warranted pursuant to s. 44 (3) (a) of the *Act* by letter dated April 5, 2007. On receipt of such a request, pursuant to s. 49 (2) of the *Act*, the Chair of the Tribunal is required to institute an inquiry. On November 30, 2007 the Tribunal directed that both complaints would be consolidated and heard together in one hearing. Notice of the hearing was given to the parties on May 30, 2008.

II. Preliminary Issues

A. Withdrawal by the Commission

4 Following its request that the Tribunal institute an inquiry, the Commission vigorously participated in the pre-hearing phase of this matter through its counsel until August 11, 2008 - one week before the hearing was scheduled to begin. On August 11, 2008, Mr. Daniel Poulin, Counsel for the Commission, advised the Tribunal and the parties in a three line letter that "... in light of the change of circumstances ... the Commission will no longer participate in the present hearing."

5 On August 12, 2008, following a request by the Tribunal for more information regarding the Commission's decision to no longer participate, Mr. Poulin wrote a letter to the Tribunal and the parties advising that "... in all of the circumstances, there is no longer a public interest justifying the Commission's participation in this matter". The "circumstances" cited by Mr. Poulin were that:

(i) the material that formed the basis of the impugned conduct was no longer on the Internet; and

(ii) as a result of the acceptance by the creditors of a Consumer Proposal of Mr. Ouwendyk in December of 2004 under the *Bankruptcy and Insolvency Act*, (the "Consumer Proposal"), the financial claims (both the claim for pain and suffering and the penalty) of Mr. Warman against Mr. Ouwendyk in this matter were stayed. In the material attached to Mr. Poulin's letter there was a letter from the Administrator of the Consumer Proposal wherein he indicated that Mr. Warman was a creditor of Mr. Ouwendyk and was receiving dividends from the Consumer Proposal.

6 At the request of the Tribunal, Mr. Poulin appeared on behalf of the Commission at the outset of the hearing. In elaborating on the reasons for the Commission's decision to no longer participate in the hearing, Mr. Poulin advised that:

(i) The impugned material that was the subject of the complaints was no longer available on the Internet and had not been available for some time; and

(ii) The Internet website and the domain name www.northernalliance.ca which was the website referred to in the complaints had been sold some time earlier to a third party that was not related to the Northern Alliance or any person, including Mr. Ouwendyk, related to the Northern Alliance; and

(iii) As a result of the Consumer Proposal the Tribunal could not issue Orders in respect of financial claims against either Respondent (Mr. Ouwendyk being the agent or the only member served and possibly representing the Northern Alliance) as such claims would be stayed.

(iv) On the basis of the above noted considerations, as well as others that Mr. Poulin was not able to share, it was the Commission's position that neither Orders to cease and desist or for financial remedies would be effective in respect of the Respondents and, as such, there was no public interest for the Commission to continue to participate in the hearing.

7 As a result of the Commission's withdrawal, the record was amended to remove the Commission as a party. Mr. Fromm, on behalf of Mr. Ouwendyk, requested that the complaint be dismissed as a result of the Commission's decision not to participate. As Mr. Warman was present and prepared to proceed, I ruled that the matters would proceed with Mr. Warman acting on his own behalf against Mr. Ouwendyk who was present and represented by Mr. Fromm and against the Northern Alliance who did not appear and were not represented but who had received proper notice of the hearing. Mr. Fromm also requested that the complaint be dismissed on the basis that the impugned conduct occurred more than one year before the complaint was filed.

8 Section 51 of the *Act* has been interpreted to allow the Commission to not continue to participate in a hearing if, in its opinion, it is not in the public interest to do so. This does not affect a prior decision by the Commission under s. 44 (3) (a) and s. 49 (1) of the *Act* to request the Tribunal to institute an inquiry on the basis that it feels that it is warranted to do so. The Tribunal is obliged by virtue of s. 49 (2) of the *Act* to institute an inquiry following the request by the Commission to do so and to hold a hearing in respect thereof. The Tribunal has no authority or jurisdiction to not hold a hearing as a result of a decision by the Commission to withdraw from participating in the hearing after the inquiry has been requested. The Consumer Proposal of Mr. Ouwendyk under the *Bankruptcy Act* may be a stay of proceedings in respect of financial claims related to the complaints. However, it does not preclude the Tribunal from holding an inquiry as requested by the Commission into the complaints. It is to be noted that following the withdrawal from the proceedings by the Commission, the Complainant amended his Statement of Particulars to remove the financial claims against Mr. Ouwendyk. Finally, a decision by the Commission to request an inquiry by the Tribunal where the alleged conduct occurred more than a year before the complaint was filed is contemplated by ss. 41 (1) (e) and 44 (3) of the *Act*. Again, in these circumstances, the Tribunal is required to hold a hearing.

9 In spite of the foregoing, it is troubling that the Commission decided not to participate in the hearing less than one week before its commencement. The Commission was aware as early as February of 2008 when Mr. Ouwendyk filed his Statement of Particulars that he maintained that the impugned material had been taken off the Internet sometime earlier and was no longer available, and that he had made a Consumer Proposal that Mr. Warman was participating in as a creditor. These facts were referred to in paragraphs 2 and 5 of Mr. Ouwendyk's Statement of Particulars of February 5, 2008 which was delivered to the Commission over six months prior to a decision by the Commission to not participate in the hearing.

B. Ruling by the Tribunal on Charter Challenge of Jason Ouwendyk

10 On May 8, 2008 the Chair of the Tribunal, Mr. J. Grant Sinclair made a ruling with respect to a Notice of Intention filed by Mr. Ouwendyk to question the constitutional applicability, validity and effect of ss. 13, 54 (1) and 54 (1.1) of the *Act*, wherein he alleged that these provisions violated ss. 2 (a), 2 (b), 2 (d) and 7 of the *Canadian Charter of Rights and Freedoms* and that they were not saved by s. 1 thereof. In his ruling, Chair Sinclair noted that in *Warman v. Lemire*, Tribunal File T1073/5405, another s. 13 case already underway, the respondent had raised a virtually identical *Charter* challenge to the same provisions of the *Act*. Accordingly, Chair Sinclair ruled as follows:

The Tribunal therefore directs that the hearing into this complaint should proceed at this time, but solely on the evidence regarding the complaint's allegations. The hearing on the question of the constitutional validity of the impugned sections of the *Act* will be deferred pending the outcome in *Lemire*. If the complaint is substantiated, the Tribunal will not issue any order until the final determination by the Courts of the constitutional question.

11 Accordingly, this hearing was held solely on the evidence regarding the allegations contained in the complaints.

III. Decision

12 For the reasons set out below, I have determined that the complaints against the Respondents Jason Ouwendyk and the Northern Alliance have been substantiated.

IV. Section 13 of the Act

13 In order for a complaint under s. 13 (1) to be substantiated, it must be established that matter:

- that is likely to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination;
- was communicated telephonically or caused to be so communicated, repeatedly, in whole or in part by means of the facilities of a telecommunication undertaking within the legislative authority of Parliament;
- by a person or group of persons acting in concert.

14 Prohibited grounds of discrimination include religion, sexual orientation, race, colour, national or ethnic origin and disability (s. 3).

V. What Are the Impugned Messages in This Case?

15 Mr. Warman testified on his own behalf. He was the only witness to give evidence in this case. He is an experienced lawyer who has spent a good deal of time and effort researching and pursuing persons or groups of persons whom he believes are responsible for hate messaging.

16 Mr. Warman's evidence involved going through a binder of proposed exhibits that had been prepared for this case by the Commission while it was still involved in the case. Mr. Warman submitted several other documents in evidence that did not appear in the Commission's binder, including several documents that he had previously given to the Commission but had not been included with the binder in spite of having been referred to in the original complaints. The binder included almost entirely pages from the Northern Alliance Website www.northernalliance.ca (and related or linked Websites) including photographs that were downloaded by Mr. Warman during 2003. Aside from the photographs which were in a "Photo Gallery" of the Northern Alliance Website, many of the pages downloaded and entered as exhibits were from the Northern Alliance "Forum", a chat room where members could develop "threads" on subjects that could then be discussed by postings from members. According to Mr. Warman, the Northern Alliance Website was managed by Mr. Ouwendyk as the administrator. To participate in the chat and post, one had to be a member, however, membership was not difficult to obtain and anyone could view the postings by simply clicking onto www.northernalliance.ca and then clicking on "Forum". According to Counsel for the Commission this Website has been sold to an unrelated third party and has not been in existence for a number of years - probably as far back as the beginning of 2006. The site would have ceased operation before when Mr. Warman filed his complaints with the Commission.

17 Mr. Warman testified in regard to each of the downloaded pages and photographs, and he explained how, in his view, they contained hate messages that the Respondents were responsible for communicating. He also identified a number of members of the Northern Alliance as authors of the material including Mr. Ouwendyk, who participated in the Website by pseudonym and was the webmaster or administrator of the Website, according to Mr. Warman.

18 Mr. Warman highlighted passages and images from the Northern Alliance Website, including the "Forum" and a "Photo Gallery" which targeted the following persons or groups of persons on the basis of the following prohibited grounds of discrimination:

(i) Roma (aka Gypsies), Eastern Europeans - Ground: National or Ethnic Origin

19 In a thread titled "Canadian skinheads and Gypsies" downloaded in September of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during September of 2003.

...good stuff. Damn gypsy's, I hope they got deported back to the czech republic where they belong!

... we hope all eastern euro mutts are deported because they don't belong in my country!

[...]

I think someone needs to learn the difference between Eastern Europeans and Roma's.

Eastern Europeans are of Scandinavian descent while Roma are of a mongrel mix of european/asia minor ancestry.

Roma populations are higher in Romania, Hungary, and Bulgaria and then thin out as they go west and north into countries like the Czech Rep. and Slovakia and nowadays in Western countries "thanks" to the fall of the Iron Curtain. At least with the Iron Curtain, it helped keep these disgusting people on their side of the imaginary wall.

(ii) Gays and Lesbians - Ground: Sexual Orientation

20 In a thread titled "We Have To Stop The Menace!!" downloaded in November of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during November of 2003.

In today "normal" world it is okay to discriminate WHITE NON-HOMOSEXUAL MALE! But it is wrong to tell what u think about non-whites, queers and females (I have no problem with last one! I even support normal WHITE feminists)

The situation with homosexuals is same as situation with nigroes! A few years ago they afraid to sit near with white person, now they bullshiting us with their rights. Today liberals allow same-sex marriage, tomorow those dickheads will give freedom to freaks like pedophilies! Yeah, the dream of each parent is their kid wathcing 'Gay/Pedophilie Pride Parade' instead of cartoons!

[...]

We have to fight! Otherwise the world we know will disapear and our race wil be slaughtered!

In addition a picture posted on the Northern Alliance Website on July 14, 2003 showed a person at an anti-gay pride parade holding a sign that read:

There is a cure for Homosexuality - It's Aids.

(iii) Mentally and Physically Disabled -Ground: Disability

21 In a thread titled "Don't argue on the net because:" downloaded in July of 2003 from the Northern Alliance website, the following image and verbatim posts appear to have been made during May, June and July of 2003.

22 There is a photograph of a young person with Down's Syndrome running a race to the finish line with his arms open. The captions read "Arguing on the internet is like running in the Special Olympics" "Even if you win, you're still retarded" "A very special message from JRR's Shut The Fuck Up Foundation". The captions are followed by these verbatim posts:

[...]

A mongoloid.

Or should I say, intellectually disadvantaged.

[...]

A genetic defect like that Mongoloid may be White, but that does not automatically make him worthy. He is flawed and were he to reproduce, he would have genetically damaged offspring.

Perhaps we should discuss the benefits of Eugenics.

[...]

Best way to practice Eugenics without backlash is to have doctors mistreat patients than inform parents and concerned persons the patient did of complications. If the Jews can get away with killing millions of white babies via abortion doctors, I am sure others could implement similar but more usefull programs.

[...]

I support euthanasia for mongoloids and other incurable illnesses. They are of no benefit to anyone and are only a burden to all.

My God ... what a horrible creature!

Perhaps we could use it as fuel.

Good idea! There's enough of them here to turn the tables on OPEC!

23 Also in a thread titled "A Website demoting Miscegenation" downloaded in November 2003 from the Northern Alliance Website, the following verbatim post appears to have been made during November of 2003:

I am glad to see Jews are sticking to their own kind ... now if we could only setup a site like this for Niggeroids and Mongoloids we'd be all set.

(iv) Hispanics - Ground: National or Ethnic Origin/Race

24 In a thread titled "Jessica Lynch" downloaded in November of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during November of 2003.

I know many of you already know that Private Lynch is a race traitor engaged to be married to a wetback, but in case you haven't seen them together, here is a photo.

May be we can do Saving Private Lynch Part II by going down there and getting back from the spics. Who knows it may make a great movie. Anyone know where we can get our hands on a couple of Blackhawks, nightvision goggles and M16s?

(v) Chinese, East Asians - Ground: National or Ethnic Origin/Race

25 In a thread titled "Chinese Culture (pictures)" downloaded in October of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during October of 2003.

There are over one million Chinese in Canada already

[...]

Beware of the silent invasion

What defence could our 80,000 man army mount against the one million gooks living in Canada?

Sars was just a test!

26 Also, in a thread titled "Food for thought" downloaded in September, 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during September of 2003:

[...]

YOU BITCHES NEED TO WAKE UP AND FIGHT BACK! THERES NO BACK BONE IN ANY OF YOU!! BEAT DOWN A HALF BREED IN G TOWN IN 96 AND DID 2 YEARS IM A REAL CANADIAN HERO!

I remember reading about that in the newspaper. I seem to recall it being a Paki store clerk in Georgetown that was assaulted.

(vi) Blacks, Asians, Native Aboriginal persons and other Non-Whites-Ground: Race/Colour/National or Ethnic Origin

There were many postings that referred to Blacks. Among them were the following:

27 In a thread titled "certain white women" downloaded in October of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during October of 2003.

how come every time I see a white chick with a darky I just want to kill them both! is this a natural feeling to have?

[...]

It bothers me as well but I do not get mad at the guy for being with a white woman - I get more mad at the white woman.

In a thread titled "Immigrant Criminal Steals White Woman" downloaded in November of 2003 from the Northern Alliance Website, the following posts appear to have been made during November of 2003."

What else could you expect when from the multiracialists....

[...]

There have been many recent examples of race mixing sluts getting killed, raped, or abducted by their mud lovers right here in London.

You'd think this would sound off some alarm bells with the mud loving sheep!

If not, they get what they deserve.

The results of sleeping with non-Whites is apparent in London, ON this month:

The White Woman from London is this story was raped by a Nigger:

As well, other non-whites, Asians and Aboriginal persons were also targeted as follows:

28 In a thread titled "Actors' daughter dies in shootout outside club" downloaded from the Northern Alliance Website in January of 2004, the following verbatim post appears to have been made during January of 2004.

Non-White gangs are roaming Canada's streets engaging in gun battles with each other and taking the lives of White Canadians in their wake. The citizens of B.C. should form a lynch mob and oust these "Indo-Canadians" responsible for murdering a White woman. This story also shows what can happen to those who chose to betray their race and associate and protect Asian gang members.

29 In a thread titled "The Governor" downloaded in October of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during October of 2003.

[...]

Arnold is the in thing in Californicate

Will he clean it up or fuck it up? And don't just drop your opinion like some dog's calling card on the lawn and then split; explain it. Let's see how many of us really have two brain cells to rub together and what the friction produces...

[...]

It would certainly take a big man to clean up the mud-infested state that is California. Let's hope Arnie is that man.

30 In a thread titled "Manitoba university offers oboriginal arts degree" downloaded in January of 2004 from the Northern Alliance Website, the following verbatim post appears to have been made during January of 2004.

Commentary: It's good to know that there will be people with degrees in teepee building. Our country has a glut of skilled labour of that sort. With this degree, I guess a person could get a major in scalping and a minor in smoking the peace pipe.

...

(vii) Jews, Muslims and Arabs - Ground: Religion/Race/National or Ethnic Origin

Jews, Muslims and Arabs were targeted in many of the postings. Among them were the following:

31 In a thread titled "Israel's Neonazis" downloaded in November of 2003 from the Northern Alliance Website, the following verbatim post appears to have been made during November of 2003.

[...]

Screw the Jew!

32 In a thread titled "Whom do U Support In Iraq??" downloaded in November of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during November of 2003.

[...]

...U right that those muslim-shit will run to my, your home and to rest of Europe! But those impudent shit even worst than niggers!

[...]

I noticed that many people here are "okay" with muslim-scum. But guys muslim are the worst of our enemy! All drugs are coming from them (niggers just sell it on streets! They're just a pawns), half of Europe are under muslims. In France there are already a lot of WHITE PEOPLE have taken muslim religion, not so far ago there was a case to separete males and females in a swimpool, in England was case about letting muslim's females to cover their faces for photo on ID, driving license etc. (same case was in US and in Canada I believe), in Russia those scums just cut and kill Russians. Those scums multiply like rabbits, and soon ZOG will look like poor fluffy thing comparing to muslims.

[...]

Don't misunderstand: by no means do I want Arabs immigrating to Europe at the rate they are now, it is obscene, but you have to understand that this itself is a result of Europe's own ZOG's, and can be solved with any number of quick fixes once we have control..., namely through telling them to fuck off and go home...

[...]

I forgot to notice that most of muslim scum whom I talked to (quite a big number since I'm ESL guy), don't like their womens! They like White Canadian, French, Russian, German...girls. To cooperate with muslim extremist is a really great risk, and the first thing we have to do - is to get rid of all muslims in our homes!

[...]

Muslim attack whites because they see enemy in us! That is all! By the way - jews and arabs are both semites!! Even though they hate each other. Semites MUST DIE!

[...]

The muslim is not your friend. The only thing that he wants from you is your neck under his boot in the name of sharia.

[...]

You, my friend, dearly need to determine who is the greater threat. Who are breeding like rodents? If you had a muslim, a jew and only one bullet: who would you shoot??

[...]

Chu, do not be fooled. The ZIONIST is the greatest threat to our race. It is why, time after time, they have been persecuted against throughout history. Like a parasite, they have no permanent home. They cling onto a host until they kill it, and then move on in search of a new host. I give the muslims kudos, they are fierce fighters up against a multi-faced enemy.

[...]

Pakistan has nukes ... they sure do, but somehow I think they might be a bit less inclined to use them, if every word out of our diplomats' mouths were not tainted by the Star of David painted on our foreheads.

We should not pay any less attention to these countries than we do now, aside from invading them cause Israel says so. Let's get rid of every Arab who tries to bring nuclear weapons to his country ... let's forcibly show them never to challenge the West again...But how about we do it AFTER we're free and able to make our own decisions, with our own economy, and for our own benefit?

33 In a thread titled "Holofoax Rally!" downloaded in July of 2003 from the Northern Alliance Website, the following verbatim posts appear to have been made during July of 2003.

[...]

Good post connovar. Jews were persecuted for the same reasons they are today. They control a large amount of wealth and political influence and redistribute these things only to benefit themselves. By playing the anti-semitism card they forever enslave us because we are afraid to be publicly persecuted by the zionists (i.e. Zundel, Hale, Lane). Most people agree that the jews control the majority of wealth in North America ... and it is a dangerous thing when a small interest group controls the minds and pockets of the majority.

[...]

Hitler stood up against the Jews. I know a lot of media uses Hitler to make things difficult for modern white nationalists, but we musn't blame him. It's the Jews who are using Hitlers actions to keep the white race down, this is no fault of Hitler. If it hadn't been for Hitler they Jewish media would be using someone else to keep us down.

[...]

Next, I do not believe that "millions" of jews were exterminated as media would have you to believe. I also don't believe that there were over 600 thousand. I believe that 60,000 would be a more appropriate number. But the question I have is who cares?

... at least the "60,000" was a damn good start!!!!!"

[...]

34 A Photo Gallery was also posted on the Northern Alliance Website and downloaded in November of 2003 with a title page collage of photos that stated the following: "They claim that race is only a matter of skin colour and we are all equal - We tend to disagree". There then appeared a number of images or pictures which were entered into evidence as exhibits including the following prefaced by the title page:

- Women wearing what appears to be traditional middle Eastern clothing engaging in the mutilation of their children
- East Indian and other non-white males engaging in a variety of mouth or other body piercings
- Apparently African Blacks in particular washing themselves in what appears to be animal urine and drinking what appears to be animal urine
- Black children appearing to be emaciated and covered in flies
- Images of non-white males accompanied by a caption describing them as "shitskins". Apparently South Asian children shown with rats
- Men appearing to be Muslims self-mutilating themselves
- People who appear to be Chinese or East Asian slaughtering and eating cats
- Apparently Africans or East-Africans engaging in brutal bludgeoning murders and/or immolation of individuals
- Non-whites engaging in cannibalism and using their bodies to breast- feed pigs and monkeys.

VI. Analysis

A. Is the material likely to expose a person or persons to hatred or contempt by reason of the fact they are identifiable on the basis of a prohibited ground of discrimination within the meaning of s. 13 (1)?

35 The words "hatred", "contempt", "likely" and "expose" have been interpreted by the Tribunal and by the Courts.

36 In *Canada (Human Rights Commission) v. Taylor*, [1990] 3 S.C.R. 892, the Supreme Court of Canada adopted the Tribunal's definition of the words "hatred" and "contempt" as established in *Nealy v. Johnston* (1989), 10 C.H.R.R. D/6450; and *Taylor and the Western Guard Party v. Canadian Human Rights Commission and Attorney General of Canada* (1979), T.D. 1/79. "Hatred" involves feelings of active dislike, detestation, enmity, extreme ill-will and malevolence. It means, in effect, that one finds no redeeming qualities in the object of one's detestation. It does not necessarily involve the mental process of "looking down" on another or others. It is possible to "hate" someone who one feels is superior to one in intelligence, wealth, or power. "Contempt" on the other hand does involve the process of "looking down" on or treating as inferior another or others.

37 The Tribunal in *Nealy v. Johnston* stated that the use of the word "likely" in s. 13 (1) means that it is not necessary to prove that any particular individual or group took the messages seriously and directed hatred or contempt toward others. Nor is it necessary to show that, in fact, anyone was so victimized.

38 The word "expose" has been held by the Tribunal in *Taylor* and *Nealy* to be a more passive word than "incite". "To expose", in this context, means to leave one unprotected or to lay open to danger, ridicule or censure. In other words, the Tribunal has stated that, if one is creating the right conditions for hatred to flourish, leaving the identifiable group open or vulnerable to ill-feelings or hostility, if one is putting them at risk of being hated, in a situation where hatred or contempt are inevitable, one then falls within the compass of s. 13 (1) of the *Act*.

39 Words and photographic images are among the most powerful forms of communication. They can be used productively either to create, advance, advocate and support positive things or to oppose, criticize, dissent and protest negative things. They are a manifestation of thought. In a democratic society, such as ours, free thought and expression represents the lifeblood needed to maintain our liberty and freedom. Often, they inform, educate, entertain, motivate and even inspire us. In many cases, they either have no particular value or are even of negative value. For every Shakespearean sonnet in existence, there are many more exploitive and violent messages communicated to us by various means. In virtually all cases the communication of words and photographic images are and should be protected uncensored as free speech and expression notwithstanding that in some cases they are of no value or even of negative value. There are, however, communications that are not only valueless or of negative value but beyond that are likely to expose persons or groups of persons to hatred and/or contempt on the basis of discriminatory grounds such as religion, sexual orientation, race, colour, national or ethnic origin and disability. Parliament has enacted [s. 13 of the Act](#) to prohibit these types of communications. The Tribunal and the Courts have, in the past, held that these types of messages are not protected because they are the antithesis of free speech and expression, inimical to the objectives of a free and democratic society and harmful to the individual rights and freedoms of persons against whom they are directed. Such hate messages have been held to be contradictory to the purposes of [the Act](#) which seeks to protect and uphold the principle expressed in [s. 2](#) thereof, which states that:

The purpose of this Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.

40 In *Taylor*, the Supreme Court of Canada considered both the general purpose of [the Act](#), and, more specifically, the harm addressed by [s. 13 \(1\)](#). Writing for the majority, Dickson C.J. begins by reference to the general purpose of [the Act](#) set out in [s. 2](#), and succinctly summarizes the legislative intent as "the promotion of equal opportunity unhindered by discriminatory practices". He then goes on to find that in enacting [s. 13](#), Parliament has expressed the view that the repeated telephonic communication of "hate messages" is contrary to the furtherance of equality.

41 A review of the report of the Special Committee on Hate Propaganda in Canada, also known as the Cohen Committee, led Dickson C.J. to comment as follows:

The Cohen Committee noted that individuals subjected to racial or religious hatred may suffer substantial psychological distress, the damaging consequences including a loss of self-esteem, feelings of anger and outrage and strong pressure to renounce the cultural differences that mark them as distinct. This intensely painful reaction undoubtedly detracts from an individual's ability to, in the words of [s. 2 of the Act](#), "make for himself or herself the life that he or she is able and wishes to have". As well, the Committee observed that hate propaganda can operate to convince listeners, even if subtly, that members of certain racial or religious groups are inferior. The result may be an increase in acts of discrimination ... and even incidents of violence.

42 Dickson C.J. continued by noting that since the release of the Cohen Report, several other studies had similarly found that hate propaganda poses a "serious threat to society", and he concluded that:

...messages of hate propaganda undermine the dignity and self-worth of target groups members and, more generally, contribute to disharmonious relations among various racial, cultural and religious groups, as a result eroding tolerance and open-mindedness that must flourish in a multicultural society which is committed to the idea of equality.

43 The messages quoted and referred to above from the Northern Alliance Website are not simply nasty, crude, and vicious. They express the idea that people should be hated or held in contempt because of who they are rather than what they have done. It is unknowable whether the people who communicate these messages do so out of fear or ignorance of someone different or

because of a basic malevolence that exists in some of us. These messages associate stereotypical negative themes passed down through the ages about various people or groups of people who are not white Christian Western European heterosexuals and who are perceived to be disabled. The effect of these messages is to expose such people or groups of people to hatred or contempt on the basis of their religion, sexual orientation, race, colour, national or ethnic origin or disability. In these communications, Jews are held out to be dishonest, money hungry and striving to control the world to their benefit and to everyone else's detriment. It is said that they have exaggerated the Holocaust for self serving purposes. Muslims are portrayed as dirty, violent and dangerous. Gays and Lesbians are depicted as deviant criminals who prey on children. Blacks, Arabs and other non-whites are shown as ignorant and inferior. The mentally and physically disabled are described as horrible creatures who ought not to be allowed to live. It is suggested that many of these targeted groups should be eliminated. It is likely that the people posting these messages have never spent any meaningful time with or come to know individuals in the group or groups of people that they stereotypically seek to describe in negative, contemptuous and hateful terms. Education would probably help to eliminate this type of behaviour. In the meantime, Parliament has through [s. 13 \(1\) of the Act](#) sought to prohibit this kind of communication for the reasons referred to above.

44 The impugned messages quoted and referred to above, fall within the meaning of "hatred" and "contempt" in the cases earlier referenced. The communication of the impugned messages is "likely to expose" the targeted persons to hatred or contempt on the basis of a prohibited ground of discrimination as those terms are defined by the cases earlier referenced.

45 In reading the text of and observing the images produced in evidence in this case and reproduced earlier, it seems clear that these messages also fall within the following "hallmarks of material that is more likely than not to expose members of the targeted group to hatred or contempt" as developed in the analysis of the [s. 13 \(1\) jurisprudence](#) that was conducted by Member Jensen in *Warman v. Kouba*, 2006 CHRT 50:

- The "Powerful Menace" Hallmark: the targeted group is portrayed as a powerful menace that is taking control of the major institutions in society and depriving others of their livelihoods, safety, freedom of speech and general well-being.
- The "True Story" Hallmark: the messages use "true stories", news reports, pictures and references from purportedly reputable sources to make negative generalizations about the targeted group.
- The "Predator" Hallmark: the targeted group is portrayed as preying upon children, the aged, the vulnerable, etc.
- The "Cause of Society's Problems" Hallmark: the targeted group is blamed for the current problems in society and the world.
- The "Dangerous or Violent by Nature" Hallmark: the targeted group is portrayed as dangerous or violent by nature.
- The "No Redeeming Qualities" Hallmark: the messages convey the idea that members of the targeted group are devoid of any redeeming qualities and are innately evil.
- The "Banishment" Hallmark: the messages communicate the idea that nothing but the banishment, segregation or eradication of this group of people will save others from the harm being done by this group.
- The "Sub-human" Hallmark: the targeted group is de-humanized through comparisons to and associations with animals, vermin, excrement, and other noxious substances.
- The "Inflammatory Language" Hallmark: highly inflammatory and derogatory language is used in the messages to create a tone of extreme hatred and contempt.
- The "Trivializing or Celebration of Past Tragedy" Hallmark: the messages trivialize or celebrate past persecution or tragedy involving members of the targeted group.
- The "Call to Violent Action" Hallmark: calls to take violent action against the targeted group.

46 As such, I find that these messages are likely to expose persons identifiable on the basis of a prohibited ground of discrimination to hatred or contempt, within the meaning of s. 13 (1) of the *Act*.

B. Were the communications made repeatedly, in whole or in part, by means of the facilities of a telecommunication undertaking within the legislative authority of Parliament, within the meaning of s. 13 (1) of the Act?

47 The Tribunal has held in the past that material communicated via the Internet is by that medium's innate characteristics alone, a repeated communication, particularly where no obstacles are put in place that would prevent anyone connected to the Internet from "surfing" his or her way to a Website and viewing the material (see *Warman v. Beaumont*, 2007 CHRT 49 at paras. 51-7; *Warman v. Harrison*, 2006 CHRT 30 at para. 44; *Warman v. Kulbashian*, 2006 CHRT 11 at para. 62; *Warman v. Tremaine*, 2007 CHRT 2 at paras. 116-9). Mr. Warman testified that he was able to view the material simply by clicking on to the Internet address of the Northern Alliance Website which led him to the links found on the Website to the impugned material. He gave evidence that he was easily able to download the impugned material from the Northern Alliance Website, as the evidence adduced was that access thereto was public and unrestricted.

48 Section 13 (2) of the *Act*, confirms that s. 13 (1) applies to matters communicated by means of the Internet.

49 I therefore find that the communications were made repeatedly, in whole or in part by means of a telecommunication undertaking within the legislative authority of Parliament, contrary to s. 13 (1) of the *Act*.

(i) Did Jason Ouwendyk and the Northern Alliance, acting in concert, communicate or cause to be communicated the impugned messages by means of the Northern Alliance Website within the meaning of s. 13 (1) of the Act?

50 Mr. Warman presented clear uncontradicted documentary evidence that Jason Ouwendyk, by his own admission, not only was one of the members of the Northern Alliance but was also elected unanimously to be its spokesperson and the webmaster and administrator of the Northern Alliance Website. Further, there was also clear evidence that Mr. Ouwendyk himself, under the pseudonym "Jay" posted some of the impugned material quoted and referred to earlier.

51 Mr. Ouwendyk appeared at the Hearing and chose not to give evidence to rebut Mr. Warman's evidence. As such, I find that Mr. Ouwendyk is responsible for both communicating and causing to be communicated the impugned messages on the Northern Alliance Website.

52 The Northern Alliance does not appear to be active lately and the Northern Alliance Website appears no longer to be in existence and seems to have been sold to an unrelated third party according to the Commission. The Northern Alliance as a group and its Website clearly were in existence when the impugned messages were communicated according to the uncontested evidence of Mr. Warman.

53 The evidence, again uncontradicted, presented at the Hearing included:

(i) Pictures showing as a group, the members of the Northern Alliance under their banner identified by Mr. Warman - some of whom attended the Hearing including Mr. Ouwendyk and Mr. Rudd who were identified at the hearing and can easily be seen to be the same people as in the pictures produced by Mr. Warman in his evidence;

(ii) The Northern Alliance symbol and letterhead on correspondence, pictures and threads including the Website url www.northernalliance.ca and its Forum from where the posts were downloaded;

(iii) Various documentation showing posts with an official postal box and e-mail address for the Northern Alliance, a newsletter, a financial account for payment and donations and the name of at least one official officer of the group - Jason Ouwendyk.

54 In spite of the fact that the Northern Alliance is not incorporated, all of the above is indicative of the Northern Alliance constituting a group of persons acting in concert, in accordance with jurisprudence on this subject including: *Smith et. al v.*

Western Guard Party, [1979] CHRD 1/79; *Taylor; Khaki v. Canadian Liberty Net; Nealy; Chilliwack Anti-Racism Project Society v. Scott; Warman v. Western Canada For Us*, 2006 CHRT 52.

55 As such, I find that Jason Ouwendyk and the Northern Alliance, acting in concert, as well as Mr. Ouwendyk acting individually, communicated or caused to be communicated the impugned messages by means of the Northern Alliance Website within the meaning of s. 13 (1) of the *Act*.

VII. Remedies

56 Mr. Warman requested that I make the following Orders:

- i. Pursuant to s. 54 (1) (a) of the *Act* that both the Respondents Jason Ouwendyk and the Northern Alliance and/or any others acting in concert with them be ordered to cease the discriminatory practice of communicating telephonically or causing to be communicated telephonically by means of the facilities of a telecommunication undertaking within the legislative authority of Parliament, material of the type that was found to violate section 13 (1) in the present case, or any other messages that are likely to expose a person or persons to hatred and contempt by reason of the fact that a person or persons are identifiable on the basis of a prohibited ground of discrimination, contrary to section 13 (1) of the *Canadian Human Rights Act*; and
- ii. Pursuant to s. 54 (1) (c) of the *Act* that the Respondent the Northern Alliance (but not the Respondent Jason Ouwendyk) pay a penalty of \$7,500.00; and
- iii. Pursuant to s. 54 (1) (b) of the *Act* that the Respondent the Northern Alliance (but not the Respondent Jason Ouwendyk) pay compensation of \$6,000.00.

57 The purpose of a Cease and Desist Order under s. 54 (1) (a) of the *Act* is to both remediate conduct found to be contrary to s. 13 (1) of the *Act* and to send a message to others that such conduct is not acceptable. In the present case, the Northern Alliance Website is no longer in existence as it was apparently sold to an unrelated party several years ago. Contrary to Mr. Warman's Statement of Particulars, there is no evidence that the impugned conduct by the Respondents has continued to the present time. Instead it appears to have been discontinued well before the complaints were instituted. To a certain extent, there would not appear to be anything to remediate. However, one has no way of knowing whether the cessation of activity by the Respondents was related to a genuine understanding by the Respondents that their prior conduct was discriminatory and a firm resolve that it would not be repeated at any time in the future. To be on the safe side, therefore, I will make an Order along the lines requested by Mr. Warman under s. 54 (1) (a) of the *Act*. If the Respondents do not engage in the impugned conduct again in the future, they will have nothing to fear from such an Order. In view of the ruling by the Chairperson of the Tribunal, Mr. J. Grant Sinclair, referred to earlier in this Decision, this Order will not be issued until a final determination by the Courts of the constitutional question in the *Lemire* case.

58 In regard to the other remedies sought by Mr. Warman, I have decided not to grant any relief under these provisions for the following reasons.

59 During his cross-examination, Mr. Warman admitted (after initially denying) that he had participated in communicating messages on Internet Websites similar to the Northern Alliance Website utilizing pseudonyms such as "Pogue Mahone" and "Axetogrind".

60 In one of several such communications that was entered into evidence during his cross-examination that Mr. Warman admitted having made, Mr. Warman using the name as "Pogue Mahone Forum Member" posted the following on the stormfront.org/forum Website on July 18, 2004: (The bolded words are Mr. Warman's. The italicized words are a quote that he has included from a previous post made by a "S88")

Re: Irwin Cotier (Jewish) as Minister of Justice in Canada

Quote:

Originally Posted by S88

Did you know our minister of justice is jewish?

He has previously expressed a clear interest in the promotion of the interests of Israel and the Jewish people, who represent a very small fraction of our nation's population.

A recent announcement by your Federal government regarding a planned initiative to combat racism in response to recent anti-Semitic crimes is evidence of a misguided agenda. Such a plan will not only be a monumental waste of tax payer's money, but will also lead Canada down the path towards Stalinist-style oppression.

Let's look at the recent anti-Semitic crimes that have been used as an example for implementing this plan:

- spray paint on Jewish houses and cars in Vaughan (backwards swastikas) - no arrests yet*
- spray paint in Toronto equating a star of David with a swastika - Iranian immigrant arrested.*
- Tomb stones overturned in a Jewish cemetery in Toronto - Jewish teenagers arrested and only charged with mischief*
- Fire in a Jewish school in Montreal - note left on scene blaming Jews for the murder of Palestinian Hamas spiritual leader*

These incidents hardly seem like the rebirth of Kristallnacht, as Jewish leaders would have us believe. Jews themselves committed some of the vandalism and the rest was committed by Muslims, who are expressing the anger about events in the Middle East.

Spending much needed tax dollars on a scheme to further impose the will of Israel-firsters on Canadians is not what voters want.

With increasing immigration from third-world countries, old-world prejudices will continue to be expressed in Canada. If we really need to stop hate in Canada, then we need to look at ending immigration from third-world countries.

These information was taken from A Letter to Prime Minister of Canada by Jason Ouwendyk..

Heil Victory

16

Did you know we had an election and the new cabinet hasn't been named yet? We still have scum in government but we have to wait and see which scum goes where.

61 In another posting entered into evidence during his cross-examination and the authorship of which was admitted to by Mr. Warman, Mr. Warman as "Axetogrind Junior Member" posted the following on the "VNN (Vanguard News Network) Forum" on January 5, 2005.

Quote:

Originally Posted by Thexder 3D

Is everything written there true?

I'm surprised those ADL Jews print quotes such as: Schoep, waving a noose, yelled to the crowd that he came to Kansas "to speak the truth for my race, my people, my nation."

Certainly that's something that might spark curiosity in (not yet racist) whites.

I agree. Keep up the good work Commander Schoep! 88

62 Mr. Warman stated that the communications quoted in the previous two paragraphs did not "cross the line" into hate messaging nor did they provoke hate messages by others. He stated that the inclusion in his postings of possible hate messages from others were inadvertent slips by him in sending messages over the Internet. He further stated that his postings were intended to assist him in his quest for information about persons using the Internet to communicate discriminatory hate messages.

63 I do not see any acceptable reason for Mr. Warman to have participated on the Stormfront or Vanguard sites, since there appears to be ample easily obtained messages on these sites available without his involvement. Moreover, it is possible that his activity in this regard, could have precipitated further hate messages in response. His explanation for including other hate messages in his postings by mistake seems very weak to me.

64 Mr. Warman has, with the assistance of the Commission, instituted most of the s. 13 (1) complaints under the Act that have come before the Tribunal. He has been very successful in these cases and has garnered accolades for his work in this regard. The evidence in this case of his participation on Internet sites similar to the Northern Alliance site is both disappointing and disturbing. It diminishes his credibility. For this reason and because the activities of the Respondents have ceased for a lengthy period of time, I will not make any further Orders in this matter.

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This is **Exhibit "R"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Court ruling states anti-hate network "did in fact assist Antifa"

By **Cosmin Dzsurdzsa** - November 11, 2022



A recent ruling by an Ottawa small claims court states that the Canadian Anti-Hate Network (CAHN) "did in fact assist" the far-left extremist group Antifa.

The judgment was the result of a trial between journalists Jonathan Kay and Barbara Kay and CAHN Director Richard Warman.

"The evidence disclosed that CAHN did in fact assist Antifa and that the movement has been violent. The Kays submission, which I accept, is that a human rights network like CAHN arguably (except in the most extreme circumstances) should not support a violent movement, and to do so, to most reasonable observers, would not be a 'good look,'" the judgment states.

"While Warman is well known as a righteous crusader against white supremacy and right-wing racist hate and has been recognized and appropriately lauded for his work, he is also a controversial figure and I accept the evidence of the Kays that he has used litigation to silence or intimidate those he sees as his critics, or who oppose his methods of prosecuting hate groups."

According to Jonathan Kay, litigation was "expensive and time-consuming."

"I felt it was important because (CAHN) was a govt-grant recipient (same "anti-racism program used to cash out Laith Marouf)," wrote Kay on Twitter.

True North reached out to CAHN for comment on its alleged support for the violent extremist group Antifa.

"The Canadian Anti-Hate Network was not the plaintiff, Richard Warman was. The judge didn't call antifa a violent extremist group. Those are your words, and they are untrue," wrote CAHN in an emailed statement.

claimed by the Federalist article which the Kays shared on Twitter. That is a lie. CAHN has never funded or supported violence of any sort, directly or indirectly."

At the height of the Freedom Convoy protests in February, the organization's chair Bernie Farber spread the [false claim](#) that an anti-Semitic flyer originally found in Miami was circulating among protestors.

"Taken by a friend in Ottawa at the Occupation," [said](#) Farber in a since-deleted tweet on Sunday. "Apparently in plain sight."

In reality the photo was posted to Twitter by a US resident two weeks prior to the protest.

During an April Commons public safety committee meeting, CAHN executive director Evan Balgord [was grilled](#) over the false claim.

"Can you explain why the (chair) of your organization was claiming that this photo was being circulated at the protest when in fact it was a photo from a completely different country weeks before the protest?" asked Conservative MP Dane Lloyd.

"Bernie was not aware that the photo itself was taken from an American source," claimed Balgord.

"What the person was trying to communicate to our organization was that they saw the same flyer but they had attached the photo from the states so it was our error in not communicating that more clearly."

Author



Cosmin Dzsurdzsa

Journalist and Senior Research Fellow

This is **Exhibit "S"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

 *Warman v. Kay*

Ontario Judgments

Ontario Superior Court of Justice

Small Claims Court - Ottawa, Ontario

D.Y. Dvoskin Deputy J.

Heard: May 4-6, July 13-15, October 14, 2022.

Judgment: November 9, 2022.

Released: November 10, 2022.

No. SC-20-156136

[2022] O.J. No. 5045

Between Richard Warman, Plaintiff, and Jonathan Kay and Barbara Kay, Defendants

(106 paras.)

Case Summary

Damages — For torts — Affecting the person — Defamation — Method of publication — Internet — Claim by Warman for defamation and loss of reputation dismissed — In recognizing importance of maintaining open debate on matters of public interest, it was not "get out of jail free card" for those exceeding reasonable limits — Defendants have not proven, on balance of probability, that recipients of impugned tweets had an interest or duty to receive them — Warman had failed to prove, on balance of probability, that he was "the face" of CAHN, or it's alter ego, and although a reference to CAHN could refer to Warman, that was not sufficient in law to constitute defamation of Warman.

Claim by Warman for damages for the defamation and loss of reputation. This was a claim for \$25,000 against Jonathan Kay (Jonathan) and \$10,000 against Barbara (Barbara) Kay, for defamation and loss of reputation. The alleged defamatory communication relating to Jonathan and Barbara was from a hyperlinked article they separately tweeted on November 12, 2019. Warman was a lawyer and at the material time, a volunteer board member of the Canadian Anti-Hate Network ("CAHN"). Warman was a well-known public speaker on human rights and anti-racist activism. And a recipient of numerous awards and honors for his human rights advocacy. Warman joined CAHN's board in 2018. Jonathan Kay ("Jonathan") at the material time was a journalist with the Twitter handle "@jonkay", and Barbara Kay ("Barbara") was at the material time a columnist at the National Post and had a Twitter handle "

Counsel

Andréa Baldy, for the Plaintiff.

Asher Honickman, for the Defendants.

REASONS FOR JUDGMENT

D.Y. DWOSKIN DEPUTY J.

OVERVIEW

1 This was a claim for **\$25,000.00** against Jonathan Kay and **\$10,000.00** against Barbara Kay, for defamation and loss of reputation.

2 The alleged defamatory communication relating to Jonathan Kay was from a hyperlinked article he tweeted on November 12, 2019, titled:

"Ant-hate Southern Poverty Law Center Partner Funds Violent Canadian Antifa"

3 On November 12, 2019, Jonathan Kay wrote and/or printed words alleged to be defamatory including:
November 12, 2019

@Jonkay

"really unsettling. Why wd an "anti hate" group like @antihateca be supporting antifa thugs? Few years back, u could make a case that many antifa members really opposed rt wing extremism, but antifa has now just become a hate cult engaged in street violence".

[image]

"Anti-Hate Southern Poverty Law Center Funds Violent Antifa

It shouldn't be a big demand for left-wing groups to disavow Antifa violence and certainly not to partner with the movement or its supporting organizations."

The federalist.com

Exhibit 1, Tab 3

4 A further communication tweeted by Jonathan Kay January 25, 2020, reads:

"great @c2cjournal piece on the race-hustling at @antihateca, which scares its donors with exaggerated fearmongering, & pushes censorship. Also notes CAHN'S de facto support for antifa, a street gang & dox shop that exudes the same hate CAHN claims to fight [sic]"

5 The alleged defamatory communication relating to Barbara Kay was from a hyperlinked article she tweeted on November 12, 2019, titled:

"Ant-hate Southern Poverty Law Center Partner Funds Violent Canadian Antifa"

6 On November 12, 2019, Barbara Kay wrote and/or printed words alleged to be defamatory including:
November 12, 2019

@BarbaraRKay

"Not a good look for @antihateca in this article"

[image]

"Anti-Hate Southern Poverty Law Center Funds Violent Antifa

It shouldn't be a big demand for left-wing groups to disavow Antifa violence and certainly not to partner with the movement or its supporting organizations."

The federalist.com

7 The defendants raise the following defences:

- a) The impugned publications are not defamatory of the plaintiff ("Warman")
- b) Justification of lesser meanings
- c) Fair Comment
- d) Qualified Privilege
- e) Lack of Malice
- f) Lack of Damages
- g) Republication
- h) s.137.1 of the *Courts of Justice Act*, [R.S.O. 1990, c. C.43](#)

FACTS

Parties

8 Warman is a lawyer and at the material time, a volunteer board member of the Canadian Anti-Hate Network ("CAHN").

9 Jonathan Kay ("Jonathan") at the material time was a journalist with the Twitter handle "@jonkay", and Barbara Kay ("Barbara") was at the material time a columnist at the National Post and had a Twitter handle "@BarbaraRKay".

Publication/Endorsement

10 On November 12, 2019, Jonathan communicated the content referred to, *supra*, through his Twitter account and the text included a hyper link: <https://twitter.com/jonkay/status/119463849796280296>

11 On January 25, 2020, Jonathan Kay published the tweet referred to, *supra*.

12 On November 12, 2019, Barbara communicated the content referred to, *supra*, through her Twitter account and the text included a hyper link: <https://twitter.com/BarbaraRKay/status/11942647023622348880>

13 Notice of Libel was served on the defendants on November 22, 2019.

ISSUES

14

A) Defamation -- were the impugned tweets defamatory.

Did they contain allegations against Warman that would lower him in the estimation of reasonable people or cause him to be regarded with hatred, fear, or dislike?

B) Justification -- were the words substantially true. What were the tweets in their natural and ordinary meanings meant or understood to mean?

C) Fair comment -- Did the tweets consist of expressions of opinion, on matters of public interest. Did the defendants honestly hold those opinions?

D) Qualified privilege -- were the tweets published in good faith. Did the defendants honestly believe they were fair and accurate and related to matters of public interest?

E) Malice -- did the defendants believe what they published to be true. Was their belief reasonably held and did they act reasonably in expressing their views?

F) Damages -- If the words were defamatory, did Warman suffer actual injury or damage to his reputation?

G) Strategic lawsuit against public participation -- Do the Charter or the Courts of Justice Act offer a defence?

EVIDENCE

Richard Warman

General

15 Warman is a lawyer, a Judge Advocate General reservist, and has been involved with human rights issues with the Canadian Human Rights Commission, where he was formerly employed, filing 16 successful complaints against neo-Nazis, and white supremacist groups and individuals over the last 20 years.

16 Warman is a well-known public speaker on human rights and anti-racist activism. And a recipient of numerous awards and honors for his human rights advocacy.

Exhibit 2, Tabs 4-5

17 In 2018 the Canadian Anti Hate Network (CAHN") was formed by three individuals, Bernie Farber, Evan Balgord and Amira Al -Ghawaby. Their website was active from about July of that year.

18 The non-profit corporation started with a budget of **\$25,000** from the Southern Poverty Law Center ("SPLC"), though there was no formal alliance between them.

19 CAHN'S mandate was to educate the public with respect to hate groups and counter the activities of those hate groups.

20 Warman joined CAHN's board in 2018. He provided direction to the executive director Balgord, the only paid member, helped obtain funding, and dealt with legal issues as well. His role was coordinating anti racist and anti-fascist movements.

21 Numerous articles including ones from the Canadian Jewish News, the CAHN website, and news articles identify Warman as a CAHN board member from August 2, 2018, to September 2019.

22 In 2019 a peace bond was issued under *s.810 of the Criminal Code* against Kevin Goudreau, a member of the Canadian Neo-Nazi movement, for threats against CAHN. The bond named Warman, as part of CAHN.

Exhibit 1 -- Tab 17

23 Warman's work was positively received and resulted in medals for good citizenship; a sovereign volunteer medal; and a Queen's diamond medal, and an Ottawa Citizen article asking, "is this the bravest man in Canada?"

24 Warman testified that he was on a "hit list" for racists and white supremacists; was criticized by those opposed to legal controls on hate speech; and, generally, was opposed by those holding "libertarian" views.

25 Warman dealt with them by disabusing them, engaging with them, ignoring them if possible, or issuing libel actions against them. His reputation for integrity and honesty is crucial to his work as a lawyer and advocate for human rights.

26 Warman admitted he has received no serious threats in the last 5 years and that the impugned tweets haven't exacerbated the situation.

27 He still is portrayed positively in mainstream media and has no knowledge of anyone concluding that he personally funds hate groups, which he testified he does not do, nor has he encouraged violence.

28 In cross examination, Warman was referred to a Maclean's magazine article by Charlie Gillis regarding *s13 of the Canadian Human Rights Act* and Warman's use of that section, which required no intent; did not have truth as a defence; and discouraged legitimate free speech. Warman brought more complaints to the CHRC than anyone else.

29 After a Warman sent a libel notice to a library, the British Columbia Civil Liberties Association got involved resulting ultimately in the repeal of s13. The National Post, Ottawa Citizen, Globe and Mail, Law Times and the Canadian Lawyer all did articles on Warman and his involvement with *s13 of the Canadian Human Rights Act*.

2008 Libel action against Jonathan Kay and the National Post

30 In February 2018, Jonathan published an article on the National Post website alleging that Warman manufactured his own hate material, and that there was a phony racism industry in Canada.

Exhibit 1, Tab 9, p 62/113

31 Warman then commenced a libel action which was settled. The National Post apologized and retracted the post.

November 12, 2019, Tweets

32 Neither Warman nor CAHN had any contact with the defendants before the November 12, 2019, tweets which Warman considered defamatory in that he believed they conveyed the message that he personally funded antifa.

33 Warman admitted in cross examination that he had no knowledge if the impugned tweets were liked, retweeted, commented on and admitted the tweets never went "viral".

34 Warman did not e-mail Jonathan regarding the November 12, 2019, tweet but instead retained counsel who gave Notice of Libel to the defendants on November 21, 2019.

Exhibit 1, Tabs 7,8, page 5/113

35 Warman contacted The Federalist in December 2019 seeking a retraction since their article was based on an earlier Huffington Post article wrongly alleging the source of funding for Antifa.

Exhibit 1, Tab 4, page 38

36 Although Warman received no response to his December 2, 2019, e-mail, the Federalist did change the article, though not in a manner satisfactory to Warman. Warman never sent a libel notice nor commence an action against the Federalist.

Exhibit 8

37 This action was then commenced in January 2020.

Steven Rogers

38 Rogers is an expert in digital forensics, gave evidence on behalf of Warman regarding the impugned tweets, and filed a report dated January 25, 2020.

Exhibit 1 -- Tab 18, pages 37/176

39 Rogers gave evidence as to the number of followers the defendants had but was unable to say how many of those followers saw the tweets and whether those tweets went "viral". He gave no evidence that any of the tweets were "pinned".

Jonathan Kay

General

40 Jonathan is a journalist and has written for the Washington Post, the Wall Street Journal, the National Post, Al Jazeera, and the Canadian Jewish News. He also worked with the New Yorker, Harper, and the Walrus.

41 Kay describes himself as an activist working for social justice causes, and a public intellectual who rejects all ideological extremism. His first employment was in Montreal in 1995 working with Irwin

Cotler, a former Minister of Justice and Attorney General of Canada, and a well-known human rights advocate.

42 Jonathan is Jewish, and his father fled the USSR, so he is mindful of the dangers of extremism from both the left and right wings of the ideological spectrum.

43 Jonathan was not aware of Warman except for his activity commencing litigation or using *s13 of the Canadian Human Rights Act* to act against hate groups. He was aware of the 2008 Macleans magazine article entitled "*Righteous Crusader or Civil Rights Menace*"

Exhibit 3 -- Tab 6

2008 Libel Action

44 In 2008 Jonathan wrote an article for the National Post describing the admonishment received by Warman from the Human Right Tribunal regarding his infiltrating the Northern Alliance by posing as a neo-Nazi.

Exhibit 1, Tab 9

45 Jonathan relied on expert testimony from Bernard Klatt, believing him to be an expert witness, for the article, which testimony was in part inaccurate. The article was retracted on February 20, 2008.

Exhibit 2, Tab 2

46 Notwithstanding the retraction, Warman still sued the National Post and Jonathan, seeking an apology which Warman described as an antidote to defamation. The action was settled before trial.

47 Jonathan was aware of CAHN, which was led by Bernie Farber, who Jonathan knew for over twenty years, and who Jonathan considered a "good egg". Jonathan was positively disposed both to Farber and CAHN since Farber was a leader of the Canadian Jewish Congress and fought racism from both the left and right.

48 Jonathan was unaware of anyone else but Farber as a part of CAHN and did not know Warman was with CAHN until he was served with the libel notice. He was aware of a May 8, 2018, CBC article profiling CAHN but testified that the article made no mention of Warman.

Exhibit 6

49 Jonathan was aware of Antifa and its activities and described its earlier messaging as "benign". However, subsequent YouTube videos taken of antifa demonstration were described by Jonathan as violent, thuggish, destructive of property and not all about "peace and love".

November 12, 2019, tweets

50 Jonathan referred to a CAHN article by the CEO Balgord dated September 20, 2017, as an apologist tract for Antifa, describing the need for "physical disruption" to get their message across.

Exhibit 3, Tab 9

51 A Quillette article (Jonathan was an editor) about Columbia's Journalism dated June 18, 2019,

described Antifa as violent and advocating violence to effect change. The article described what happened to Andy Ngo, a friend of Jonathan's, who was a 5'2" gay Vietnamese conservative journalist covering Antifa activity in Portland Oregon when he was badly beaten by Antifa members, described by Jonathan as "thugs".

Exhibit 5, Tab 32; Exhibit 2, Tab 8

52 Jonathan described numerous instances where Antifa used intimidation, violence and generally mimicked fascist group activities in Portland, Oregon, and Hamilton Ontario and, for example, screamed at an elderly woman at a town hall event in October 2019, where they tried to block a speaker, Maxime Bernier, and called her "Nazi scum".

Exhibit 5, Tabs 3-6, Tab 31

53 Jonathan attributed the Federalist article to Bernie Farber and was disappointed that Farber, whom he had great respect for, praised "muscular resistance" (balaclavas and pipes) and felt that CAHN only called out right wing hate mongers. He felt betrayed by Farber.

Exhibit 1, Tab 4

54 Regarding the impugned November 12, 2019, tweet, Jonathan was upset that instead of ratcheting down the culture war and divisiveness, Farber was devoting his own voice and CAHN's to promoting Antifa, and getting government funding for his efforts, while few Canadians knew about Antifa's street violence.

Exhibit 1, Tab 3

55 Jonathan testified that he "tagged" or sub tweeted CAHN, so they had notice of the tweet. He was blocked from contacting CAHN directly. The tweet was about CAHN's organization and was the institutional extension of Farber's stature.

56 Jonathan had no problem with any private individual supporting Antifa but institutions like CAHN supporting Antifa give it public approbation and signals approval -- a very valuable currency.

57 Jonathan had no interest in Warman, said nothing about Warman in any tweet and had no interest in any issues between the Federalist, Huffington Post and Warman. He testified that he thought only of Bernie Farber and Evan Balgor as being connected with CAHN.

58 As to the tweet itself, Jonathan testified it "dropped like a stone", there was no image of any likes, retweets, comments, nor was the tweet "pinned" so it would always be on top of Jonathan's tweets, so there was very little dissemination. He deleted the tweet but doesn't know whether that was before or after receiving the Notice of Libel.

January 25, 2020, tweet

59 Regarding the second impugned tweet, dated Jan 25, 2020, Jonathan was concerned with what he described as "race hustling", and cancel culture pushing censorship.

Exhibit 1, Tab 11

60 Jonathan contacted a CAHN board member, Professor Perry, who counted 300 right wing extremist

groups in Canada, which became a media story attracting the attention of the NDP leader Jagmeet Singh, seeking the names of the groups. The disclosure was never provided.

Exhibit 3, Tab 24, Tab 15

61 Jonathan's concern was that CAHN was stirring up the idea of apocalyptic threat and calling out right wing but not left wing hate groups. He referred to CAHN articles describing how to find local Antifa chapters and referring to an international Antifa defence fund

Exhibit 4, Tab 3, Exhibit 7

62 Jonathan testified that Warman had a reputation as a litigation enthusiast and is now prominent on the CAHN website, so he has suffered no diminution in reputation.

63 Jonathan did not offer an apology regarding his tweets because none referred to Warman; CAHN was and is still a partisan organization; and, finally, in 2008 when Jonathan and the National Post did retract the impugned article, Warman still sued anyway.

Barbara Kay

General

64 Barbara testified that she was a journalist for over 22 years and had a lifelong interest in writing about human rights, cancel culture and antisemitism.

65 Barbara is a self-described "classic liberal" championing individual (as opposed to state's) rights, due process, freedom of speech, and conscience, and is most concerned with left wing as opposed to right wing antisemitism, since right wing antisemitism has no institutional support.

66 Her concerns are with universities exercising "cancel culture" and repressing free speech.

67 Barbara had a positive impression of Bernie Farber until he got "woke" and, as the voice of the Jewish community, was ignoring left wing antisemitism.

Knowledge of Warman and CAHN

68 Barbara was only aware of Warman's impersonating fascists and using *s13 of the CHRA* and suing "small potatoes" and believed he was using libel chill to compel respect. She had no knowledge of any connection with CAHN.

69 Barbara read the Federalist article and sent her tweet the same day it was published. She was concerned with Farber's praising "muscular resistance" and was unaware that Warman was a CAHN board member. She thought that Farber was CAHN and CAHN was Farber.

November 12, 2019, tweet

70 Barbara had used that expression "not a good look" many times before the impugned tweet. Her

concern was that an anti-hate group was endorsing antifa which was not a good look for a respectable organization.

Exhibit 1, Tab 3

71 Her testimony was that she believed it was in the public interest to know about that support, and that CAHN could do better. As a journalist her duty was "see something, say something".

72 Barbara's testified that she wanted CAHN to fight antisemitism and wanted their reputation to be good. She believed a government funded organization should do better and live up to its name.

73 As to Warman, Barbara testified that his reputation is flourishing, and that his "brand" is as a human rights lawyer, not as any representative of CAHN. She did not contact CAHN regarding the federalist article or her tweet since she was blocked from contacting CAHN.

ANALYSIS

Were the tweets defamatory

74 The plaintiff submits the impugned tweets lowered Warman's reputation in the eyes of a reasonable person given his association with, and as a board member of, CAHN.

75 The Kays submit that the tweets did not refer to Warman personally, only to CAHN, and further submit that they did not republish the article on the Federalist website which did name Warman.

76 The evidence was that Warman did not run CAHN; was not its most identifiable or visible member; and was often unable to be a part of CAHN's activities due to conflicts of interest with his work with the Judge Advocate General, in cases involving federal parties and politics and the armed forces.

77 Warman's reputation among those following human rights issues was as a human rights lawyer, not a principal of CAHN. The evidence was that Bernie Farber and Evan Balgord were much more publicly seen as the alter ego of CAHN, and neither has sued the Kays.

78 The plaintiff has not proven, on a balance of probability, that the impugned tweets would lead a reasonable person to believe they referred to Warman. While they could refer to Warman, they did not actually refer to him and, as found, *supra*, he was not CAHN's alter ego nor was he CAHN's sole actor, or even its primary actor.

79 Defamation of CAHN does not constitute defamation of Warman. Warman has failed to prove, on a balance of probability, that he was "the face" of CAHN, or its alter ego, and although a reference to CAHN could refer to Warman, that is not sufficient in law to constitute defamation of Warman.

Foulidis v Ford [2012 ONSC 7189](#)

80 The Kays evidence was that they both saw Bernie Farber as the chair of CAHN; the face of CAHN and its most prolific member because he was the CEO of the Canadian Jewish Congress.

81 They did not have Warman in mind as part of CAHN when they published their tweets, and their

evidence was that they did not even know Warman was a CAHN board member until served with Notice of Libel.

82 Articles published in 2018 on CBC and TVO refer to Farber as the founder of CAHN and refer to Evan Balgord as a co-founder. Neither mention Warman. At the time of the impugned tweets, November 2019, CAHN had more than 15 members. It was not a minor organization, and its identity was not the same as any board member.

Exhibit 3, Tab 10; Exhibit 6

83 Farber's Wikipedia page refers to Farber running the Canadian Anti Hate Network with Evan Balgord. There is no mention of Warman. Warman's Wikipedia page does not refer to his role as a CAHN board member.

Exhibit 3, Tab 22, page 227; Exhibit 5, Tab 24

84 Neither CAHN, Farber, Balgord nor other CAHN board members sued the Kays, and Warman did not sue the Federalist nor the C2C Journal, the Canadian publication which published the article referred to in the 2020 tweet.

85 Warman admitted in cross exam that a person reading the impugned tweets may not have associated them with him, and in fact gave no evidence that anyone reading the tweets believed they were about him.

86 Warman did submit that the Federalist article headlined in the tweet referred to him and was defamatory, but he also testified that he wrote the Federalist asking them to remove the allegations about him personally funding violent Antifa groups in the body of the article (which they apparently did) and did not seek to have them change the headline nor remove other allegations referring to CAHN.

Exhibit 8

87 The headline/sub headline of the tweets criticize CAHN policy but do not refer to any individual, and any person would therefore have to read the article itself to understand the tweets or headline. The ordinary meaning of the tweets and headlines is that CAHN provides material assistance to Antifa, not that Warman personally funds violent groups.

88 The Kays did not republish the Federalist article by simply linking to it, and Warman's name appears only in the article, not the headline or sub headline. This does not constitute a repeat or republication of the defamatory content.

Crookes v Newton [\[2011\] 3 SCR 269](#)

89 I find therefore that the plaintiff did not discharge the burden of proving on a balance of probability that the defendants' words referred to him and were defamatory of him.

90 Even if the impugned tweets were defamatory, which I have found has not been proven, the Kays have raised defences which would shift the onus to Warman to prove malice on the part of the Kays, or either of them.

Fair Comment

91 The public has an interest in the fight against hate crime in Canada and the parties involved in that fight, including CAHN and Antifa.

92 The Kays both gave evidence of their longstanding activism regarding human rights and antisemitism and their tweets comment on the fact that the Federalist and C2C Journal articles both allege that CAHN supports or assists the Antifa movement.

93 Warman's evidence was that he and CAHN were part of the Antifa movement; Farber has praised their muscular resistance; and Balgord referred to Antifa's use of physical disruption.

Exhibit 1, Tab 4; Exhibit 3, Tabs 8, 9

94 The Kays evidence, which I accept, was that Warman was not the subject of their tweets -- they were unaware that he was a CAHN board member at the relevant times - and that Farber and CAHN were the subjects since Farber was well known, particularly within the Jewish community, and CAHN had influence as a partly government funded Canadian organization.

95 I find therefore that it has not been proven, on a balance of probability, that the opinions which were the subject of the impugned tweets were dominantly motivated by malice.

96 I accept the Kays' evidence that they reasonably believed their opinions to be accurate, and find that there was insufficient evidence to establish, on a balance of probability, that there was a reckless disregard for the truth.

Justification

97 The evidence disclosed that CAHN did in fact assist Antifa and that the movement has been violent. The Kays submission, which I accept, is that a human rights network like CAHN arguably (except in the most extreme circumstances) should not support a violent movement, and to do so, to most reasonable observers, would not be a "good look".

Qualified privilege

98 The defendants have not proven, on a balance of probability, that the recipients of the impugned tweets had an interest or duty to receive them. The test is objective -- i.e., it is not whether the Kays believed the recipients (which include, in the case of tweets, the world at large) but whether they were necessary to discharge the duty giving rise to the privilege.

99 The case cited by the defendants regarding the application of qualified privilege to tweets, which is under appeal, is not applicable here. There was no moral nor professional duty on the Kays as there was in the medical doctor in the Gill decision.

Gill v Maciver, [2022 ONSC 1279](#)

DAMAGES

100 Although there was no evidence led as to reputational damage; the impugned tweets were "dud" and

did not go "viral"; the first tweet was deleted prior to the Notice of Libel being served; and there was no publication of the Federalist article which was considered by Warman to be the most defamatory, general damages are presumed in a defamation case.

101 While Warman is well known as a righteous crusader against white supremacy and right-wing racist hate and has been recognized and appropriately lauded for his work, he is also a controversial figure and I accept the evidence of the Kays that he has used litigation to silence or intimidate those he sees as his critics, or who oppose his methods of prosecuting hate groups.

102 I also accept the Kays' evidence as to why no apology was made given that Jonathan Kay was still sued after the National Post retracted its article and apologized for its inaccuracy, in 2008.

103 Finally, I accept the evidence of the Kays that no apology was warranted where neither of them referred to Warman in their tweets and did not in fact even have him in mind when they published them.

104 Had Warman succeeded in this action against the Kays, I would therefore have awarded nominal damages in the amount of **\$5,000** against Jonathan Kay and **\$500** against Barbara Kay whose tweet was far less recognizable and damaging to Warman.

AWARD

105 Having regard to all the above, and in recognizing the importance of maintaining open debate on matters of public interest, while being mindful that although freedom of expression is to be protected, it is not a "get out of jail free card" for those exceeding reasonable limits, the plaintiff's claim is dismissed.

COSTS

106 If the parties are unable to agree on costs, each party has 10 days from the release of these reasons to serve and file cost submissions, not to exceed 3 typed pages excluding a Bill of Costs, together with copies of any offers made pursuant to ***Rule 14 of the Rules of the Small Claims Court***, which would impact costs

Dated at Ottawa this 9th day of November 2022.

D.Y. DWOSKIN DEPUTY J.

CITATION: Warman v. Kay, 2024 ONSC 1623
DIVISIONAL COURT FILE NO.: DC-22-2753
DATE: 2024/03/18

ONTARIO
SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT

BETWEEN:

Richard Warman

Appellant

– and –

Jonathan Kay and Barbara Kay

Respondents

)
)
) Albert Brunet and Andréa Baldy, for the
) Appellant

)
)
) Asher Honickman, for the Respondents

)
)
)
)
)
) **HEARD:** September 13, 2023

2024 ONSC 1623 (CanLII)

REASONS FOR DECISION

REES J.

Overview

[1] The respondents published two tweets that referred to the Canadian Anti-Hate Network (CAHN). The tweets did not name the appellant, Mr. Richard Warman. Mr. Warman nevertheless commenced a defamation action against the respondents in the Small Claims Court. The trial judge found that Mr. Warman had not established that the impugned words would lead a reasonable person to believe that they referred to him, so the action was dismissed.

[2] Mr. Warman appeals, arguing that the trial judge made several errors of law, fact, and mixed fact and law.

[3] The appeal is dismissed. The trial judge applied the correct legal test and properly applied the law to the record before him. There is no basis to disturb the trial judge's conclusion that

Mr. Warman had not established that the tweets would lead a reasonable person to believe that they referred to him.

Background Facts

The parties

[4] Mr. Warman is a lawyer and a well-known advocate for human rights and anti-racism. He was formerly employed by the Canadian Human Rights Commission, where he advanced many complaints against neo-Nazi and white supremacist groups and individuals over many years.

[5] Mr. Warman is a board member of CAHN, which is a not-for-profit corporation. Its mandate is to educate the public about hate groups and to counter their activities. I will return to Mr. Warman's involvement with CAHN in my analysis below.

[6] Mr. Kay is a journalist who has written and worked for several media outlets, including the *National Post*, *The Washington Post*, *The Wall Street Journal*, *Al Jazeera*, *The Canadian Jewish News*, *The New Yorker*, *Harper's Magazine*, and *The Walrus*.

[7] Ms. Kay was a journalist for over 22 years.

The tweets

[8] Mr. Warman alleged that the respondents posted two tweets that were defamatory. Mr. Kay tweeted the first on November 12, 2019:

@jonkay

really unsettling. why wd an “anti hate” group like @antihateca be supporting antifa thugs? Few years back, u could make a case that many antifa members really opposed rt wing extremism, but antifa has now just become a hate cult engaged in street violence.



‘Anti-Hate’ Southern Poverty Law Center Partner Funds Violent Antifa
It shouldn’t be a big demand for left-wing groups to disavow Antifa violence and certainly not to partner with the movement or its supporting organizations.
thefederalist.com

[9] That same day, Ms. Kay posted the second tweet:

@BarbaraRKay

Not a good look for @antihateca in this article:



‘Anti-Hate’ Southern Poverty Law Center Partner Funds Violent Antifa
It shouldn’t be a big demand for left-wing groups to disavow Antifa violence and certainly not to partner with the movement or its supporting organizations.
thefederalist.com

[10] At trial, Mr. Warman also argued that a third tweet, posted by Mr. Kay in January 2020, was defamatory. Mr. Warman did not advance this position on appeal, however, so I need not consider the third tweet here.

[11] The tweets expressly refer to @antihateca, which is the Twitter handle for CAHN. Mr. Warman's name does not appear in either of the November 12, 2019 tweets, so a central issue at trial was whether they referred to him.

The trial and the trial judge's findings

[12] Mr. Warman brought his claim in the Small Claims Court. The trial judge heard six days of evidence. The parties made oral and written submissions.

[13] At trial, Mr. Warman argued that the defamatory statements were found in the text of the tweets, which were written by the respondents, together with the headline and sub-headline of the hyperlinked article. The latter were written by the media outlet The Federalist but published as part of the respondents' tweets. Mr. Warman did not argue at trial that the defamatory statements included the contents of The Federalist article.

[14] Mr. Warman argued that the defamatory statements referred to him. Essentially, he asked the court to draw this conclusion because he was a member of CAHN's board of directors and, according to him, was a co-founder of CAHN, and would be recognized as a member of the group. He also relied on the principle of "group defamation" in *Bou Malhab v. Diffusion Métromédia CMR inc.*, 2011 SCC 9, [2011] 1 S.C.R. 214.

[15] The trial judge found that Mr. Warman had not established that the tweets would lead a reasonable person to believe that they referred to him. Thus, the trial judge dismissed the action.

[16] In the event the trial judge was wrong about this finding, he also considered the defences raised by the respondents. First, he considered the defence of fair comment and concluded that Mr. Warman had not established that the respondents were motivated by malice or that they were reckless regarding the truth. Second, the trial judge considered the defence of justification and concluded that CAHN did in fact assist Antifa and that the movement had been violent. He also found that a human rights network like CAHN arguably should not support a violent movement and, to most reasonable observers, doing so was not a "good look". Third, the trial judge considered the defence of qualified privilege and rejected it.

[17] As for damages, the trial judge found there was no evidence of reputational damage but held that general damages are presumed in a defamation action. Had Mr. Warman been successful, the trial judge would have awarded him \$5,000 against Mr. Kay and \$500 against Ms. Kay.

Issues

[18] Mr. Warman argues that the trial judge made several errors. I need only focus on the following two because they dispose of the appeal:

- a. Did the trial judge fail to apply the correct legal test in determining whether the tweets referred to Mr. Warman?
- b. Did the trial judge overlook relevant evidence and fail to give proper effect to the evidence about whether the tweets referred to Mr. Warman?

[19] I will consider each in turn.

Analysis

Standard of review

[20] This is an appeal from a trial decision of a deputy judge of the Small Claims Court. The standard of review on a question of law is correctness.

[21] The standard of review on findings of fact is palpable and overriding error: *Housen v. Nikolaisen*, 2002 SCC 33, [2002] 2 S.C.R. 235. A trial judge's findings of fact may only be set aside if they are clearly wrong, unreasonable, or unsupported by the evidence: *H.L. v. Canada (Attorney General)*, 2005 SCC 25, [2005] 1 S.C.R. 401, at paras. 55-56. Put simply, "an appellate court will not interfere with the trial judge's findings of fact unless it can plainly identify the imputed error, and that error is shown to have affected the result": *H.L.*, at para. 55.

[22] Questions of mixed fact and law involve the application of a legal test to a set of facts. Questions of mixed fact and law are reviewed on a standard of palpable and overriding error: *Housen*. Only if the legal principle is "readily extricable" can the legal principle be reviewed on a standard of correctness: *Housen*, at para. 36.

The elements of a defamation action

[23] In *Grant v. Torstar Corp.*, 2009 SCC 61, [2009] 3 S.C.R. 640, at para. 28, the Supreme Court of Canada held that a plaintiff in a defamation action is required to prove three elements:

- a. that the words were defamatory in that they would tend to lower the plaintiff's reputation in the eyes of the reasonable person;
- b. that the impugned words referred to the plaintiff; and
- c. that the impugned words were published, meaning that they were communicated to at least one person other than the plaintiff.

[24] The focus of Mr. Warman's first two grounds of appeal is on the second element, that is whether Mr. Warman established that the impugned words referred to him.

Issue 1: Did the trial judge err in law in characterizing the legal test to determine whether the impugned words referred to Mr. Warman?

[25] Mr. Warman contends that the trial judge failed to identify and apply the correct legal test in determining whether the tweets referred to him.

[26] The test for determining whether the tweets referred to Mr. Warman is two-fold:

- a. Are the impugned words capable of referring to the plaintiff? This is a question of law.
- b. If yes, would the words reasonably lead persons who know the plaintiff to believe that the plaintiff was the person referred to? This is a question of fact.

See *Arnott v. College of Physicians*, [1954] S.C.R. 538, at p. 554, relying on *Knupffer v. London Express Newspaper Ltd.*, [1944] A.C. 116 (H.L.), at p. 121. On the second branch, the trier of fact must consider the circumstances, including relevant extrinsic evidence connecting the words with the plaintiff: *Morgan v. Odhams Press Ltd.*, [1971] 2 All E.R. 1156 (H.L.), at p. 1175; *Sykes v. Fraser*, [1974] S.C.R. 526, at p. 559.

[27] Although the trial judge did not quote the test directly, he paraphrased it in applying it to the facts. The trial judge found that the impugned words “could refer to Warman”: *Warman v. Kay* (10 November 2022), Ottawa, SC-20-156136 (Small Cl. Ct.), at paras. 78-79. Thus, he correctly identified the first element of the test. There is no meaningful difference between “capable of referring” and “could refer to”.

[28] The trial judge also paraphrased the second element of the test. He held that the plaintiff “has not proven, on a balance of probability, that the impugned tweets would lead a reasonable person to believe they referred to Warman”: at para. 78.

[29] Mr. Warman argues the trial judge erred in three ways.

[30] First, Mr. Warman argues that the trial judge should have asked under the second element of the test whether the impugned words would reasonably lead persons acquainted with Mr. Warman to believe that he was the person referred to.

[31] I disagree. In paraphrasing the second element of the test, the trial judge did not err.

[32] In the seminal case of *Knupffer*, at p. 119, the House of Lords stated that where the plaintiff is not named, the test is “whether the words are such as would reasonably lead persons acquainted with the Plaintiff to believe that he was the person referred to”. This formulation has been applied in Canada: see e.g., *Arnott*, at p. 555; *Hamlin v. Kavanagh*, 2019 ONSC 5552, at paras. 46, 50; *Butler v. Southam Inc.*, 2001 NSCA 121, 197 N.S.R. (2d) 97, at para. 29, *per* Cromwell J.A.; and *Simpson v. Ontario*, 2010 ONSC 2119, 323 D.L.R. (4th) 102, at para. 264.

[33] But the formulation relied on by the trial judge is also frequently used in Canada. For example, the Supreme Court of Canada held in *Sykes*, at p. 559, that a “plaintiff who sues for libel must prove not only that the words complained of are capable of referring to him (that is, there is evidence upon which such a finding may be made where he is not expressly identified with the libellous matter), but that this is a reasonable conclusion in the circumstances”.

[34] The Court of Appeal for Ontario has also used the formulation relied on by the trial judge. In *Walker v. CFTO Ltd.* (1987), 59 O.R. (2d) 104 (C.A.), at p. 117, it held that “it is incumbent on a plaintiff in a libel action to prove, not only that the defendant published the statements complained of and that they are defamatory, but also that they are defamatory of him or her. The statements must be such that they would be understood by reasonable people to refer to the plaintiff”.

[35] Similarly, in *Foulidis v. Ford*, 2014 ONCA 530, 323 O.A.C. 269 (“*Foulidis (ONCA)*”), at para. 17, the Court of Appeal held that “the trial judge applied the relevant two-part test: (1) were Mr. Ford’s words capable of referring to Mr. Foulidis; and (2) if ‘yes’, would Mr. Ford’s words lead reasonable people to conclude that they did in fact refer to Mr. Foulidis”. Here, the trial judge cited to the trial level decision of *Foulidis* when applying the legal test.

[36] Mr. Warman relies on *Grant v. Cormier-Grant* (2001), 56 O.R. (3d) 215 (C.A.). Yet, even in that case, the Court of Appeal used the formulation relied on by the trial judge: “Where ... the plaintiff’s name does not appear in the defamatory statement, ‘it must be shown that the words used, or the circumstances attending the publication are such as, would lead reasonable persons to understand that it was the plaintiff to whom the defendant referred’”: at para. 19.

[37] Therefore, I conclude that it is not an error for the trial judge to have asked whether the impugned words would lead reasonable people to conclude that they did in fact refer to the plaintiff. This formulation emphasizes that the second element of the test is an objective one. Some immediate suspicion is not enough to conclude that the impugned words refer to the plaintiff: *Butler*, at para. 30. The conclusion that the impugned words refer to the plaintiff must be reasonable, possessed by someone who is acquainted with the plaintiff and who knows the circumstances: *Cormier-Grant*, at para. 24.

[38] The trial judge need not have unpacked all the jurisprudence on the second element of the test. Recall that “appellate consideration of Small Claims Court reasons must recognize the informal nature of that court, as well as the volume of cases it handles and its statutory mandate to deal with these cases efficiently”: *Maple Ridge Community Management Ltd. v. Peel Condominium Corporation No. 231*, 2015 ONCA 520, 389 D.L.R. (4th) 711, at para. 35. Having considered the trial judge’s reasons in the context of the submissions made by the parties at trial, I am satisfied that the judge was aware of the correct legal principles.

[39] Second, Mr. Warman argues that the trial judge erred in relying on the trial level decision in *Foulidis* (2012 ONSC 7189, 114 O.R. (3d) 58) (“*Foulidis (ONSC)*”) and adopting a more

stringent approach to the test by requiring him to demonstrate that he was the “face” or “alter ego” of CAHN.

[40] The trial judge made no such error. As discussed, the trial judge correctly identified the legal test for determining whether the tweets referred to Mr. Warman. He properly relied on the trial level decision in *Foulidis*, which was affirmed on appeal by the Court of Appeal. Like here, *Foulidis* involved a defamation action in which the defendant made allegedly defamatory comments that expressly referred to a corporation, rather than the plaintiff. The plaintiff, who was an officer and director of the corporation, sued for defamation, alleging that the comments referred to him. The trial judge dismissed the action, finding, among other things, that the defendant’s words would not lead reasonable people to conclude that they did in fact refer to the plaintiff. One among several factors the trial judge considered in *Foulidis* was whether the plaintiff was the “face” or “alter ego” of the corporation: *Foulidis (ONSC)*, at para. 33. The Court of Appeal held the trial judge applied the correct legal test and specifically affirmed the trial judge’s finding in this regard: *Foulidis (ONCA)*, at paras. 17, 30.

[41] Here, the trial judge also considered whether Mr. Warman was the “face” or “alter ego” of CAHN. These were simply two among several circumstances he considered in his reasons. It was not a legal error to consider these circumstances and the findings of fact were open to the trial judge on the record before him.

[42] Finally, Mr. Warman relies on *Bou Malhab*. *Bou Malhab* concerned a class action for the injury allegedly suffered by the members of the class because of racist comments made by a radio host concerning Montréal taxi drivers whose mother tongue was Arabic or Creole. This is sometimes called a “group defamation”. The principles in *Bou Malhab* are of little assistance to Mr. Warman because the impugned words were not made about a group of individuals; the words were expressly made about @antihateca, the Twitter handle for CAHN. CAHN is a corporation. Mr. Warman seeks to expand the application of *Bou Malhab* beyond its reach.

[43] In any event, when the trial judge considered all the circumstances under the second element of the test, he effectively considered many factors that one would consider under *Bou Malhab*. He held that they weighed against finding that the tweets referred to Mr. Warman.

[44] Thus, I do not give effect to this ground of appeal. I now turn to Mr. Warman’s argument that the trial judge went astray in applying the test to the facts.

Issue 2: Did the trial judge overlook relevant evidence and fail to give proper effect to the evidence about whether the tweets referred to Mr. Warman?

[45] Mr. Warman argues that the trial judge overlooked relevant evidence, including extrinsic evidence, in determining whether the words would reasonably be understood to refer to him. He says that the trial judge erred in relying on the respondent’s intent instead.

[46] Mr. Warman has not shown that the trial judge made any palpable and overriding error that affected the result in his application of the law to the facts. To the contrary, having considered the

record, I conclude that the trial judge's application of the test to the facts was well-supported in the record.

[47] The trial judge scrutinized Mr. Warman's involvement with CAHN. He found that Mr. Warman was not the public face of CAHN or its alter ego. Although media articles published in 2018 referred to Mr. Bernie Farber as the founder of CAHN and to Mr. Evan Balgord as a co-founder, the media articles did not mention Mr. Warman. At the time of the tweets, CAHN had more than 15 board members. The trial judge found that it "was not a minor organization, and its identity was not the same as any board member": at para. 82. While Mr. Farber's Wikipedia entry referred to him running CAHN with Mr. Balgord, it does not mention Mr. Warman. Nor did Mr. Warman's Wikipedia entry refer to his role as CAHN board member.

[48] On the core issue of whether the tweets would reasonably lead persons who know Mr. Warman to believe that they referred to him, the trial judge observed, "Warman admitted in cross exam that a person reading the impugned tweets may not have associated them [the tweets] with him, and in fact gave no evidence that anyone reading the tweets believed they were about him": at para. 85.

[49] These findings of fact were well-founded on the record. Mr. Warman has not demonstrated that the trial judge overlooked relevant evidence.

[50] The trial judge also considered the tweets, including the headline and sub-headline of the article posted in the tweets, and concluded that they criticized CAHN policy but did not refer to any individual. He then found that the ordinary meaning of the tweets was that CAHN provides material assistance to Antifa, not that Mr. Warman did.

[51] There is no basis to interfere with this finding. Recall that, at trial, Mr. Warman argued that the defamatory statements were found in the text of the tweets when taken together with the headline and sub-headline of the hyperlinked article. Mr. Warman did not argue at trial that the defamatory statements included the contents of The Federalist article. In his reasons, the trial judge correctly distinguished between the contents of the article – which made false allegations against Mr. Warman by name – with the tweets, headline, and sub-headline – which did not refer to Mr. Warman.

[52] On appeal, Mr. Warman sought to resile from his position at trial under the guise of arguing that the contents of the article could be considered as part of the context or circumstances to determine whether the impugned words referred to him. I disagree. Having not advanced the position that the impugned publication included the article's contents, it is not open to him to rely on the article's contents as "context". Far from mere context, Mr. Warman's approach would import the actual meaning of the words in the article into the tweets or headlines themselves.

[53] Finally, Mr. Warman argues that the trial judge erred in considering the respondents' intent. Mr. Warman did not call any witnesses to establish that the words would reasonably lead persons who know him to believe that the words referred to him. The only evidence about whether the

words pointed to Mr. Warman came from the parties. In this light, it was not an error for the trial judge to consider the respondents' knowledge and understanding of Mr. Warman's association with CAHN. Their knowledge and understanding alone is not determinative, of course, but it was part of the circumstances which the trial judge could consider. To illustrate why this is so, consider the counterfactual. Had the respondents' evidence been that they closely associated CAHN with Mr. Warman, this would be evidence that the trial judge could have considered.

[54] Even if the trial judge had erred by considering the respondents' intent, it would not materially affect the result. The weight of the evidence supports the trial judge's conclusion.

[55] Thus, I would not give effect to this ground of appeal.

[56] Since these two issues are determinative, I need not consider the other grounds raised by Mr. Warman.

Disposition

[57] The appeal is dismissed.

[58] If the parties cannot agree on costs, they can each make written submissions to me of no more than 1,000 words, accompanied by bills of costs, within two weeks of the release of these reasons for judgment. These are to be sent by email to scj.assistants@ontario.ca to my attention.

Justice Owen Rees

Released: March 18, 2024

CITATION: Warman v. Kay, 2024 ONSC 1623
DIVISIONAL COURT FILE NO.: DC-22-2753
DATE: 2024/03/18

ONTARIO
SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT

2024 ONSC 1623 (CanLII)

BETWEEN:

Richard Warman

Appellant

– and –

Jonathan Kay and Barbara Kay

Respondents

REASONS FOR DECISION

Rees J.

Released: March 18, 2024

This is **Exhibit "T"** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Federally-funded "anti-hate" group only covers hate from "extreme right," founder says

By **Cosmin Dzsurdza** - November 7, 2023



A federally-funded "anti-hate" organization says its relative silence on weeks of antisemitism has been because it only has the resources to focus on hate from the "extreme right."

Canadian Anti-Hate Network (CAHN) founding chair Bernie Farber made the admission on X in response to a post criticizing the organization for its silence on the recent wave of antisemitism following a terrorist attack on Israelis.

"It's been a month since the terrorist attack on Israelis. This is the first post from anti-hate since then. I know your views because I've grown up knowing you. But it's not just me calling this out," posted the user, Ariella Kimmel.

"Ariella, antihate.ca focuses on the extreme right. That is what it does. I wish we had the resources to do more. We just don't," replied Farber.

The organization has faced weeks of criticism for its sparse reporting on the ongoing anti-Israel protests engulfing Canada.

Farber's admission sparked a backlash on social media. True North's Andrew Lawton criticized Farber's selective focus.

"Canada's leading anti-hate activist, Bernie Farber, says (CAHN's) silence on a month of antisemitism has been because they only focus on the 'extreme right.' Thanks for admitting this is all coming from the left then, Bernie!", posted Lawton.

True North founder Candice Malcolm also joined in the criticism pointing to the fact that anti-Israel rallies across Canada were staged by the extreme left.

not covering the anti-Israel hatefests throughout Canada is because those rallies are led by the Left (including Islamists) not the scary Right," wrote Malcolm.

The accusations against CAHN come amid [nationwide demonstrations](#) by supporters of Hamas. Major anti-Israel demonstrations have been held in cities such as Ottawa, Toronto, Edmonton, Vancouver, and Montreal following Hamas' attack on Israel.

Despite the rise in antisemitic incidents during these protests, CAHN has not published any reports or public comments on the threats faced by Jewish communities from the far-left specifically.

The issue of antisemitism is not confined to Canada. In the United States, a 69-year-old Jewish man [died](#) following a confrontation with pro-Palestinian demonstrators in suburban Los Angeles. The Ventura County Sheriff's Department is investigating the incident as a possible hate crime.

Author

Cosmin Dzsurdzsa

Journalist and Senior Research Fellow

This is **Exhibit “U”** to the Affidavit of **Vincent Gircys**
sworn remotely by Vincent Gircys of the Village of Fonthill in the Province
of Ontario before me at the City of Calgary in the Province of Alberta, on
the 14 day of June, 2024, in accordance with O. Reg. 431/20,
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News / Canada

FIRST READING: The curious lack of outrage at another 'desecration' of the Terry Fox statue

Freedom Convoy sparked nation-wide outrage for politicizing Terry Fox. Protesters calling for the destruction of Israel did not

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Published Nov 05, 2023 • Last updated Nov 05, 2023 • 5 minute read



Children holding Palestinian flags and posing flashing the "v for victory" sign pose on the Ottawa Terry Fox monument. PHOTO BY FACEBOOK/PALESTINIAN YOUTH MOVEMENT

First Reading is a daily newsletter keeping you posted on the travails of Canadian politicians, all curated by the National Post's own Tristin Hopper. To get an early version sent directly to your inbox, [sign up here](#).

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TOP STORY

Not long after a cross-section of Canadian politicians and media figures decried the “desecration” of Ottawa’s Terry Fox statue after it was hung with Freedom Convoy paraphernalia, those same quarters have remained oddly silent after people attending an [Oct. 29 rally calling for Israel’s destruction](#) did exactly the same thing.

STORY CONTINUES BELOW

In January 2022 – not long after hundreds of Freedom Convoy protesters arrived in downtown Ottawa – it quickly became a point of national controversy that demonstrators had draped the city’s Terry Fox statue with anti-mandate paraphernalia.

Images showed the bronze statue with a Team Canada ball cap, a sign reading “mandate freedom,” and an upside-down Canadian flag – a symbol of the Freedom Convoy.



A statue of Terry Fox pictured during the 2022 Freedom Convoy protests and blockades in Ottawa. PHOTO BY THE CANADIAN PRESS/ADRIAN WYLD

The images prompted no less than 10 separate condemnations in the House of Commons or in Parliamentary committees – and inspired statements from Ottawa’s then-mayor Jim Watson and Brad West, the mayor of Terry Fox’s hometown of Port Coquitlam, B.C.

“Whatever your cause, you don’t get to appropriate his legacy and you don’t touch his statue. Ever,” West wrote at the time.

This week, he was one of the only politicians to strike the same tone in the wake of the statue being draped in Palestinian symbols.

“This is wrong. In fact, garbage. Here’s a simple thought: leave Terry Fox’s statue (& veterans memorials alone),” wrote West in a Nov. 2 post to X.com.

On Oct. 29, Parliament Hill and surrounding areas saw one of Canada’s largest pro-Palestinian demonstrations. Although framed as rally for a “ceasefire,” the event featured no shortage of open calls for Israeli destruction, most notably through repeated chants of “from the river to the sea, Palestine will be free.”

RECOMMENDED FROM EDITORIAL

Electronically filed / Déposé par voie électronique : 14-Jun-2024
Ottawa Superior Court of Justice / Cour supérieure de justice



Photos taken by demonstrators show the Terry Fox statue draped in a keffiyeh – a symbol of Palestinian “resistance.” Three children are also pictured hanging from the statue holding Palestinian flags and flashing “v for victory” signs with their fingers.

The photo was [posted online](#) by the Palestinian Youth Movement, a perennial organizer of anti-Israel protests in Canadian cities, including following Hamas’s Oct. 7 massacres against Israeli civilians.

The caption accompanying the image of the Terry Fox statue, in fact, framed Israel as an illegitimate “settler” state guilty of genocide. “This aggression is a continuation of the settler-colonial violence the Zionist state inflicted on Palestinians for the last 75 years,” it read.



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 **Palestinian Youth Movement (PYM)**- حركة الشباب الفلسطيني
about 7 months ago

OTTAWA: On Sunday, October 29, thousands marched on Parliament Hill to demand an immediate end to the ongoing genocide against Palestinians in Gaza. Sunday’s march marked the third in one month where the people of Ottawa showed up and showed out to demand an immediate ceasefire. The Canadian government is aiding and abating this genocide in which Zionist occupation forces have killed more than 8000 Palestinians, 3000 of them children. This aggression is a continuation of the ... [See more](#)



69 8 24

The PYM was instrumental in organizing the first wave of Canadian public celebrations within hours of the first details of the massacres coming to light.

“Last night, the resistance in Gaza led a heroic attack against the occupation.... Victory is ours,” read the Palestinian Youth Movement post advertising [Ottawa’s first post-massacre rally](#) on Oct. 8.

It was that same rally, convened at the city’s Human Rights Monument, that would feature a speaker [explicitly pledging fealty to Hamas](#), and promising to “be the nightmare here” until Israel was destroyed.

This is not the first time that “pro-Palestine” demonstrators have vandalized a Canadian memorial at one of their rallies.

In the wake of an Oct. 20 at Queen’s Park in Toronto, a 100-year-old war memorial in the park had the word “Palestine” scrawled on it.

The monument is the 48th Highlanders Regimental Memorial, built in 1923, and it contains inscriptions of all the battles and combat theatres in which the unit has participated. Just above the most recent inscription of “Afghanistan” was the word “Palestine” written in a similar script.

STORY CONTINUES BELOW

A photograph of the desecrated monument was forwarded to the National Post by a member of the Canadian Armed Forces who said they wished to remain anonymous for security and professional purposes.

The monument had spent hours at the centre of a General Strike for Gaza that had been organized outside the Legislative Assembly of Ontario by the Palestinian Youth Movement.



IN OTHER NEWS

It's that time of year again to wear a poppy (for which the National Post has [compiled this helpful guide](#) on how to wear one without it falling off). In Saskatchewan, they [greeted the coming](#) of Remembrance Day with a **new law making it illegal for provincially regulated employers to prohibit the wearing of poppies** – provided it's not a safety risk. What's less clear about the legislation is who it is actually targeting. Only a handful of Canadian employers have ever attempted to restrict the workplace wearing of a poppy, and the backlash was [so swift and overwhelming](#) that they immediately regretted it.

It's a frequent theme of this newsletter that Canada is one of the most pro-immigration countries on earth. It's also a frequent theme of this newsletter that – amid Ottawa orchestrating the most dramatic spike in immigration in the history of Confederation – Canadians are suddenly finding themselves [pondering whether it's all a bit much](#). A [September Nanos poll](#), for one, found that **53 per cent of Canadians believed that the government was bringing in too many newcomers** – while only eight per cent backed the status quo plan of bringing in even more.

STORY CONTINUES BELOW



Canada's getting a new Supreme Court justice, Mary Moreau, to replace Russell Brown, the one who resigned under murky circumstances in June. Judicial appointments, like Senate appointments, are one of those many Canadian things where the prime minister has sole, unilateral discretion and can basically do whatever he wants. This week, Conservative MPs complained that maybe the appointment of one of the most powerful people in the country should be preceded by a bit more than a rushed and non-binding Q+A session with MPs. Those Conservatives will probably change their tune once their own guy is picking judges, but given how activist the Supreme Court has gotten in recent years, it is notable how little oversight this all gets. PHOTO BY ED KAISER/POSTMEDIA

And thus has the Trudeau government suddenly announced that they're bringing down immigration targets – a bit. Ottawa is still going to hike new arrivals to 500,000 per year by 2025, but after that [they're planning to plateau the number](#). It isn't the one million newcomers that Canada brought in last year, but it's still one of the highest-ever immigration intakes for a country that has historically been pretty bullish on immigration. In 2014, the last full year of the Harper government, it was frequently reported that Conservatives had dialled up immigration to its highest rate in more than 100 years. The total number of immigrants brought to Canada that year [was 260,000](#).

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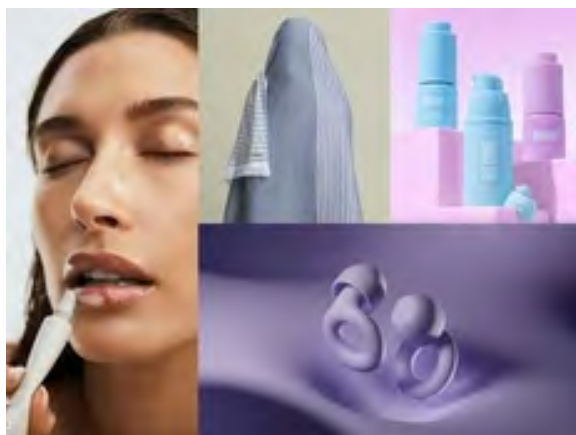
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the 14 day of June, 2024, in accordance with O. Reg. 431/20,
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Blaise Zak
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FIRST READING: The conspicuous silence of the Canadian Anti-Hate Network

Federally funded hate watchdog has gone noticeably dark amid Canadian rallies cheering the Oct. 7 terrorist attacks against Israel

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Tristin Hopper

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A Tuesday rally outside of the Israeli consulate in Toronto, one of dozens in recent days that have explicitly called for the destruction of Israel and supported Hamas' Oct. 7 massacre of more than 1,000 Israeli civilians. PHOTO BY JOE WARMINGTON/TORONTO SUN

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TOP STORY

As Canadian cities continue to be roiled by mass rallies calling for the destruction of Israel, it has yielded nothing but prolonged silence from the one body that has been cited by the Trudeau government as a leading authority on “hate.”

STORY CONTINUES BELOW

The Canadian Anti-Hate Network (CAHN) — a perennial recipient of federal “anti-racism” monies — has not issued a single statement or social media post in the wake of the Oct. 7 attacks against Israel, even when those attacks sparked celebratory rallies across Canada’s major cities.

By contrast, the group issued five statements over five weeks regarding the 1 Million March 4 Children, a protest that called for the removal of “gender identity” instruction from school curricula.

And in early 2022, the Canadian Anti-Hate Network also issued a flurry of statements condemning the anti-mandate Freedom Convoy protests as a nest of far-right racism and anti-Semitism.

It was the CAHN that almost exclusively fuelled media reports at the time that Freedom Convoy was a close ally of Diagonol, an alt-right group that it cited as a national security threat. RCMP reports recently published by researchers Caryma Sa’d and Elisa Hategan found that the Mounties themselves never gave these threats much credence. “Due to the fact that all information traces back to one source (CAHN), triangulation and the verification of facts is almost impossible at the current time,” the RCMP wrote in its profile of Diagonol.



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Ottawa rushes to condemn 'attack' on Gaza hospital despite the initial claims coming from Hamas

In February 2022, a CAHN statement even cited the ongoing Freedom Convoy blockades as evidence for why Canada needed “anti-hate” legislation to censor social media, even if it infringed on Canadian civil liberties.

“We would rather see a small amount of posts that are not-quite hate speech be a casualty of any legislation rather than have hate speech continue to attack and silence women, BIPOC, LGBTQ+, First Nations, Métis, and Inuit peoples, and others,” they wrote.

But 11 days after Hamas terrorists massacred more than 1,000 people in southern Israel — including six Canadians — the group has remained conspicuously silent even as mass-rallies gather in Canadian urban centres to cheer the attacks as an act of Palestinian “resistance.”

Within hours of the Oct. 7 attacks, rallies congregated in all of Canada’s major downtown cores with chants of “down, down Israel” and “from the river to the sea, Palestine will be free” — a statement meant to explicitly reject a two-state solution in favour of Israel’s complete eradication.

STORY CONTINUES BELOW

Marches and gatherings have continued in the days since. On Tuesday, an Ottawa antisemitism conference attended by all four major party leaders was similarly thronged with protesters carrying Palestinian flags. “Protesting an antisemitism conference is showing your true colours,” read a statement by The Centre for Israel and Jewish Affairs, the conference’s organizer.

CAHN is chaired by Bernie Farber, a former CEO of the Canadian Jewish Congress, who has previously been rather vocal about Palestinian extremism within Canada.

In 2009, following a similar round of pro-Gaza protests in Canadian cities that included calls for the destruction of Israel, Farber called for the rallies to be subjected to an official RCMP hate crime probe.

“Some of the rhetoric and chants that we have heard are everything from calls to murder, to comparison of Jews and Israelis to Nazis, to calls for genocide,” Farber said at the time.

Farber has posted statements to his personal Facebook page, saying he has “been trying to figure out how best to explain my trauma since the first news of the anti-Jewish massacres carried out by the Nazi inspired Hamas began.”

STORY CONTINUES BELOW

But while the CAHN frequently warns of anti-Semitism among the “far right,” its website doesn’t contain a single example condemning Palestinian extremism or highlighting institutionalized calls for Israel’s destruction — the latter of which has been extremely visible among Canadian academic circles since Oct. 7.

As of press time, one of the last statements issued by CAHN before going dark was a detailed guide on how to oppose the “parental rights” movement, which arose in part over revelations that school boards across the country had quietly adopted a policy of immediately accommodating the gender transitions of minors without informing their parents. As the guide warned, parental rights “seems to be an exceptionally salient concept, resonating far beyond far-right, or even conservative, echo chambers.”

STORY CONTINUES BELOW

In just the last few years, the Trudeau government has poured millions of dollars into “anti-racism” initiatives premised on the notion that Canadian society is shot through with “systemic racism” that can only be addressed with policy that ascribes different treatment based on one’s race or sexual identity.

CAHN secured a \$268,400 contract to draw up a toolkit on “preventing hate in Canadian schools.” The resultant 53-page guide became notable for declaring the Red Ensign – Canada’s pre-1965 flag – a “hate symbol.” School administrators were also warned that various quotidian teenage activities – such as circulating internet memes or using TikTok – were potentially red flags for “hate.”

Just last month, CAHN was petitioning Ottawa for \$5 million in funding over five years to act as an unofficial “anti-hate watchdog” against the “far right.”

IN OTHER NEWS

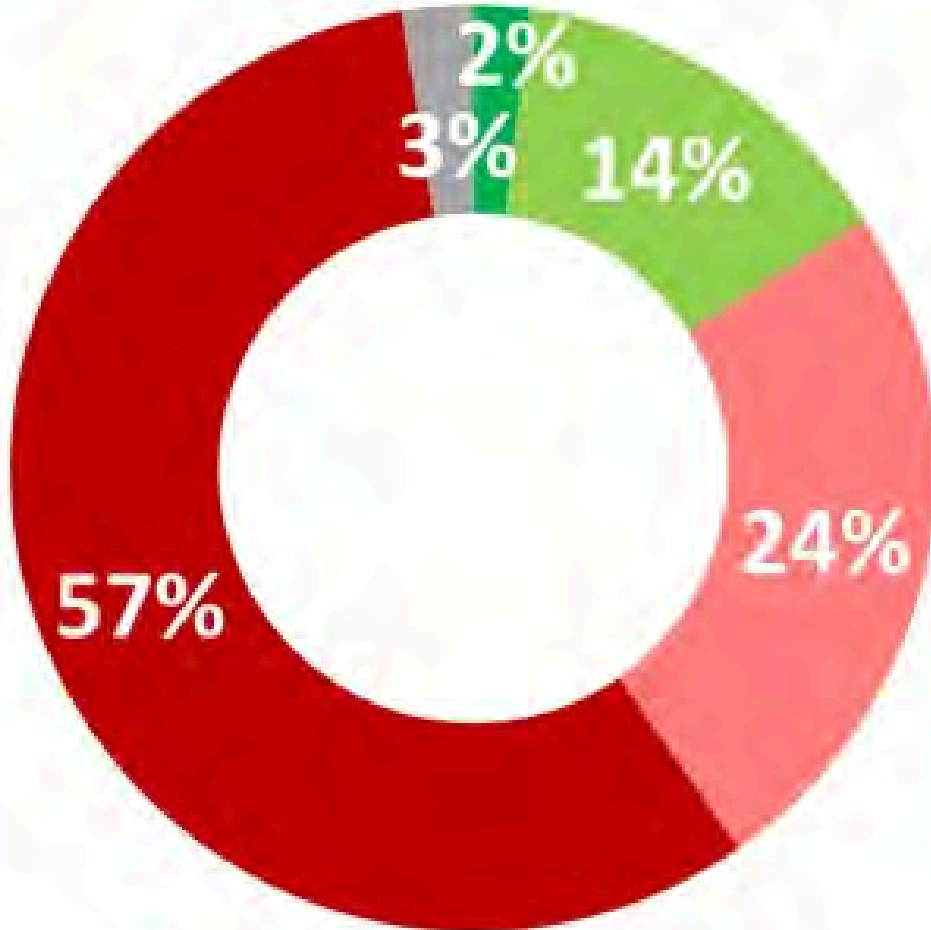
Within hours of a massive explosion hitting the Al-Ahli Arab Hospital in Gaza City, Prime Minister Justin Trudeau condemned it as a violation of “international law,” and his industry minister even referred to it as an “attack” – both statements seeming to imply that Israel was responsible (for instance, Trudeau hasn’t used the phrase “international law” when condemning Hamas, a terror group, except in the circumstance of calling for Hamas hostages to be treated humanely). There’s just one problem: **The explosion very likely came from a malfunctioning rocket fired by a Hamas ally – and Canada’s condemnations were based on press reports sourced entirely from Hamas.** And it’s not just Israel claiming that the rocket came from within Gaza; multiple independent analyses of video evidence have noted that the explosion took place seconds after a rocket barrage was launched towards Israel by the group Palestinian Islamic Jihad.

STORY CONTINUES BELOW



Amid Ottawa's more dubious attempts to bring down grocery prices, the Department of Agriculture has hit upon one that might actually help: Extending best-before dates so that grocers aren't compelled to throw out food so regularly. While First Reading does not advise you to start chugging sour milk or eating expired ham, Canada's best-before regulations are notoriously overzealous. According to Second Harvest, the typical Canadian egg is still plenty edible up to two weeks after its best before date. PHOTO BY KIER GILMOUR/POSTMEDIA

Nearly two-thirds of Canadians want Prime Minister Justin Trudeau to resign, including a not-insubstantial number of Liberal voters. According to a [new Angus Reid Institute poll](#), 57 per cent of Canadians want Trudeau out of the way by the next election. Among Liberals, meanwhile, it's almost an even split between the "dump Trudeau" and "keep Trudeau" camps; 41 per cent want him to resign, while 44 per cent want him to stay. The context of the survey is that it is occurring amid a meteoric rise in Conservative support that is even starting to chip away at NDP votes. Based on an amalgam of major polls, 338Canada is now projecting that the next federal election could see the Conservatives [capture 200 seats](#) – a total that would rank among the most decisive landslides in Canadian history.



- Confident
- Somewhat confident
- Somewhat not confident
- Not confident
- Unsure

For any Canadian politicians looking to address the housing unaffordability crisis, the good news is that public expectations are already rock-bottom. A recent Nanos poll asked respondents how confident they were that Canadian housing would be more affordable in five years than it is now. The results are above; a mere 16 per cent had any hope things would improve. PHOTO BY NANOS

NDP Leader Jagmeet Singh – who has been calling for an immediate Israeli ceasefire that would keep Gaza’s Hamas leadership in place – **seemed to imply in the House of Commons on Monday that Israel is contemplating a genocide of Palestinian people.** After accusing Israel of imposing “collective punishment” on Gaza, he warned that “when we stop believing that each life has value, this is when the seeds of genocide take hold.” This prompted both Liberal MP Ben Carr and Conservative MP Melissa Lantsman to ask the NDP leader if he was really suggesting that Israel might try to “eradicate” the Palestinian people. Singh did not deny the suggestion, but replied “the only way forward to save lives is peace.”

Get all of these insights and more into your inbox by signing up for the First Reading newsletter [here](#).

Editor’s Note: The Canadian Anti-Hate Network [received \\$268,400](#) in federal funding for a contract period that ended August 31, 2021. The group says they do not currently received any federal funding, and haven’t since the end of the 2021 contract. An earlier version of this column had incorrect amounts.



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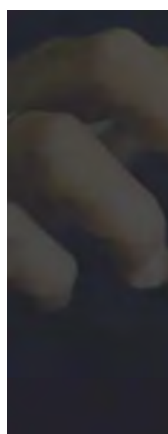
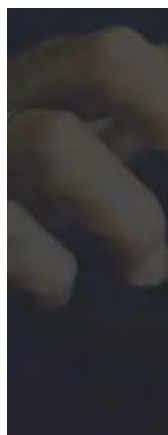
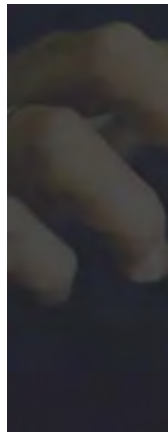


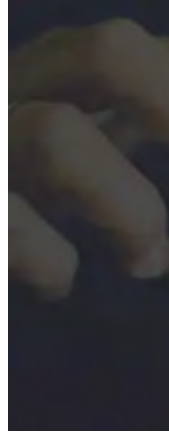
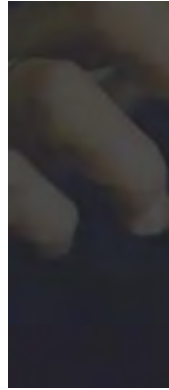
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Blaise Zak
Student-at-Law

Saskatchewan

Sask. gov't discourages use of federally funded Canadian Anti-Hate Network toolkit in classrooms

Toolkit doesn't meet quality criteria, is not free from bias, says province

[Laura Sciarpelletti](#) · CBC News · Posted: Oct 23, 2022 12:40 PM MDT | Last Updated: October 24, 2022

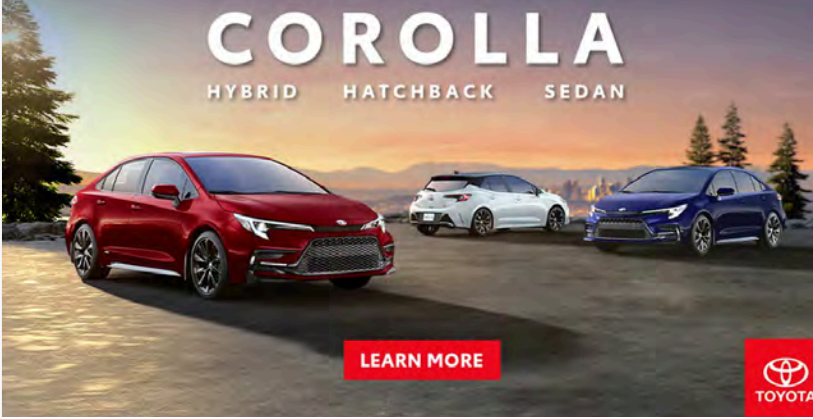


The toolkit is a resource to identify and address hate in schools, according to the network. All the content is Canadian, and it makes reference to Saskatchewan three times. But the province says it doesn't meet its criteria. (BlurryMe/Shutterstock)

The Government of Saskatchewan is discouraging teachers from using an [anti-hate toolkit](#) developed by the Canadian Anti-Hate Network.

The toolkit is a resource to identify and address hate in schools, according to the network, which monitors and reports on groups or individuals promoting hate toward "identifiable groups" outlined in Canadian law, [according to its website](#).

All the content is Canadian, and it makes reference to Saskatchewan three times. But the province says it doesn't meet their criteria.



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"The toolkit does not meet criteria such as being high quality, free from bias as reasonably possible, and having appropriate and significant Saskatchewan context," a spokesperson for Saskatchewan's Ministry of Education said in a statement on Oct. 13.

- **OPINION** [We must adopt policies that require proof of Indigenous status and end self-identification](#)

The federal government says on its website that the toolkit will provide "a comprehensive anti-racism education program to help equip educators, parents and communities better identify, confront and prevent hate in schools across Canada."

The project is funded through the Government of Canada's Anti-Racism Action Program, which aims to address barriers to employment, justice and social participation among Indigenous Peoples, racialized communities and religious minorities, as well as address online hate and promote digital literacy.

The toolkit, titled *Confronting Hate in Canadian Schools*, launched in June and received \$268,400 in federal funding for development. But the Saskatchewan Ministry of Education informed the education sector on Sept. 20 that the Canadian anti-hate toolkit is not recommended.

The ministry says that instead of using the toolkit, schools and school systems can find a selection of resources using the Learning Resource Selection Guidelines 2022 and [lists found on the curriculum website](#).

Toolkit isn't curriculum: director



Evan Balgord, executive director of the Canadian Anti-Hate Network, says the anti-hate toolkit is heavily sourced with links provided. (Canadian Network for Research on Terrorism, Security and Society)

Evan Balgord, executive director of the Canadian Anti-Hate Network, says he's disappointed the province is discouraging the education sector from using the toolkit.

"B.C. says it's already putting it on a recommended list, before we even reached out to them. We have some meetings lined up with other provinces. So everywhere else, the response has been neutral to positive. So Saskatchewan has been an outlier," Balgord said.

- [New women's addiction recovery residence in west-central Sask. focused on reuniting families](#)

Balgord says the toolkit is not necessarily meant as an in-class resource, but as a professional development resource, primarily for parents and teachers. It is not curriculum, Balgord said.

"It's to prevent kids having their heads so full of hate, being groomed and radicalized and being propagandized by, you know, manifestos and stuff and going out and carrying out some kind of like mass attack," Balgord said.

like the province suggests. He says hate groups often target children for recruitment.

"It's not partisan and it's not meant to be seen as partisan. It does have to talk about politics a bit because white supremacist groups, all the time, they're talking about how to influence or infiltrate mainstream politics to achieve their ends," he said.

"So it's a big part of their ideology. So of course we have to mention the toolkit. So that's where you're going to see."

Teachers say they can make the call themselves

Samantha Becotte, president of the Saskatchewan Teachers' Federation, says she's surprised the province is discouraging the use of this toolkit.

"It's the first time from my knowledge where they've come and discouraged something rather than approving it," Becotte said.



Samantha Becotte, president of the Saskatchewan Teachers' Federation, says she's surprised the province is not recommending the anti-hate toolkit to Saskatchewan teachers. (Saskatchewan Teachers' Federation)

Becotte says Saskatchewan teachers are well trained and able to decide for themselves what materials, anti-hate or otherwise, are appropriate for dealing with intolerance in the classroom.

"The teachers that I represent are highly educated and they're trained to evaluate and choose the resources that they use in their classroom," said Becotte.

what they are, what they're learning."

She says hate can sometimes be detected in some classrooms.

"Well, not just Saskatchewan, but really the youth across Canada and anywhere around the world. We want our students and our youth in Saskatchewan, as teachers, we want them to be welcoming and we want it to be safe and caring, learning environments for all students to feel welcomed into."

Becotte says she trusts Saskatchewan teachers to make the right call about the toolkit.

"We would expect that those decisions be made by teachers who know their students and know their communities."

Saskatchewan content

As for Saskatchewan content, the toolkit does mention the Sixties Scoop, which "tore Indigenous babies from their mothers' arms under racist policies that sought to erase their culture and community bonds."

It also mentions the "Starlight Tours," where Saskatchewan and Manitoba police would take Indigenous men to rural areas and "leave them there in the dead of a cold Prairie winter."

A CHILD IS WAITING
Happy, Playful Girl

Sherri, 3 . . . loves to be hugged and cuddled.

Three-year-old Sherri can quickly win your attention with her wide smile and big brown eyes. An attractive girl, she has straight black hair cut in a pixie-look which matches her little personality.

Sherri loves to be hugged and cuddled. At first, she is shy with strangers until she knows that you can be trusted.

she is talking, repeating what others say and is more attentive. She is attending a speech therapy program once a week and her foster mom does speech exercises with her at home.

Sherri enjoys play-time with her furry animals, pulltoys and the kitchen pots. She loves to listen and

A CHILD IS WAITING

JASON, A LOVABLE LITTLE CHARMER
. . . is all-boy.

Don't let his serious look fool you, twenty month old Jason is a happy boy who enjoys playing with both children and adults.

Now that Jason is walking he loves to explore and get around. He loves playing outdoors in the sand with pots, pans and little objects. Going for car rides is his favorite activity.

has fine dark brown hair, big brown eyes, chubby cheeks and a dark olive complexion.

For the first months of his life, Jason had a few health difficulties. Other than the occasional cold, he is in good health now. He gets an eczema-like rash on his face. The rash comes and goes and is treated with

During what is known now as the Sixties Scoop, federal and provincial agencies would place ads like this in newspapers, trying to place Indigenous children in white homes.

Balgord says the Saskatchewan Ministry of Education has claimed that the Canadian Anti-Hate Network has made "quite controversial statements without any kind of backup or evidence" in the toolkit.

"That's not factual or accurate. If you go and take a look at the toolkit, it's right there. Everything's hyperlinked. There's like a dozen hyperlinks a page. I feel hyperbolic here, but it's sourced, it's evidenced."

Balgord says that if someone says the toolkit isn't factually accurate the network takes that seriously and will review.

"We don't want this thing to be political. We're kind of disappointed it's become political in Saskatchewan," he said.

"We just want to create a good resource for parents and teachers and ultimately to protect kids from getting radicalized into white supremacist and hate movements that ruin their lives, and turn around and make them make threats to other kids."

says supplementary material could be added in the future.

"There is some Saskatchewan content. We of course would be happy to add more. But this is a toolkit meant for all of Canada. So it might touch in Saskatchewan, but it's not going to have a ton of province-specific material."

With files from Dayne Patterson

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Notary Public in and for the Province of Alberta

Blaise Zak
Student-at-Law

Written Submission for the Pre-Budget
Consultations in Advance of the
Upcoming Federal Budget

By: The Canadian Anti-Hate Network

August 4, 2023

Recommendations

1. That the government commit \$25 million a year for five years to an Anti-Hate Action Program to counter far-right organizing and its impacts as part of Canada's Action Plan on Combatting Hate.
2. That the government commit the necessary funding for Statistics Canada to survey Canadians about hate crimes annually as part of the General Social Survey.
3. That the government commit \$1 million a year for five years to the Canadian Anti-Hate Network to give Canada an anti-hate watchdog organization on par with the SPLC in the USA, Hope Not Hate in the UK, and the Amadeu Antonio Foundation in Germany.

Defining the “Far-Right”

Far-right movements are loose collections of individuals and organizations that harbour racism and other forms of hate and work to advance anti-democratic goals. They traffick in conspiracies based on a belief that there are elements within society that push socially progressive values for sinister purposes. Far-right movements cast their perceived enemies as undeserving of equal treatment and human rights, and sometimes as legitimate targets of violence. They may simultaneously deny, tolerate, and incite hatred towards protected groups.

The far-right ecosystem produces ideology and propaganda that result in direct attacks on democracy, such as the failed January 6th insurrection in the United States, and mass murders, such as the Quebec City Mosque attack in 2017. The rise in far-right organizing and the spread of their narratives has coincided with an increase in hate and hate crime both online and offline.

The so-called Freedom Convoy, the occupation of Ottawa, and recent efforts to attack 2SLGBTQ+ policies and 2SLGBTQ+ inclusive education are all products of Canada’s far-right movement.

It should be clear that far-right is not a synonym for conservatives or conservatism, and people with classically “right-wing” views are not, by default, far-right.

Background

The so-called Freedom Convoy, the occupation of Ottawa, and the now widespread campaign against 2SLGBTQ+ rights and education are products of Canada’s far-right movement.

The movement as we know it has evolved. It began as an Islamophobic and anti-Muslim racist movement, inspired by European anti-Muslim hate, the Syrian refugee crisis, and Donald Trump. A street-level protest movement sprung up, sharing conspiracy theories about a Muslim invasion of Canada.

This movement rebranded itself to Yellow Vests Canada in 2018. Still Islamophobic, it adopted additional grievances and shifted more anger towards the government. We documented hundreds of overt death threats and calls for violence towards politicians and minority groups.

Yellow Vests Canada held a “United We Roll” convoy to Ottawa. While it failed to bring out anywhere near the numbers it promised, it was a dry run of sorts for the later Freedom Convoy, which had several of the same organizers.

The movement would briefly focus on anti-Indigenous racism when the Wet'suwet'en land defenders and solidarity demonstrations were front-page news. They shared anti-Black and

pro-police messaging after the police murder of George Floyd and Black Lives Matter demonstrations in the United States.

The same movement evolved under COVID-19 to focus on medical disinformation and conspiracy theories. In doing so, it again exponentially grew its base of supporters. Their messaging appealed to peoples' legitimate anxieties and fears, but relied on disinformation to explain the problem and offer solutions.

Then came the Freedom Convoy. In addition to the incessant noise and making Ottawa residents feel unsafe, a group of men in Coutts, Alberta were allegedly planning on murdering RCMP officers at one of the related demonstrations.

The COVID-19 conspiracy movement and the freedom convoy have since pivoted to attacking the 2SLGBTQ+ community, primarily by spreading the dangerous and inciting lie that transgender persons and 2SLGBTQ+ persons are pedophiles with an agenda. Today they are targeting school boards and are trying to ban books, force students to use the wrong washrooms, and force teachers to out the gender and sexual identity of their students to what might be unsafe homes. Teachers and administrators have reported harassment and threats.

Canada also has several white supremacist or neo-Nazi accelerationist groups which operate more clandestinely and constitute a significant threat of violence.

We estimate there were 20,000 to 30,000 members of anti-Muslim Facebook groups in 2016. Today, based on opinion polling, we believe 10 to 15 per cent of Canadians are consuming far-right content and believe in one or more far-right conspiracy theories.

About Us

The Canadian Anti-Hate Network's mandate is to counter, monitor, and expose far-right and hate promoting movements, groups, and individuals using every legal, ethical, and reasonable tool at our disposal.

We believe in creating a Canada that has such a strong pro-democracy, anti-fascist, and anti-hate culture that the far-right will never gain a foothold.

Until that day comes, we believe in doing everything ethical and within our power to prevent the far-right from growing, hurting people, organizing against human rights, and seizing power.

We believe that factual reporting exposing far-right intentions and organizing is a necessary component to stopping the far-right - we are proud to fill that role.

We will not let the far-right erode democracy and make their perceived enemies, especially people in equity-deserving communities, feel unsafe in Canada.

Anybody is welcome in our pro-democracy and anti-hate space, regardless of political affiliation, who shares these values and envisions a future free from hate.

The Canadian Anti-Hate Network does investigative journalism, provides free toolkits that help parents, teachers, and other caring adults identify and intervene when a youth might be getting groomed and recruited into a hate movement, and hosts other guides which help communities stand up to the far-right and hold their own demonstrations for human rights safely and effectively.

Our board is made up of court-recognized experts in hate and hate crime, the former head of the Canadian Jewish Congress and Mosaic Institute, a human rights lawyer who worked for the Canadian Human Rights Commission, the Vice President of the Elementary Teachers of Toronto, a Catholic high school teacher who has documented hate for over two decades, and the former Executive Director of the Wikimedia Foundation and a former Director at the CBC.

Founding board member Amira Elghawaby is now Canada's Special Representative on Combatting Islamophobia.

The Canadian Anti-Hate Network maintains a strong focus on ethics, based in part on the Canadian Association of Journalists Ethics Guidelines. In addition to being a point of pride, that commitment to ethics is why CAHN has never lost or settled a lawsuit unfavourably. CAHN has received clean audits from Fruitman Kates LLP.

CAHN is not currently receiving any government funds.

The Canadian Anti-Hate Network has received funding in the past through the government's Anti-Racism Action Program, the Bank of Montreal, Unifor, philanthropists Mohamad Fakih and Gary and Donna Slaight, and the Southern Poverty Law Centre. We would like to thank each of our 2,184 donors in the anti-hate community.

With over 50,000 followers on social media, plus the numerous interviews we give media, the Canadian Anti-Hate Network has one of the largest audiences of any nonprofit our size.

The Challenge

The government has funded anti-racism and diversity, equity, and inclusion and preventing and countering violent extremism (P/CVE) programs. These programs are beneficial, but they have not prevented the exponential growth of the far-right movement, or the increasing levels of hate crime in Canada.

None of the government's programmes explicitly name the far-right as a threat to Canada's democracy and marginalized groups, and none of them fund efforts to address the far-right movement as a significant origin of hate in Canada.

We need to address the far-right because it wants to do away with our liberal democracy, with its legal protections for minorities and human rights. Its propaganda also kills people.

On January 29, 2017, Alexandre Bissonnette murdered 6 worshipers at a Mosque in Quebec City. Nearly an entire family was murdered in London, Ontario in a car attack, leaving behind their nine-year-old son. The Mississauga, Ontario mosque attack last year was inspired in part by the white supremacist mass murder of Muslims in Christchurch.

We believe the environment of hate towards 2SLGBTQ+ persons, and especially gender-non-conforming persons, produced the triple stabbing at the University of Waterloo. Police believe the incident, in which a former student attacked a philosophy of gender class, was a hate crime targeted at 2SLGBTQ+ persons.

Calls to execute politicians and members of the media have increased in intensity. So much so that the RCMP has announced the formation of a unit dedicated to threats against Members of Parliament. Threats against journalists have seen scores of reporters – mostly racialized women – leaving the profession out of fear.

While difficult or impossible to count how many, the far-right's obsession with spreading COVID-19 dis and misinformation during the pandemic surely had a significant bodycount.

Ways to Address the Far-Right in Canada

Canada's Action Plan on Combatting Hate should host the Anti-Hate Action Program, a granting program to support and build up anti-hate movements to protect equity-deserving communities from the growing far-right.

Eligible projects would align with one of the 3 key themes.

1. Monitoring, Documenting, and Reporting: making communities aware of far-right organizing, strategies, and tactics locally and nationally; investigative journalism and data-driven reporting.
2. Capacity Building: increasing the ability of local organizations to carry out safer anti-hate and human rights demonstrations; communication and marketing to promote pro-democracy, anti-hate, and human rights efforts.

3. Responding: helping local communities respond to hate incidents and local far-right organizing with affirming anti-hate and human rights demonstrations, support for people targeted by the far-right.

Over the past six years the Canadian Anti-Hate Network has monitored hundreds of far-right demonstrations. The far-right organizes and is more active offline when its protests go unchallenged. The best way to discourage them is for a large group of people to hold events against hate and for human rights to counter far-right events, as often as possible.

This has the effect of discouraging the softer supporters of the far-right, which denies them the numbers they need to do large actions, and makes them feel less emboldened, which results in less far-right violence at demonstrations. The more racist and hateful core of the far-right is further exposed when its softer supporters, which whitewash it and lend it plausible deniability, stay home.

We have also observed what happens when the far-right goes unchallenged. For example, in Calgary in March 2023, an anti-2SLGBTQ+ hate preacher with a violent criminal history was able to barge in on a family-friendly drag event at a public library. It fell on the parents, afraid for their children, to physically remove him.


These anti-hate demonstrations also send a strong signal of love, inclusion, and belonging to communities that are being threatened by the far-right. They provide a space for people to meet one another, build support networks, and, ultimately, resilience.

We've heard from educators and administrators how much safer they feel, and how much better they're able to do their jobs in the face of anti-2SLGBTQ+ campaigns when they're supported by anti-hate letter campaigns, presentations to their board, and community members attending their meetings.


Only one per cent of hate crimes that people report experiencing to Statistics Canada are reflected in the annual police reported hate crime numbers. Many people choose not to report hate crimes to police, or face systemic barriers in doing so, and because police only choose to document, pursue, and report a fraction of the reports they receive.

The result is that hate crimes are perceived to be much more rare than they actually are, and conclusions, such as comparisons of hate crime rates between groups, can't be drawn from such incomplete data.


Every five years Statistics Canada asks Canadians, through the General Social Survey, if they have been the victim of a hate crime, questions about the nature of that crime, and demographic questions about the respondent. These questions should be expanded upon and repeated annually so that any efforts to reduce hate crime can be more accurately evaluated for their effectiveness.

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Canada

Canadian Anti-Hate Network asks feds for \$5M of taxpayers' money: Report

Kevin Connor

Published Sep 18, 2023 • Last updated Sep 18, 2023 • 2 minute read

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Stacks of Canadian currency. PHOTO BY ISTOCK /GETTY IMAGES PHOTO BY ISTOCK /GETTY IMAGES

There are as many as 6 million people in Canada who are conspiracy theorists, according to the Canadian Anti-Hate Network.

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And the federally-funded media monitor says it needs more funding to counter those who would “do away with our liberal democracy,” according to Blacklock’s Reporter.

“We believe 10% to 15% of Canadians are consuming far-right content and believe in one or more far-right conspiracy theories,” the organization wrote in a submission to the Commons finance committee.

“We believe in creating a Canada that has such a strong pro-democracy, anti-fascist and anti-hate culture that the far right will never gain a foothold. Until that day comes, we believe in doing everything ethical and within our power to prevent the far right from growing.”

The organization has applied for funding of \$5 million over five years to act as an unofficial “anti-hate watchdog” for the Canadian government.



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"None of the government's programs explicitly name the far right as a threat to Canada's democracy and marginalized groups," it wrote the finance committee.

"None of them fund efforts to address the far-right movement as a significant origin of hate in Canada," it wrote. "We need to address the far right because it wants to do away with our liberal democracy."

The group has already received grants of \$268,400 to run a website and \$268,400 to publish a school guide called *Confronting And Preventing Hate In Canadian Schools*.

Last year, then-diversity minister Ahmed Hussen called the group "an organization that I respect very much."

The school guide says the Red Ensign is a hate symbol, even though it was Canada's national symbol until 1965.

STORY CONTINUES BELOW

The guide also named the Conservative Party as a target of "infiltration" by racists and "white nationalists" and warned children to beware of Canadians who invoke "free speech" in political debate.

The organization also described the Freedom Convoy as a "product of Canada's far-right movement."

"The COVID-19 conspiracy movement and Freedom Convoy have since pivoted to attacking the LGBTQ community primarily by spreading the dangerous and inciting lie that transgender persons and LGBTQ persons are pedophiles with an agenda," the Canadian Anti-Hate Network wrote.

"Today they are targeting school boards and trying to ban books, force students to use the wrong washrooms and force teachers to out the gender and sexual identity of their students to what might be unsafe homes."



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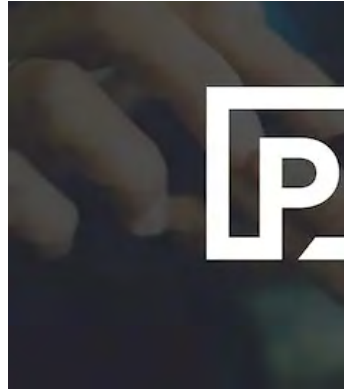


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Plaintiffs

- and -

JUSTIN TRUDEAU et al.
Defendants

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