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Press Release For Immediate Distribution

Criminal Lawyers' Association calls for an Independent Fact Finder For the G20 Prisoner Processing Centre

Toronto, ON, June 30, 2010 – The Criminal Lawyers' Association (CLA) joins the call for the immediate appointment of an independent fact finder to inquire into the circumstances surrounding the arrest and detention of the G20 protesters.

The inquiry should begin with an examination as to why the Governments of Canada and Ontario chose a venue that was ripe with security issues and which would undoubtedly lead to the police infringing the rights of lawful protesters. Having chosen a venue with such significant security challenges, the Ontario Government then found itself resorting to the artifice of declaring an open area of Toronto's downtown core a "public work" for the purposes of increasing police powers through invocation of the *Public Works Protection Act*. Even had the Ontario Government properly publicized its invocation of these additional police powers, it would have been near impossible for citizens to understand the limits of this police power and to act accordingly. Further, given the difficulties in securing such an amorphous area, it should have been obvious that the police would have trouble catching handfuls of troublemakers in crowds of lawful protesters without also detaining innocent citizens. Consequently, it appears that at some point during the events, the police simply expanded their authority to detain or arrest masses of lawful protesters in order to prevent the harm caused by a small minority. Government and police officials involved in these decisions must be held accountable.

The CLA is also gravely concerned about how many of the 900 G20 protesters were treated following their arrest and detention. Based on the published reports, the detentions at the Prisoner Processing Centre (PPC) have likely resulted in

mass civil and political rights violations. The Criminal Lawyers' Association received information that hundreds of people were held at the PPC for as long as 15 to 30 hours, many without being given the opportunity to call a lawyer. Counsel who called to speak with detainees were told by PPC officials that those officials did not "have the authority" to allow detainees to speak with lawyers. Many of the people who were allowed to make calls to counsel from the centre reported that they were not charged with any criminal offence, and were simply being held for "breach of the peace". Some of those detainees had been in custody for over twenty-four hours without ever being charged. Others who had been charged were not brought before a justice within twenty-four hours, contrary to the *Criminal Code*. The deplorable conditions of the detention facilities at the PPC have been widely reported. An independent fact finder, empowered to interview detainees, review documents, interview authorities and public officials is essential to restore our faith in the values essential to any free and democratic society.

The Criminal Lawyers' Association (CLA) is one of the largest specialty legal organizations in Canada, with more than 1,000 members. The CLA is a voice for everyone concerned with criminal justice and civil liberties in Canada. Our advice and perspective is sought frequently by all levels of government and the judiciary on issues relating to legislation and the administration of criminal justice. The CLA also assists its members in every aspect of the practice of criminal litigation. A list of our membership and a more detailed description of our organization is located at <http://www.criminallawyers.ca>

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