

Re: URGENT Appeal for Arrest - Criminal Code of Canada, s.122 - Breach of Trust by Public Officer - Second Request

Stand Up Canada <info@standupcanada.solutions>

Wed 05/05/2021 17:55

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May 5, 2021

ATTENTION Ontario Police Associations, Ontario Provincial Police, Attorney General of Ontario and Attorney General of Canada

URGENT: Plea to Arrest Doug Ford RE: Breach of Trust by Public Officer – Second Request

This is a follow up email which we sent to all Police in Ontario on April 25, 2021, of which we have not received any reply to date from any Police association or detachment. We have now included the Attorney General for Ontario and the Attorney General for Canada in this message for good communication.

We are writing again with an urgent appeal for the arrest of Doug Ford, in his capacity of Premier of Ontario, for Breach of Trust by Public Officer under [section 122 of the Criminal Code of Canada](#).

This urgent appeal falls on the recent submission of the April 20, 2021 Notice of Application filed in the Ontario Superior Court by Rocco Galati from the Constitutional Rights Centre on behalf of 19 active and retired Police Officers. If the Court rules that these measures are truly unconstitutional, they will have a retroactive effect. Meaning, what do you think will be the impact on those Police Officers who enforced those unconstitutional orders? They will have to be held accountable. This includes holding the Premier of Ontario accountable as well, for the original creation and issuance of these unconstitutional laws.

Here are examples of other countries where their courts have ruled covid measures to be unconstitutional:

- March 24, 2021: Scotland – Victory for Scottish Church leaders; Judge rules government acted unconstitutionally when criminalizing gathered worship
- February 16, 2021: Netherlands – Curfews are violation of right to freedom of movement
- February 5, 2021: California, USA – Freedom of Religion upheld under Constitution
- January 28, 2021: Germany – Regional containment policies including lockdowns, social distancing, prohibitions on gatherings by family or friends deemed unconstitutional
- January 12, 2021: Belgium – Forced mask-wearing in public spaces deemed unconstitutional
- January 11, 2021: Germany – Prohibiting social contact deemed unconstitutional
- January 2, 2021: Ecuador – State of emergency deemed unconstitutional
- December 23, 2020: Austria – Forced mask-wearing causing the splitting of society into two classes deemed illegal/unconstitutional
- December 22, 2020: Bosnia and Herzegovina – Mandatory masks and restriction of movement deemed unconstitutional
- November 25, 2020: New York, USA – Right to religion guaranteed by the First Amendment
- October 27, 2020: Poland – Certain restrictions, orders and prohibitions deemed unconstitutional
- October 8, 2020: Spain – Interference by public authorities in citizen's fundamental rights
- October 2, 2020: Michigan – Unconstitutional for public officials to unlawfully restrict liberties
- September 24, 2020: Pennsylvania, USA – Key aspects of emergency order deemed unconstitutional

We have cited 53 covid-related lawsuits from around the world on our website, of which there are currently 20 major lawsuits in Canada thus far and more to be released in coming weeks in respect of class-action lawsuits and lawsuits against professional colleges <https://standupcanada.solutions/c-o-v-i-d-lawsuits>.

Of major significance are the lawsuits concerning crimes against humanity under the Nuremberg Code:

- March 24, 2021: Norway – Government of Norway indicted for crimes against humanity
- March 5, 2021: The Hague – Lawsuit filed in the International Criminal Court for violation of the Nuremberg Code by Israeli Government for mandatory vaccines
- January 12, 2021: International Tribunal, Europe – Crimes against humanity; common law court rulings

Police in Ontario or even Canada for that matter, cannot overlook the overwhelming evidence in other countries that these very same measures have been deemed unconstitutional and are considered crimes against humanity under the

Nuremberg Code.

Police cannot use the excuse that they were simply following orders.

This is an urgent attempt on our part, to alert you to the dangers Police in Ontario and Canada, have been putting themselves in by enforcing these orders. As such, we believe that the Police are well within their rights to make an arrest now, as we have described in our original email dated April 25, 2021. It is not the role of the Police to find anyone guilty – that is the role of the Courts. Your role is to charge someone with an offence. If the Police are waiting for the Courts to render their decision first, then, with all due respect, you are not doing your job which is to uphold the Constitution of Canada and safeguard the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms.

The fact that the legislation exists, which allows Police to breach their Oath, is evidence enough of Breach of Trust by Public Officer.

How else could one interpret Breach of Trust by Public Officer, if the person in question created legislation that is unlawful, unconstitutional and causes harm to the very citizens this person has been elected to represent and is being paid to protect? Even the Premier cannot use the excuse that he did not know any better.

We are only fooling ourselves if we think that the very same measures we impose in Canada, identical measures in other countries which have been found to be unconstitutional and constitute crimes against humanity, are unrelated to Canadians. Human rights are the same for everyone, regardless of geographical boundaries.

We formally request a written response from you by email at your soonest opportunity regarding our plea for arrest of Doug Ford, for Breach of Trust by Public Officer, which is a Criminal Code of Canada charge under section 122.

Respectfully,



Paula Tucci & Shirley Guertin

Executive Directors

Stand Up Canada

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And very concerned citizens of Ontario

Below is our original email sent to you on April 25, 2021:

From: Stand Up Canada

Sent: 25 April 2021 17:55

To: info@akwesasne.ca <info@akwesasne.ca>; zhorvat@aylmerpolice.com <zhorvat@aylmerpolice.com>; info@barriepolice.ca <info@barriepolice.ca>; director-al1@bellevillepa.ca <director-al1@bellevillepa.ca>; bps02@police.brantford.on.ca <bps02@police.brantford.on.ca>; info@brockvillepolice.com <info@brockvillepolice.com>; reneec@chatham-kent.ca <reneec@chatham-kent.ca>; info@cobourgpolic.com <info@cobourgpolic.com>; deepriverpa@gmail.com <deepriverpa@gmail.com>; info@drpa.ca <info@drpa.ca>;

inquiries@gananoquepoliceservice.com <inquiries@gananoquepoliceservice.com>; Clayton.Gillis@hrpa.com
<Clayton.Gillis@hrpa.com>; jbannon@hpa.on.ca <jbannon@hpa.on.ca>; info@kingstonpa.ca <info@kingstonpa.ca>;
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Subject: URGENT Appeal for Arrest - Criminal Code of Canada, s.122 - Breach of Trust by Public Officer



April 25, 2021

We are writing, *with great respect*, to all of the Ontario Police Associations and Ontario Provincial Police, on behalf of our non-profit federally registered organization, Stand Up Canada. Our mandate is to educate Canadians to know their rights and how to defend those rights and civil liberties using the law.

URGENT: Plea to Arrest Doug Ford RE: Breach of Trust by Public Officer

This is an urgent appeal to Police to arrest Doug Ford for Breach of Trust by Public Officer, under [section 122 of the Criminal Code of Canada](#).

As a Police officer, you swore an Oath and Declaration of Principles. As concerned citizens and civil rights leaders, we are asking you to uphold that Oath and Declaration by arresting Doug Ford for his breaches and to not enforce the Ontario provincial regulations as listed below.

ENHANCED AUTHORITY

The "enhanced authority" granted to Police under [O. Reg. 294/21: ENFORCEMENT OF COVID-19 MEASURES](#) - made: April 16, 2021 (10:40 p.m.) and [O. Reg. 298/21: ENFORCEMENT OF COVID-19 MEASURES](#) - made: April 17, 2021 (5:40 p.m.) by the Premier of Ontario, Doug Ford, instructs all Police officers to violate their sworn Oath to uphold the Constitution of Canada, and their Declaration of Principles under their [Police Services Act](#), to uphold and safeguard the fundamental rights guaranteed by the [Canadian Charter of Rights and Freedoms](#). If section 2 of the O. Reg. 298/21 is enforced, Police will be violating sections 7, 9, 11(d) and 13 of the [Charter](#). Many Police officers have stated they will not enforce this legislation. However, the simple fact that the legislation now exists to grant Police enhanced authority to breach their Oath, is the point of this urgent appeal. These new provincial legislations, while they may be legal, are in fact unlawful. Elected Officials cannot make laws which instruct Police to break their Oath to protect citizens. This is unconscionable and breaks all bonds of trust between the citizens of Ontario and Doug Ford, who is essentially pitting Police against citizens. **These Regulations are creating a Police State in Ontario.** Doug Ford's actions deviate from any standard expected of an elected Public Officer, which is to foster and keep public trust. These actions are unlawful and warrant his immediate arrest for Breach of Trust by Public Officer.

Even the [Emergencies Act](#) states that special temporary measures, would be subject to the [Canadian Charter of Rights and Freedoms](#) and the [Canadian Bill of Rights](#) and must have regard to the [International Covenant on Civil and Political Rights](#), particularly with respect to those fundamental rights that are not to be limited or abridged even in a national emergency.

BREACH OF TRUST BY PUBLIC OFFICER

In connection with the duties of his office as the elected Premier of Ontario, with his authority to amend legislation in Ontario under the [Reopening Ontario Act](#), Doug Ford committed four counts of Breach of Trust by Public Officer. This is a criminal offence under [section 122 of the Criminal Code of Canada](#).

First Two Counts - On Behalf of Ontario Citizens: One count per unlawful Regulation created by Doug Ford under his authority; the two Regulations noted above apply. The new Regulations now make interactions between the citizens and Police highly dangerous and further erode the already fragile relationship of trust between citizens and Police. Any hostile interaction that Police have with citizens will create complaints against the Police by citizens who will be able to [substantiate their allegations](#) of abuse of authority by Police, if Police enforce section 2 of the O. Reg 298/21. In turn this will lead to costly legal fees for citizens and the Police legal defence fund (citizens vs Police).

Last Two Counts - On Behalf of Police in Ontario: One count per unlawful Regulation created by Doug Ford under his authority; the two Regulations noted above apply. The new Regulations authorize Police to violate their sworn Oath to uphold the Constitution of Canada and to violate their Principles under their *Police Services Act*, to uphold and safeguard the fundamental rights guaranteed by the *Canadian Charter of Rights and Freedoms*, by giving them “enhanced powers” under these Regulations to do so. *Police are supposed to be members of the community and the very fabric of our society* which earns trust and respect from citizens and thus, are true peacekeepers. The new Regulations seek to erode any possible trust left between Police and the citizens they have sworn to protect. If citizens do not trust Police to keep them safe, deliberate anarchy will erupt in Ontario with dire consequences for all.

SOCIETAL DISTRESS AND CONFUSION

For over 13 months, citizens have been in a constant state of fear, confusion, exhaustion and stress. These emotions have been further compounded by the continual and exorbitant changes that were made to the *Reopening Ontario Act* (the *Act*). This *Act* was revised and republished two times since it came into force in July 2020. The *Act* contains 37 Regulations, of which there have been over 290+ versions, and in the current version of the *Act*, three Regulations (O. Reg. 8/21, 294/21 and 298/21) - *two are noted above*, are missing. Citizens are continually non-compliant with the Regulations because they cannot keep up with them and cannot find them. **290+ versions of Regulations, within less than a year, are not reasonable. Not listing the last three major amendments under the *Act*, is not reasonable.** How can Police justify ticketing citizens for non-compliance under the *Reopening Ontario Act*, when the current version of the *Act* is missing three regulations that citizens are being ticketed for? What has been created is an unfair, dishonest and non-transparent way of keeping the public reasonably informed of their rights. These actions demonstrate dishonesty to entrap citizens. The unfairness of these Regulations are notable signs of a corrupt government, a government that can no longer be allowed to govern in a free and democratic society.

The Reopening Ontario Act, has created a culture of snitches turning on each other to report allegations of wrongdoing under the *Act*. Citizens are being pitted against one another, condoned and encouraged by public officials. This is unspeakable. This *Act* is creating division amongst our friends and neighbours, and in our communities. And the collateral damage of closure to all “non-essential businesses” in Ontario, under the *Act*, is something our economy will never recover from. Does the fall-out of enforcing the regulations under the *Act*, instill faith and trust? The measures meant to keep us safe, are causing far more harm than good.

Police are not only peacekeepers, but citizens as well. Police and citizens share the same civil liberties, making uniforms irrelevant. Police are not above the law, nor are elected public officials. Police are sons and daughters, have spouses/partners, children, parents and grandparents who are also in need of the same protection from unjust laws. Our children go to school with yours. We worship together. We come together to celebrate life and death. *Together, as a community, we are stronger.*

This request is made given the above-mentioned concerns and facts. Please take into consideration the impact of not fulfilling this appeal as it would lead to the further eroding of our free and democratic society. Those doing harm must be held accountable for their actions.

We are anxious to receive your reply regarding our **urgent plea**.

Respectfully,

Paula Tucci and Shirley Guertin

Executive Directors
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