



democracy Watch  
émocratie en surveillance

P.O. Box 821, Stn. B, Ottawa K1P 5P9  
Tel: 613-241-5179 Fax: 613-241-4758  
Email: [info@democracywatch.ca](mailto:info@democracywatch.ca) Internet: <http://democracywatch.ca>

---

Interim Independent Police Review Director Sylvana Capogreco  
Office of the Independent Police Review Director (OIPRD)  
655 Bay Street, 10th Floor  
Toronto, Ontario  
M7A 2T4

Via email to: [oiprdcomplaints@ontario.ca](mailto:oiprdcomplaints@ontario.ca)

Cc:  
Ontario Civilian Police Commission (OCPC)  
77 Wellesley St. West, Box 250  
Toronto, Ontario Canada  
M7A 1N3

Via email to: [ocpcregistrar@ontario.ca](mailto:ocpcregistrar@ontario.ca)

May 16, 2019

**RE: Request for investigation of policing policies and services given reported attempt by Premier Doug Ford's Chief of Staff Dean French to pressure police forces across Ontario to charge and prosecute cannabis stores**

Dear Director Capogreco, and Ontario Civilian Complaints Commission:

The Supreme Court of Canada ruled in *R. v. Campbell*, [1999] 1 SCR 565, that police are “not to be considered a servant or agent of the government while engaged in a criminal investigation” and are “not subject to political direction” (para. 33).

Based on these fundamental principles which must be upheld to maintain a rule of law, and democratic good government, I am writing requesting investigations and public rulings by OIPRD and OCPC on the effects of the actions of Dean

French, Chief of Staff for Premier Doug Ford, to determine if he pressured any police forces in Ontario directly to change their enforcement policies or practices concerning cannabis stores. As well, I am writing to request an investigation and public ruling concerning whether any Ontario government employees or appointees pressured police forces to change these enforcement policies or practices in response to demands made by Mr. French mainly and also, through a meeting with some employees and appointees, a demand made by Premier Ford, Attorney General Caroline Mulroney and Minister of Finance Vic Fedeli.

The demand Mr. French allegedly made to some Ontario government employees to pressure police forces was first reported November 20, 2019 in the *Toronto Star* article at:

<https://www.thestar.com/politics/provincial/2018/11/19/fords-unelected-chief-of-staff-wanted-officials-to-order-police-to-raid-pot-stores-sources-say.html>.

The following May 14, 2019 *Globe and Mail* article contains more details about the demands that Mr. French, Premier Ford and the other ministers allegedly made to some Ontario government employees:

<https://www.theglobeandmail.com/canada/article-ontario-chief-of-staff-urged-police-forces-to-crack-down-on-illegal/>.

The *Globe and Mail* article is based on documents obtained through a request under Ontario's *Freedom of Information and Protection of Privacy Act* (R.S.O. 1990, c. F.31) and, as a result, those documents are now public and available to you and your investigation team.

I am filing this complaint, on behalf of the Board of Directors of Democracy Watch, under clause 58(1)(a) of the *Police Services Act* (the "Act" – R.S.O. 1990, c. P.15), which empowers OIPRD to investigate "the policies of or services provided by a police force."

I am also writing to request that OIPRD conduct a systemic issue review of political pressure on Ontario police forces, given that the reported pressure was aimed at police forces across the province. OIPRD is empowered under section 57 of the *Act* to "examine and review issues of a systemic nature that are the subject of, or that give rise to, complaints made by members of the public" and to "make recommendations respecting such issues to the Solicitor General, the Attorney General, chiefs of police, boards, or any other person or body."

I am also writing under clauses 25(1)(a) and (b) of the *Act*, to request directly to OCPC that it pass a motion, and also to request that you Director Capogreco file the same request to OCPC, to work together to investigate the administration of the police forces across Ontario (again, to determine if they changed their policies or practices in response to political pressure), and specifically to investigate the "performance of duties" of Mark Saunders, Chief of Toronto Police Services, given (according to the *Globe and Mail* article linked above) his

reported communication of with Mr. French expressing “concerns” with how Justices of the Peace were handling cases involving cannabis stores.

As with the fundamental principle that police are not under political direction, the fundamental principle of judicial independence also must be upheld to maintain a rule of law, and democratic good government, as ruled by the Supreme Court of Canada in *Ref re Remuneration of Judges of the Prov. Court of P.E.I.; Ref re Independence and Impartiality of Judges of the Prov. Court of P.E.I.*, [1997] 3 SCR 3, and in *Valente v. The Queen*, [1985] 2 SCR 673 in which the Court stated at p. 685:

“[Judicial independence] connotes not merely a state of mind or attitude in the actual exercise of judicial functions, but a status or relationship to others, particularly to the executive branch of government, that rests on objective conditions or guarantees...”

Pressure or interference by politicians or government officials in police law enforcement decisions, or judicial decisions, violate these fundamental principles, as does pressure or interference by police officers in judicial decisions.

For all these reasons, Democracy Watch hopes that you will undertake these investigations, and the systemic issue review.

Please let me know if you need any more information to act on these requests.

We look forward to hearing back from you about these requests.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Duff Conacher', written in a cursive style.

Duff Conacher, Co-founder of Democracy Watch  
on behalf of the Board of Directors of Democracy Watch