

Police agree to avoid controversial tactic

SETTLEMENT from A1

On Monday, Good called the settlement “wonderful,” leaving her excited and relieved 10 years after a “terrifying” experience.

Good described coming back from brunch with a friend on June 27, 2010, walking east along Queen Street West as police were “herding” people off the sidewalks and onto the roads, where protesters were marching west.

Rather than arguing with police, the now 61-year-old joined the crowd and became part of one of the weekend’s most infamous scenes as police used a technique called “kettling” — the penning in of protesters and bystanders alike by a wall of police officers clad in riot gear. She and hundreds of others were held for hours during a torrential downpour with no access to food or toilets.

“I remember it very clearly, how terrifying it was. That’s the word that comes to mind,” said Good, who is now semi-retired. She said she took part in the protests the day before, and was assured by authorities that it was safe to go out that Sunday.

Being trapped by police made Good mad enough to be the face of the class action. “I keep telling people, don’t make me angry, and I’m obstinate too,” she said.

A senior Toronto police officer, Supt. Mark Fenton, was later found guilty of professional misconduct under Ontario’s Police Services Act for his actions at the 2010 summit, which included twice giving the orders to effect mass detentions, including the Spadina kettling and another instance outside the Novotel hotel on the Esplanade.

“When these events happened many Canadians could not believe they happened in Canada. The settlement appears to fairly recognize through financial compensation, acknowledgments and reforms that they shouldn’t have happened and will never happen again,” said Eric Gillespie, who alongside fellow Toronto litigation lawyer Murray Klippenstein argued the case from the beginning.

In a telephone interview, Klippenstein said the pair have been “surprised by the quick response of many, many people who obviously still are very concerned about what happened. We got an email from Japan within an hour of the announcement from someone who was still was very concerned, and very happy to see the settlement.”

The lawyers said they have a list of around 1,600 people who were detained, although the number could be higher.

The settlement also includes the requirement that Toronto police make a public acknowledgment of the mass arrests and the conditions in which protesters were detained, as



ELDAR CUROVIC FILE PHOTO

Hundreds of people were “kettled” by police and held for hours at Queen Street West and Spadina Avenue during the G20 summit.



RICHARD LAUTENS TORONTO STAR FILE PHOTO

Police clash with protesters near Queen’s Park in June 2010.

well as make a commitment to changing how protests are policed in the future.

That includes a commitment that containment, such as kettling, “will be avoided unless it is necessary to prevent a substantial and imminent risk of harm to a person” and all other alternatives have been considered, according to the settlement agreement.

Those who were wrongfully arrested will also have their police records expunged.

“I can confirm that the Toronto Police Service and members of the class action have reached a mutual agreement on settlement terms regarding the occurrences of the G20 weekend. We are pleased to reach resolution and look forward to court’s final proceedings this fall,” said Allison Sparkes, a spokes-

person for the Toronto Police Service, in an email Monday.

In a statement Monday, a spokesperson for the Toronto police board said: “We are pleased that through the efforts of all involved that a mutually agreeable resolution has been reached. We look forward to the conclusion of the court’s settlement approval process.”

Although the settlement does not end the practice of kettling, Jasminka Kalajdzic, an associate professor at the University of Windsor and director of the university’s class-action clinic, said if the agreement is made in good faith, it should “greatly reduce it and ensure that the right to peaceful protest is honoured by Toronto Police Service.”

As of 2014, Kalajdzic’s research found that less than 10 per cent of class actions in On-



Claimants Sherry Good, above, and Tommy Taylor welcomed news of the settlement.

tario involved human rights or civil liberties issues. This settlement “shows that class actions can be very effective tools to hold government agencies accountable for Charter violations,” she said.

A spokesperson for federal Public Safety Minister Bill Blair, who was the Toronto police chief during the G20, declined to comment Monday.

The settlement agreement identifies six subclass groups, based on locations and police tactics employed during the gathering of world leaders, including those arrested and detained at a movie studio turned into a makeshift jail on Eastern Avenue.

Other groups include people “kettled” at Spadina Avenue and Queen Street; people arrested and detained in a police

cordon outside the Novotel Toronto Centre hotel on the Esplanade; and a morning raid on people who had bunked down in the University of Toronto Graduate Students Union gymnasium.

Police cracked down on protesters after the Saturday of the summit saw scenes of a couple police cars set aflame and a small minority of masked protesters smashing and vandalizing businesses. For many at the protests, the crackdown was an eye-opener and a first-hand experience with aggressive policing tactics.

It made Good determined to seek justice.

“I’m very happy with the settlement and we worked very hard as a team for this, and I’m very glad to see this day,” she said.

Taylor said the G20 changed the course of his life. At the time, he taught Shakespeare to high school students but soon realized he wanted to focus more directly on those in need. He went on to write a play about his G20 experience and toured with it, then in 2015 ran as a federal election candidate in the Scarborough Southwest riding that Blair went on to win.

Taylor also went back to school to become a community worker.

“The G20 is the reason I just came home from an overnight shift at a homeless shelter,” Taylor said Monday.

The settlement agreement still has to be reviewed by Ontario’s Superior Court for final approval. The next scheduled hearing is on Oct. 19.

Anyone who believes they should be subject to the class action can get more information at www.g-20class-actionsettlement.ca.

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