

CANACE: Restoring Property Rights and the Rule of Law to Ontario

by Gary McHale, Executive Director, Canadian Advocates for Charter Equality (CANACE)

The CANACE mission is simple: restore the Rule of Law in Ontario by ending Race-Based Policing practices through the use of peaceful, democratic methods. This is done via public protests & media attention; public & private educational presentations; gathering & reporting of evidence; and using courts & tribunals to show that the Constitution; Charter of Rights; Criminal Code; Police Services Act; Human Rights Code; and Canadian jurisprudence do not exist at the discretion of the McGuinty government.

1. CANACE has made legal history in defence of citizens' rights v. misfeasance by public officials:

In 1986 the Federal Law Reform Commission stated, "*The authors agreed that private prosecutions were necessary because they enabled citizens to bring even police or government officials before the criminal courts where the government is unwilling to make the first move.*" This is in keeping with the will of Parliament: "*The right of a citizen to institute a prosecution for a breach of the law has been called 'a valuable constitutional safeguard against inertia or partiality on the part of authority'.*" (Dept. of Justice, Federal Prosecution Service Deskbook)



- 1) [Parkinson v. R., 2008](#) ensures private prosecution appeal hearings are open to public scrutiny.
- 2) [Parkinson v. R., 2009](#) ensures that a Justice must issue process if evidence supports a charge.
- 3) [McHale v. R., 2009](#) stops the Crown from interfering with a citizen's right to present evidence of a crime.
- 4) [McHale v. Attorney General of Ontario, 2009](#) ordered OPP Commissioner Julian Fantino to face a [Criminal Code charge](#) under s.132(2): Influencing Municipal Official.

Combined, these rulings – accomplished without legal representation - ensure that any citizen in Canada can lay a criminal charge against government officials if they have evidence to support the charge.

2. CANACE founders Gary McHale (CaledoniaWakeUpCall.com) & Mark Vandermaas (VoiceofCanada.ca) cited in 25th Anniversary edition of [Ryerson Review of Journalism](#) for Caledonia coverage in 'Disputed Land, Failed Coverage,' which outlined how media failed to cover the Caledonia crisis. In 3 years CANACE founders have participated in over 600 media interviews.

3. CANACE news conferences in the Queen's Park Media Studio:

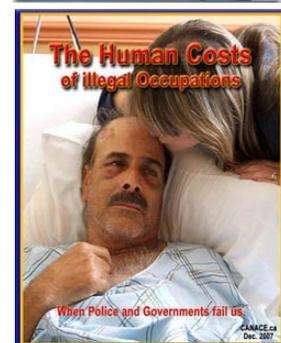
- 1) March 14/07: '[Ipperwash Papers](#)' - how the Inquiry suppressed evidence from non-native victims.
- 2) April 14/07: '[FantinoGate](#)' - Fantino's threatening email to Haldimand Council members.
- 3) Dec 5/07: '[Smokeshacks & Violence](#)' - OPP blames victims re illegal smokeshack protest violence.



4. CANACE has authored four in-depth reports on Native extremism and Race-Based Policing:

- 1) [The Cost of Native Occupations](#)
- 2) [The Human Costs of Illegal Occupations](#)
- 3) [Legalized MYTHS of Illegal Occupations](#)
- 4) [McGuinty's Ipperwash Cover-up: the Caledonia Legacy](#)

5. CANACE has presented its [Reconciliation: the CANACE Path](#) vision for the future to Brantford City Council, and will be participating in an aboriginal policy forum in Calgary, scheduled for May 2010.



WE NEED HELP: the Rule of Law is slowly being restored in Ontario by ordinary Canadians who, despite extreme financial difficulties, have decided they will not stand by and allow McGuinty's government to legitimize racial policing policies, but this process will take years. Native protesters receive money from both levels of government which enables them to carry on prolonged protests and illegal activities. The Ontario government actually offered \$200K-plus to pay legal expenses for seven native protesters (London Free Press, March 27/08: [Jailing of native protesters raising ire](#)). Meanwhile, law abiding citizens struggling to oppose state-sanctioned lawlessness are left to suffer the costs themselves. Financial assistance will make it possible for us to continue to defend and protect the right of Canadians to live in a stable democracy governed by the rule of law in accordance with the Charter.

www.CANACE.ca:

1. Accomplishments: [CANACE founders' resume](#)
2. Reference material: '[Race-Based Policing](#)' (top menu)
3. Statement of Principles: '[About Us](#)' > '[We Believe...](#)' (side menu)

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