



## Notice to the Parties & Public Public Order Emergency Commission's Policy Phase Rules of Practice and Procedure

### Introduction

Paragraph (a)(iii) of the Public Order Emergency Commission's mandate directs the Commission to "make recommendations, as pertains to the matters examined in the Public Inquiry, on the use or any necessary modernization of that Act, as well as on areas for further study or review." The Commission intends to conduct a "policy phase" of the Inquiry in order to assist the Commissioner in fulfilling this aspect of his mandate.

Today, the Commission has released its *Policy Phase Rules of Practice and Procedure* ("Policy Phase Rules"), which set out the rules that the Commission intends to follow in conducting the policy phase of the Inquiry. The purpose of this Notice is to provide the Parties and members of the public with additional information about the policy phase of the Inquiry.

### Commissioned Papers

Pursuant to Rule 5 of the *Policy Phase Rules*, the Commission, in consultation with the [Research Council](#), has commissioned a series of papers on topics that appear to be relevant to the Commission's mandate. The papers that have been Commissioned so far are:

1. "Canadian Police Powers in the Context of Public Protest." [Pouvoirs de la police canadienne dans le contexte d'une manifestation publique.] Authors: Steven Penny & Colton Fehr.



2. "The Role of Intelligence in Public Order Emergencies." [Le rôle du renseignement dans les urgences d'ordre public.] Author: Wesley Wark.
3. "The Developing Role of Private Security in Public Order Protest Policing in Canada." [Le rôle de plus en plus important de la sécurité privée dans la surveillance policière lors de manifestations liées à l'ordre public au Canada]. Author: George Rigakos.
4. "Cryptocurrency: Challenges to Conventional Governance of Financial Transactions." [Cryptomonnaie : défis de la gouvernance conventionnelle des transactions financières.] Author: Ryan Clements.
5. "Plateformes de financement participatif : politique et réglementation des mécanismes modernes de dons." [Crowdfunding Platforms: Policy and Regulation in Modern Donation Mechanisms.] Author: Michelle Cumyn.
6. "The 'Necessity' Threshold for Emergency Declarations and Emergency Measures." [Le seuil de « nécessité » pour les déclarations et mesures d'urgence.] Author: Nomi Claire Lazar.
7. "Le seuil des « motifs raisonnables de croire » pour les déclarations et mesures d'urgence." [The 'Reasonable Grounds for Belief' Threshold for Emergency Declarations and Emergency Measures]. Author: Anne-Marie Boisvert.
8. "Shifting Canadian Cleavages and the Convoy Movement." [Les clivages changeants des Canadiens et le mouvement des convois.] Symposium of mini-papers. Authors include: Frédéric Boily, Frank Graves, Jared Wesley and Stephanie Carvin.
9. "Emergency Law in Interjurisdictional Context." [Loi sur les mesures d'urgence dans un contexte intergouvernemental.] Author: Jocelyn Stacey.
10. "Survey Paper: Freedom of Expression in Canada." ». [Rapport de recherche : la liberté d'expression au Canada.] Author: Richard Moon.
11. "Survey Paper: Freedom of Assembly and Freedom of Association in Canada." [Rapport de recherche : liberté de réunion et liberté d'association au Canada.] Author: Jamie Cameron.
12. "Mis/disinformation and the use of Social Media." [Mésinformation/désinformation et utilisation des médias sociaux.] Author: Emily Laidlaw.



13. "The Policing of Large-Scale Protests in Canada." [Surveillance policière lors de vastes manifestations au Canada.] Author: Robert Diab.

14. "L'impact économique des manifestations sur l'économie canadienne." [The Economic Impact of Protests in the Canadian Economy.] Author: François Delorme.

These papers are being produced by their respective authors in their personal capacities. They do not necessarily reflect the views of the Commissioner. They are being produced for discussion purposes in support of the Commission's policy mandate.

The Commission contemplates making the full set of Commissioned Papers available to the public by posting them on the Commission's website. Papers that are posted to the Commission's website will also be sent directly to the Parties.

The Commission anticipates that Commissioned Papers will initially be available in the language in which they are written by their authors. The Commission will also translate Commissioned Papers so that they are available in both official languages. The Commission is following this approach due to the short timelines in which it is required to operate, to ensure that the Parties and members of the public are able to read Commissioned Papers at the earliest opportunity.

## Comments on Commissioned Papers

Rule 9 of the *Policy Phase Rules* permits both Parties and members of the public to provide written comments in response to any Commissioned Paper that is posted to the Commission's website.

The deadline for providing comments is 30 days from the day on which the paper is posted on the Commission's website/sent to the Parties. Members of the public are



encouraged to monitor the Commission's website, as well as its social media feeds to ensure that they are aware of when a paper is published.

Parties shall file their written comments through the Commission's "parties" email address. Members of the public shall file their written comments through the Commission's online system for receiving public submissions.

## Party Papers

Rule 11 of the *Policy Phase Rules* permits Parties with standing in the policy phase of the Inquiry to submit discussion, research or policy papers for the Commission's consideration.

The deadline for Parties to submit Party Papers to the Commission is September 26, 2022.

Party Papers shall be filed with the Commission's "Parties" email address. Parties are reminded of the requirement in Rule 12 of the *Policy Phase Rules of Procedure and Practice* to include a copy of the *curriculum vitae* of the author(s) of a Party Paper.

## Policy Proceedings

The Commission anticipates that the policy phase of the Inquiry will take place immediately following the factual phase hearings. Further information about the format of these proceedings will be announced at a later date.

August 25, 2022