

Review of Hamilton police response to Pride violence to examine procedure, leadership, culture

Lawyer Scott Bergman's recommended terms of reference result from consultations with members of Hamilton's LGBTQ community.

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An independent review of the Hamilton police response to violence at Pride celebrations last summer will examine procedures, leadership and culture within the force. (John Rennison, The Hamilton Spectator file photo)

An independent review of how Hamilton police responded to violence at Pride celebrations this past summer will look at procedures, leadership and culture within the force.

Lawyer Scott Bergman says the terms of reference are the result of consultations with 20 to 25 individuals and organizations from Hamilton's LGBTQ, two-spirit, intersex and asexual communities in recent weeks.

"The goal of the review is to assess and analyze what went wrong at Hamilton Pride 2019 with a view to ensuring that doesn't happen again in 2020," Bergman said Thursday after the police services board approved the terms.

On June 15, white nationalists and Christian anti-LGBTQ demonstrators crashed the celebration at Gage Park, waving signs with homophobic slurs. Masked counter protesters positioned a large fabric screen in front of them. Kicking, punching and shoving broke out.

YOU TUBE LINK: <https://youtu.be/v4xgzhTeSB0>

The late arrival of police to quell the violence, comments from top brass defending the deployment, and arrests of counterprotesters generated a torrent of criticism from the LGBTQ community and its allies.

The terms of reference state what happened has led "many to question how this targeted hatred and violence could have taken place, what may have facilitated or enabled it to occur, and what could have been done to prevent it."

Bergman elaborated the goal of the review is to ensure the next Pride in June can be celebrated "without the outbreak of violence and without intimidation (or) any fear of retribution."

In the new year, he has firm plans to start meeting with community members and interviewing police officers as part of the investigation into what happened at Gage Park on June 15. A report with recommendations is to be provided to the public at the same time as the police board by April 30 to ensure transparency, he said.

In November, the board hired the Toronto criminal defence lawyer to lead the review at a cost of up to \$500,000 plus HST. His firm — Cooper, Sandler, Shime and Bergman LLP — has conducted more than 20 inquiries and systemic reviews.

Hamilton's review aims to examine "to what extent" the police "failed to respond to the violence" in an "effective, timely and bias-free way."

It also aspires to analyze how police's practices and procedures, leadership or culture may have "facilitated or contributed to the violence" or led "to the significant level of distrust" of the service. The review will also ask what changes should be made.

Will Rowe, a member of Hamilton's trans community, is "cautiously optimistic" the review will lead to something positive. Rowe noted it should examine events after Pride, as well, including the arrests of counterprotesters in contrast with a sole member of the anti-LGBTQ camp.

Lyla Miklos, who has helped organize Pride festivals, called the terms of reference a "good first step" and "solid going-forward document."

She agreed the review should include the aftermath of the Gage Park violence, as well. "Obviously, everything's that happened subsequent to that is all interconnected."

Rowe questioned a description of Pride "counterprotesters" in the terms of reference as "anarchists" in brackets. "I don't think that's exactly the whole story. I think there were many of us there who were not part of the anarchist movement but are certainly sympathetic."

Bergman said his team heard "over and over again" the word "anarchist" should be included. The brackets are to indicate that not all counterprotesters fall into that category, he explained.

He noted it's possible the review — which will ensure the confidentiality of participants — could include an interim set of recommendations before the final report is delivered. In past reviews, that's been advisable given timelines, he noted.

Police Chief Eric Girt said the service will "fully co-operate" with the independent reviewer.

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