

An aerial photograph of a city street, likely in New York City, showing a grid of buildings and a parking lot filled with trucks. The image is dark and has a high-contrast, almost black and white appearance. The text is overlaid in the center.

*R. v. Christopher Barber
& Tamara Lich*

Closing Submissions of the Crown

Overview

- 1 Summary of the Counts
- 2 The Crown's Position
- 3 The Applicable Legal Principles
- 4 Application of the Legal Principles to the Evidence

1

Summary of the Counts

Christopher Barber and Tamara Lich **Stand Charged With:**

Count	Charge	Timeframe
1 2 3	Counselling to Commit the Following Offences, Not Committed by One or More Persons <ul style="list-style-type: none"> • Mischief (Ct. 1) • Intimidation (Ct. 2) • Obstruct Peace Officer(Ct. 3) 	December 1, 2021 – February 19, 2022
4	Resist or Willfully Obstruct a Peace Officer in the Execution of Duties	January 26, 2022 – February 19, 2022
5	Intimidation by Obstructing or Blocking One or More Highways	January 26, 2022 – February 19, 2022
6	Mischief	January 26, 2022 – February 19, 2022
7	Counselling to Disobey Court Order, Not Committed by One or More Persons	February 9, 2022

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The Crown's Position

This is an *Overwhelming* Crown Case

In a free and democratic society such as Canada, we welcome and encourage people to hold demonstrations if such is necessary to exercise their right of freedom of conscience, freedom of expression, freedom of peaceful assembly and their right to freedom of association as guaranteed by section two of the Canadian Charter of Rights and Freedoms. However, society also expects demonstrators to exercise these rights to do so without violating the rights of others to move about freely or to engage in activities which they have a perfect legal right to do.

R. v. McCann, 2014 ONSC 2987, at para. 16

1. The testimony of the Crown witnesses is **credible, reliable, and confirmed** by other evidence;
2. The testimony of the Crown witnesses was **not fatally contradicted or challenged in cross examination**; and
3. Physical evidence such as text messages, letters, social media posts (video and text), financial and business records, and government action is confirmatory of witness testimony **and clearly proves Mr. Barber and Ms. Lich's involvement** in these offences.

*The Freedom Convoy protest **was unlawful as soon as it interfered with the lawful use or operation of property**, namely the streets and public areas of Ottawa. There is no doubt that the chaotic scene, as outlined in evidence and judicially considered facts, established that the citizens of Ottawa were no longer able to attend their places of employment, business, appointments, or public parks in the downtown core. Those spaces were either occupied by vehicles or structures or people. The noise level created by the blaring horns impeded the basic needs of sleep or ability to focus. This clearly amounted to mischief.*

R. v. Gandzalas, (June 26, 2023), Ottawa, 22-15605, at p. 12 (Ont. C.J.).

What the Evidence Establishes *Beyond a Reasonable Doubt*

-
- Mr. Barber and Ms. Lich were organizers and leaders of the Freedom Convoy.
 - Together, along with others, they led a convoy of semi trucks, other vehicles, and demonstrators to Ottawa on January 28, 2022.
 - Although there were other groups involved in protest activities, the Freedom Convoy was a prominent group.
 - The presence of many vehicles and protesters in downtown Ottawa caused noise and air pollution, as well as physically interfered with the use of many city streets.
 - Notwithstanding multiple calls on demonstrators to leave by police and government, Mr. Lich and Mr. Barber continued to “hold the line” and encouraged others to do the same.
 - Through Ms. Lich and Mr. Barber’s effort, millions of dollars was raised in order to support demonstrators' attendance in Ottawa.
 - Mr. Barber and Ms. Lich weren’t “merely present” at the Freedom Convoy. They stood shoulder to shoulder with the protesters on the ground.

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Applicable Legal Principles

Mischief

“I considered the events that occurred in Ottawa and other locations in January and February 2022 went beyond legitimate protest and reflected an unacceptable breakdown of public order”

Canadian Frontline Nurses et al. v. Attorney General of Canada, 2024 FC 42, at para. 370.

Section 430 – Mischief Under / Over

s. 430 Every one commits mischief who wilfully

(c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property; or

(d) obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property

- **Requires proof of willful obstruction, interruption, or interference with the lawful use, enjoyment, or operation of property**
- **Where Crown proves the accused voluntarily committed actus reus, the mens rea will be met by proof of an intentional or reckless causing of the actus reus.**
- **Enjoyment of property is to be read plainly and includes mere enjoyment.**

Statutory Defence to Mischief

Section 430(7) of the *Criminal Code* provides a statutory defence to mischief

No person commits mischief “by reason only that he attends at or near or approaches a dwelling-house or place ***for the purpose only of obtaining or communicating information.***”

The defence is limited to protecting “**peaceful and non-violent**” conduct – and such conduct cannot simply be “**a mask or subterfuge for conduct that is not solely communicative** and that has some entirely different purpose” (*R. v. Tremblay*, 2010 ONCA 469, at para. 28)

Constitutional validity of s. 430

R. v. Drainville (1991), 5 C.R. (4th) 38 (Ont. C.J.)

Facts:

- Accused briefly obstructed a road by sitting on it during a land dispute protest. The incident lasted approximately 1 hour.
- The road had been plagued by blockades which prevented construction crews from completing their work and the government sought injunctions
- Accused was a priest who became involved due to his concerns for people in need and advised demonstrators to “govern themselves with honour and dignity” there was no advocacy for violence.

Trial Decision – **Convicted**

- Accused’s actions constituted an “interference with the proprietary rights of lawful occupants on the said public lands” and was an unlawful act.
- Accused was not restrained from expressing dissatisfaction with government “in other lawful ways” (para. 6).
- Notwithstanding the accused’s minimal involvement and good intentions, his actions did not constitute condonable civil disobedience.

“ The adoption of civil disobedience methods in the promotion of a just cause does not transform illegal actions into legal ones ”

R. v. Drainville (1991), 5 C.R. (4th) 38, at para. 8 (Ont. C.J.).

Mischief Judicially Considered in the Protest Context

R. v. Tysick, 2011 ONSC 2192

Facts:

- Labour dispute over a commercial property in Pembroke, Ontario (“the Pit”)
- Accuseds set up blockades at two points of access to the Pit.

Trial Decision – **Acquitted**

- There was no contact between the company employees and accuseds.
- There was no evidence accuseds were asked to leave the scene.
- There was no evidence that the protest occurred on Pit property.

Appeal Decision – **Overtured**, New Trial Ordered

- Section 430 does not require direct contact (para. 28)
- Section 430 does not require a request to leave and subsequent refusal (para. 32)
- Blockade did not have to occur on the Pit’s property, nor did it have to totally remove access to the Pit to constitute mischief (paras. 13, 34)

Mischief Judicially Considered in the Protest Context

R. v. March (1993), 111 Nfld & P.E.I.R. 116
(Nfld S.C.)

Facts:

- Four accused appealed convictions for mischief for involvement in an information picket line inside a mall.
- An intimidating atmosphere for mall manager and customers was created due to shouting and yelling.
- Business at the mall was disrupted, the mall was difficult to access, but business was still conducted – mall could still be accessed.

Appeal Decision – **Conviction Upheld**

- The picket line went “well beyond an informational picket line” (para. 17).
- While the initial purpose of the demonstration may have been just to obtain or communicate information “it got out of hand” (para. 19)

Mischief Judicially Considered in the Protest Context

R. v. Carr, [2024] O.J. No. 1638 (C.J.)

Facts:

- Accused participated in the Freedom Convoy.
- Evidence included a number of posts taken from the accused's social media over several dates that showed his association with the protest.
- These posts included photos of trucks, protest-related slogans, as well as videos depicting the accused in the downtown core on various dates throughout offence period, including during the removal operation.

Trial Decision – **Convicted**

- Evidence established that accused “could not have failed to be aware that the actions of the Freedom Convoy was causing continuing distress to the residents of the City of Ottawa and interfering with their right to lawful access to and use of public property” (para. 93).
- Evidence established that accused “clearly took part in activities designed to assist those contributing directly to the ... mischief, as well as to encourage the continuation of those activities (para. 96).

Mischief Judicially Considered in the Protest Context

*R. v. Blanchfield, July 17, 2024, Court
File: 22-111400062 (Ont. C.J.)*

Facts:

- Accused participated in the “Rolling Thunder” demonstration in April 2022 by leading a convoy through the streets of Ottawa to Rideau Street where he stopped and refused to leave.
- Once there, the Accused yelled and waved at the protest from the top of his truck.

Trial Decision – **Convicted**

- An accused yelling “Hold the line” can be an expression of participation in the overall mischief (p. 5)
- “If not the leader, as a person of influence, he clearly had unity or oneness with the acts of the principals, which is easily inferred by his comments and actions (p. 20)

Other Principles Derived from Mischief Law in a Protest Context

- Mischief **does not require direct contact** between demonstrators and those who experienced interference (*Tysick*, at para. 38; *R. v. Remley*, 2024 ONSC 543, at para. 111; *R. v. Romlewski*, at para. 99)
- There is **no requirement** that the Crown lead evidence that a **protester was asked to leave** the scene before returning (*Tysick*, at para. 38; *Remley*, at para. 111; *Romlewski*, at para. 99)
- The fact that **certain crossroads are open and passable** in cases where roads are obstructed or blocked is **not determinative** (*Remley*, at para. 110)
- **No requirement** that obstruction or interference with enjoyment of property occur for a **minimum amount of time** – “it’s not the duration of the conduct but the context in which it arose” that is of significance” (*Remley*, at para. 107)
- Activity **can’t be assessed in a vacuum**, but instead regard must be given to the overall “collective and cumulative effect of this activity, combined with similar activity on the part of a great many others, similarly minded” (*Drainville*, at p. 3)
- A **blockade does not have to be on the involved property** for interference to occur – it can occur even where on an adjacent property (*Maddeaux*, at p. 3; *Tysick*, at para. 13; *Romlewski*, at para. 99).

*“The respondents have not, however, pointed me to a single case in which a court has allowed someone to appropriate private or public property for a prolonged period of time to exercise their rights of freedom of expression ... On the contrary, courts have found exactly the opposite. **However laudable their case, protesters do not have the right to take property from its owner and put it into the hands “of an ad hoc, self-appointed, albeit well-meaning group of individuals.”** Even the case that protesters cite as authority for the proposition that a peaceful encampment conveys a power political meaning is one where the court held that protesters were not entitled to erect tents on Parliament Hill.”*

Governing Council of the University of Toronto v. John Doe, 2024 ONSC 3755, at paras. 133, 135-136.

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Intimidation

Section 423 – Intimidation

s. 423 (1) Every one is guilty ... who wrongfully and without lawful authority, for the purpose of compelling another person to abstain from doing anything that he or she has a lawful right to do, or to do anything that he or she has a lawful right to abstain from doing,

(g) blocks or obstructs a highway.

- **Highway is defined in s. 2 of the Criminal Code as “a road to which the public has the right of access and includes bridges over which or tunnels through which a road passes.”**
- **Offence is most commonly seen in strike or protest activity.**
- **Requires proof that the criminal act of intimidation occurred, and that the accused was a party to it.**

Intimidation Judicially Considered in the Protest Context

***R. v. Stockley* (1977), 36 C.C.C. (2d) 387
(Nfld. C.A.)**

Facts:

- Two accused, along with a crowd of approximately 50-70 people prevented a vehicle from proceeding along a road during a labour strike.
- Both accused appealed their convictions arguing an absence of evidence that they in fact blocked or obstructed the road.

Appeal Decision – Conviction Upheld

- Crown need only prove accused's association with the group who obstructed the roadway in question.
- “There was, however, quite definite evidence adduced that all of the appellants were part of the group of persons who walked or ran toward and then milled around the vehicle; that the group, by doing so, prevented the vehicle from proceeding; and, further, that they were active members of the group. In my view, this was all that the Crown need prove” (p. 2).

Intimidation Judicially Considered in the Protest Context

R. v. Sauls, 2002 BCPC 638

Facts:

- Four accused were convicted of intimidation by blocking or obstructing a highway after a roadblock was set up on a two-lane road that led in and out of a resort.
- The roadblock effectively halted traffic in and out of the resort for a period of three or more hours.
- Demonstrators communicated their reasons for the blockade and sometimes argued with individuals affected by it.
- Certain vehicles were permitted passage, including tour bus and ambulances, but considerable traffic built up.
- Demonstrators negotiated with RCMP before removing the roadblock and marching onto the development site.

Appeal Decision – **Conviction Upheld**

- “Police had reasonable grounds to make arrests and dismantle the roadblock upon their arrival; instead they showed restraint and patience with the protesters, attempting to negotiate an end to the blockade. The conduct of the protesters was marked by aggression, intimidation, and inflammatory language” (at para. 62)

Wellington St / MacKenzie Ave
Ottawa Police Service – ESU dr
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Resist / Obstruct Peace Officer

Section 129 – Resist / Obstruct Peace Officer

s. 129 Every one who

(a) resists or wilfully obstructs a public officer or peace officer in the execution of his duty or any person acting in aid of such an officer

- **General intent offence.**
- **Does not require the further formation of an ulterior motive necessary in specific intent offences.**
- **Act of obstruction does not have to completely frustrate a peace officer's actions in carrying out their duties.**

Obstruct / Resist Peace Officer Judicially Considered in the Protest Context

R. v. Blackman, 2024 ONSC 3595

Facts:

- Crown appeal of acquittal of Freedom Convoy demonstrator for mischief and obstruct peace officer.
- Trial judge held there was reasonable doubt on the question of whether accused knew he had to leave the demonstration area and was not satisfied that he was told to leave or given sufficient opportunity to do so.

Appeal Decision – **Granted, New Trial Ordered**

- No proof of breach of a clearly articulated police order or instruction is required to make out the offence (at para. 6)
- The trial judge was obliged to consider the accused's act of kneeling in way broader than how it coincided timing-wise with the police action that immediately preceded his arrest (at para. 9).
- Trial judge had to consider whether the accused could have at least been wilfully blind about what the police were doing and that his action could have been intended by him to make their job harder (at para. 9).



Counselling an Offence Not Committed

Section 464 – Counselling Offence Not Committed

s. 464 Except where otherwise expressly provided by law, the following provisions apply in respect of persons who counsel others to commit offences, namely,

(a) every one who counsels another person to commit an indictable offence is, if the offence is not committed, guilty of an indictable offence and liable to the same punishment to which a person who attempts to commit that offence is liable; and

(b) every one who counsels another person to commit an offence punishable on summary conviction is, if the offence is not committed, guilty of an offence punishable on summary conviction.

- **Counsel is defined in s. 22(3) of the Criminal Code as including but not limited to procuring, soliciting, and inciting.**
- **Analysis is to be approached from the perspective of the ordinary, reasonable person.**
- **It is not necessary for the Crown to prove that the person counseled was actually persuaded – the focus is on the counsellor’s conduct and state of mind, not that of the person counselled.**

Counselling Judicially Considered in the Protest Context

R. v. Pawlowski, 2023 ABCJ 131

Facts:

- Accused gave a speech at a venue near a blockade in Coumts, Alberta.
- Among other things, the accused told his audience that the whole world was watching them, not to lose their momentum, that they have the power and not to give it away, and not to break the line.

Trial Decision – **Convicted**

- Counselling does not require a causal connection between words spoken and the commencement of the mischief (at para. 55).
- In situations such as a blockade, the offence is ongoing – inciting individuals to continue with the offence is no less serious than inciting individuals to initiate the offence (at para. 56).
- Accused’s speech was intended to incite protesters to continue the blockade, and it is not logical to conclude his actions were solely communicative. As such, protections of s. 430(7) are not available.

A hand is holding a Canadian flag in front of a vehicle. The flag is partially visible, showing the red maple leaf on a white background. The vehicle is dark-colored and has a window. The background is slightly blurred, showing what appears to be a construction site or a similar outdoor setting.

Party Liability

Section 21 – Principal and Party Liability

s. 21(1) Every one is a party to an offence who

(a) actually commits it;

(b) does or omits to do anything for the purpose of aiding any person to commit it; or

(c) abets any person in committing it.

With respect to aiding or abetting

- **There must be an act or omission of assistance or encouragement**
- **The act or omission must take place with knowledge that a crime will be or is being committed; and**
- **It must be done for the purpose of assisting or encouraging the perpetrator**

“Mere Presence”

- While “mere presence” will not suffice to establish party liability, in the context of group mischief or intimidation offences “presence” may be sufficient to establish liability
- “... the act of assistance or encouragement may be the presence of the accused at the scene of the crime during its commission, if the aider or abettor is there for that purpose” (*R. v. Mammolita* (1983), 9 C.C.C. (3d) 85 (Ont. C.A.))
- “The bottom line is that while “mere presence” at a protest is not enough to ground party liability for mischief, presence coupled with purpose may suffice depending on the facts” (*R. v. Romlewski*, 2023 ONSC 5571, at para. 150)

Mischief Judicially Considered in the Protest Context

R. v. Mammolita (1983), 9 C.C.C. (3d) 85 (Ont. C.A.)

Facts:

- A picket line of 75-100 persons blocked access to a company's offices.
- Some picketers walked in a circle, preventing management from entering the building and others stood in front of vehicles.
- Picketers were advised by police that they were violating an injunction.
- 31 police officers summoned to disperse the crowd
- Incident lasted approximately 30 minutes.

Trial Decision – **Acquitted**

Summary Conviction Appeal – **New Trial Ordered**

- Trial judge erred in holding that only “mere presence” had to be proven and in not considering inferences drawn from evidence (para. 9)
- Inferences that could be drawn from evidence had to be considered (80-100 strikers, concerted effort, management and personnel prevented from accessing property) (para 9)
- Inference supported aiding and abetting (para. 9).

Appeal Decision – **Upheld**

- On principal liability: a person forming part of a group that constitutes a barricade, or obstruction can be guilty as co-principal. The fact of standing shoulder to shoulder with others can constitute an obstruction – presence in such circumstances is a positive act (para. 12)
- On party liability: presence may constitute an act of assistance or encouragement. Strength in numbers may be a source of encouragement (para 16).

Party Liability Judicially Considered in the Protest Context

R. v. Remley, 2024 ONSC 543

Facts:

- Accused was in Ottawa during the Freedom Convoy and parked his vehicle, which was deadlocked with other vehicles.
- Accused had a large tank on the back of his truck, which appeared to be filled with diesel and jerry cans were located close by.
- Police were called to investigate a “mobile gas station” and upon arrival, they approached Accused to ask what he was doing, to which he responded that he was filling jerry cans.
- Police advised Accused that this was considered an offence, and he disagreed and would not stop.
- A crowd of demonstrators started forming and police were outnumbered – they left the scene, and Accused was ultimately arrested some time later.

Trial Decision – **Acquittal**

Summary Conviction Appeal – **New Trial Ordered**

- Applying *Mammolita*, the court held the trial judge failed to consider that the convoy had been ongoing for weeks, the accused’s truck was parked in the middle of Kent Street, which was impassible and where a blockade of vehicles were, on that day the noise and smell of exhaust filled the air, accused’s truck was equipped with a large tank and jerry cans, accused was observed pouring something from the tank, police could smell fuel near accused’s truck, the truck was surrounded by jerry cans, including in a wagon, accused made no effort to distance himself from his conduct.

Party Liability Judicially Considered in the Protest Context

R. v. Romlewski, 2023 ONSC 5571

Facts:

- Accused was a Freedom Convoy participant.
- During removal operations, he challenged a group of police officers on Sparks Street by refusing to leave and sitting on the ground.
- Accused was given 20 opportunities to leave without consequence before he was ultimately arrested.

Trial Decision – **Acquittal**

Summary Conviction Appeal – **New Trial Ordered**

- Even if the accused was on the fringe, by his actions he was facilitating the continuation of the mischief. The trial judge improperly focused on the absence of certain acts (at para. 44)
- Persons who participate in a common act can be liable even if they do not participate in each act of the mischief e.g., parking trucks, blaring horns, screaming or making loud noises (at para. 46).

Party Liability Judicially Considered in the Protest Context

R. v. Romlewski – Continued

Principles of party liability to mischief summarized (at para. 164):

- Mere presence alone at a protest is **not sufficient** to ground party liability
- If the protest **gains strength by numbers** and depends on the participation of a large group, **presence may be interpreted as encouragement**; and
- Showing a **sense of unity or solidarity** with the actions of the principals sheds light on the purpose behind being at the protest.

Party Liability Judicially Considered in the Protest Context

R. v. Gandzalas, (June 25, 2023), Ottawa, 22-15605 (Ont. C.J.)

Facts

- Accused participated in Freedom Convoy and refused to leave, standing behind a daisy link chain yelling “tyranny” and “hold the line”.
- Accused was directed to leave the area or face arrest.
- As police moved forward, accused continued to obstruct yelling “hold the line”, “Canada will judge you”, and “don’t do this”. He was arrested without incident.
- Accused testified that he decided to add his voice to the protest and not affiliate himself with any group.

Trial Decision: **Convicted**

- Accused yelling “hold the line” was “manifestly an expression of participation in the overall mischief” and his actions at that point were no longer protected under s. 2(b) (at p. 12-13).

“Similarly, his actions are not protected by the right to peaceful assembly under s. 2(c) of the Charter if the assembly was not peaceful. The Freedom Convoy Protest was not peaceful. Individual participants may not have been aware of the entirety of the specific actions of each protester, but were well aware that roadways were blocked, thereby restricting the use of the roadways; were well aware of the blaring horns of the vehicles; were well aware that their occupation of the downtown core was impeding citizens of the city from pursuing their normal activity, including sleeping, studying, working, conducting their livelihood and driving on roadways.”

R. v. Gandzalas, (June 25, 2023), Ottawa, 22-15605, at p. 13 (Ont. C.J.)

4

Application of Legal Principles to the Evidence



Rolling to Ottawa

Freedom Convoy Overview



The Freedom Convoy: Purpose and Goals

See Appendix B – Public
statements by Ms Lich:

(Exhibits #57, #62, #46, #56,
#51, #58)

See Appendix B – Public
statements by Mr Barber:

(Exhibits #17, #18, #12, #7,
#38, #27, #23, #25)

*“You’re going to hear from Tamara Lich, who we all know is **the spark that lit this fire** and the leader of this organization ... I should also note that, that with Tamara is, uh, Chris Barber, **one of the key, uh leaders of the Freedom Convoy 2022**”*

– Keith Wilson



*“... thank you very much for being here today. We are here out of love for our families, our communities, and our nation. These past two years, the COVID mandates have divided us. This protest be, began because of the federal government’s restrictions on trucker freedoms. **Our movement has grown in Canada and across the world because common people are tired of the mandates and restrictions in our own lives.** Sorry, excuse me, um, our movement has grown in Canada and across the world because common people are tired of the mandates and restrictions in their lives that now seem to be doing more harm than good. As of today, Sweden, Denmark, UK, Norway, Finland, Ireland, and Switzerland have removed all COVID mandates and restrictions. We are therefore calling on all levels of government in Canada to end all COVID mandates and restrictions ... **Our departure will be based on the prime minister doing what is right, ending all mandates and restrictions on our freedoms.**”*

Exhibit 57: Tamara Lich speaking at a Press Conference on February 3, 2022.

The Freedom Convoy: Internet Presence

Platform	Account	Audience	Connection
Facebook	Freedom Convoy 2022 (Exhibits #39 to #45 and #47)	As of February 13, 2022 <ul style="list-style-type: none"> • 347,337 Followers • 246,429 individuals “liked” the page 	<ul style="list-style-type: none"> • Publicly accessible page • Created by Tamara Lich , who remained one of numerous users with posting privileges.
Facebook	Christopher Barber (Exhibit #64)	During February 2022 <ul style="list-style-type: none"> • Routinely hundreds of “likes” • Routinely dozens of “comments” and “shares” 	<ul style="list-style-type: none"> • Publicly accessible page
TikTok	@bigred19755 (Exhibit #6)	<ul style="list-style-type: none"> • 146,200 Followers • 2.6 million likes 	<ul style="list-style-type: none"> • Publicly accessible page • One of Christopher Barber’s TikTok accounts.
TikTok	@tamaralich (Exhibits #31-36)	<ul style="list-style-type: none"> • Unknown 	<ul style="list-style-type: none"> • Publicly accessible page • Tamara Lich’s TikTok account
Twitter	@Tamara_MVC (Exhibit #61)	During Jan-Feb 2022 <ul style="list-style-type: none"> • Routinely hundreds of “likes” • Routinely dozens of “comments” and “shares” 	<ul style="list-style-type: none"> • Publicly accessible page • Tamara Lich’s Twitter account

See “Appendix D” at page 109 in Crown’s Closing Submissions

The Freedom Convoy: Operations

Name	Evidence
Freedom Convoy Corporation	<ul style="list-style-type: none"> • Freedom 2022 Human Right and Freedoms, incorporated January 30, 2022, for advocacy against government, agents of government and any other organization person or individuals' actions, laws, policies and practices that violate human rights and freedoms paying special attention to creation or class systems through mandates, social credit systems (rewards and punishments for government compliance), passport systems and more. Christopher Barber and Tamara Lich are listed as directors. (Exhibit 133)
Finances and Crowdfunding	<ul style="list-style-type: none"> • GoFundMe and GiveSendGo crowdfunding campaigns were set up and managed by Tamara Lich (Exhibit 1). These crowdfunding campaigns raised millions of dollars and were erected to assist truckers on the ground (Exhibit 60). Freedom Convoy also had a finance committee with at least one accountant and two bookkeepers (Exhibits 39, at PDF p. 202, 206, 17, 62)
“War Rooms”	<ul style="list-style-type: none"> • Evidence suggests that Freedom Convoy organizers worked out of two “war rooms” located at the Swiss Hotel and the Arc Hotel (Cst Bach on Oct 19, 2023)
Legal Advisors	<ul style="list-style-type: none"> • Several lawyers were assisting the Freedom Convoy, most notably Keith Wilson and the Justice Centre (Exhibits 17, 57, 62, 63, 81)
Media and Public Relations	<ul style="list-style-type: none"> • Certain individuals assisted the Freedom Convoy with media and public relations, most notably, Dagny Pawlak and Benjamin Dichter (Exhibits 46, 63)
Security	<ul style="list-style-type: none"> • The Freedom Convoy 2022 Facebook page frequently posted “Daily Event and Safety Reports” and worked with Daniel Bulford and Tom Quiggin (Exhibits 39,)

“Uh, so, as you know, GoFundMe has only released a million dollars of the over \$10,000,000 that you have donated thus far, and they’ve frozen, uh, the rest of it for now. Um, I wanted to get you some accurate information on how you can support the truckers that are on the ground at the moment. Uh, we’ve decided to team up with an organization called GiveSendGo, and which is going to enable us to get donations into the hands of the truckers much, much quicker while everybody gets the rest of the stuff sorted out. So, it’s going to be GiveSendGo. It is Freedom Convoy 2022, uh, that you check out their site ... So, please, if you can donate, uh, and help us keep these truckers going, you know, we plan to be here for the long haul, as long as it takes to ensure your rights and freedoms are restored.”

Exhibit 60 – Tamara Lich, date unknown

The Freedom Convoy in Action



Parliament Hill

“So, regardless of what people might think about any groups message that they want to get out, **we want to find that right balance of allowing that message to be heard in accordance with the *Charter* and their rights, and balancing that with reasonable impacts on the City.**”

Insp. Russell Lucas, Sept 6, 2023, at p. 15

Convoy Vehicles

E/B on Hwy 417

OR from Hwy 416

ONLY AUTHORIZED FOR:

Tractors w/ no trailers

Tractors w/ OPEN AND
EMPTY TRAILERS

DIRECTIONS:

Exit at Pinecrest N/B
Turn East onto Richmond
Continue East onto Carling

Enter

Sir John A Macdonald Pkwy

2,280 Vehicle Capacity

Weight Limit of 32 tons per

Authorized Vehicles:
Follow **YELLOW ARROWS TO**
STAGING AREA



Exhibit 125 @ p. 2

*“Ottawa [sic] city police wanted us all gone by 8am.
I just told them we need the mandates removed and
we will happily leave”*

Exhibit 135 (Volume 1, Tab 42, at p. 42 (January 31, 2022)).

Respecting *Charter* Rights

(Extracts from Cst.
Bach's notebook)

- “Enforce laws and investigate offences where warranted **while respecting democratic freedoms of thought, belief, opinion, expression, and peaceful assembly**”
(Jan 28, 2022)
- Using an integrated response, the Ottawa Police and policing partners will keep the peace, enforce legislation, and maintain public safety for the duration of the Ottawa Truck Demonstration, **with the utmost respect to the individuals *Charter of Rights and Freedoms*** with priority on community and emergency services personnel safety and wellbeing
(Feb 15, 2022)

Scale of the Freedom Convoy

- It was estimated that there was “well over 5,000 vehicles by the end of the first weekend.” (Transcript: Evidence of Inspector Russell Lucas, September 6, 2023, at p. 13).
- “I want to say we were probably five or six hundred vehicles in that inner footprint”. And “then, we would see a swell of people returning every weekend.” (Transcript: Evidence of Russell Lucas, September 6, 2023, at p. 29)

“We were completely overwhelmed”

Transcript: Evidence of **Inspector Russell Lucas**, September 5, 2023, at p. 31.

Week #1 – Context

Exhibit 98 @ 14 – Jan 29

Week #1 – Context

What was Happening on the Ground?

- Roads throughout the downtown core were either **fully blocked or obstructed** creating a significant impact on traffic, public transit, and the ability of those residing or working in the core to go about daily activities.
- In addition to traffic issues, certain residents and/or employees of downtown experienced a **significant impact on daily lives** resulting from the incessant sound of honking horns, as well as parties, and fireworks.
- Certain residents and/or employees of downtown **felt harassed by demonstrators**, and/or **observed demonstrators engaging in mischief** such as public defecation.
- The **smell of exhaust fumes** from running trucks permeated the air interfering with sleep and daily life.

*“ So, I think it was primarily difficult working from home, in the moment, due to the **level of noise that was present most of the day**, if not all of the work day, in addition to the effects of the noise that was going on outside, as a result of the occupation. It – it created an environment where, even from home, **it was extremely difficult to focus, not just on work but, quite literally, anything**. It was difficult to sort of live, I guess, as a human being, and in addition to the disruptions, as I was trying to work, I was also finding it difficult to work due to **the lack of sleep that I had been experiencing, as a result of the noise**, in addition to other effects of the occupation.”*

Transcript: Evidence of **Zexi Li**, October 16, 2023, at p. 2.

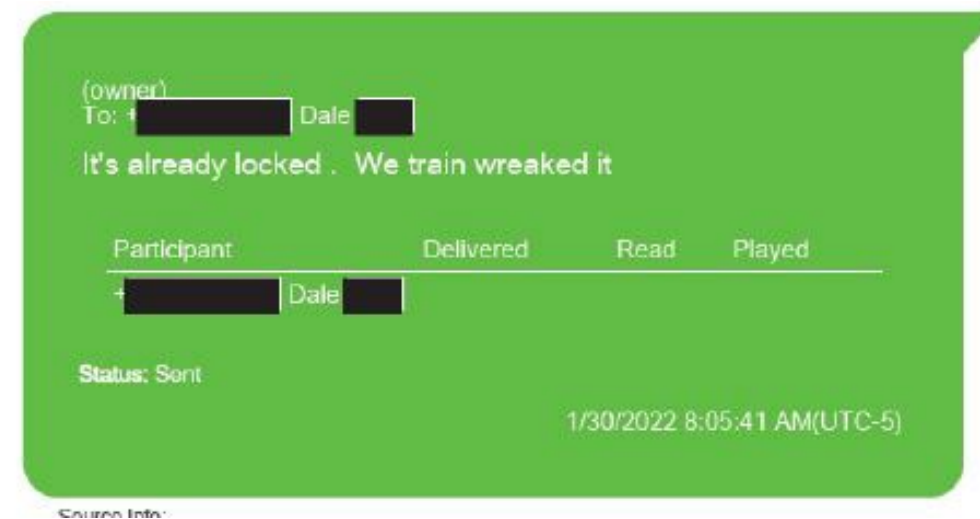
*“... I was **unable to leave my home**. They totally blocked the entrance and exit to my building with their vehicles. I tried unsuccessfully to leave in my vehicle, but because **they were totally blocking the entrance, and were not permitting us to leave**, I was unable to leave that first weekend, in my desperation to find some **respite from the noise, and smell, and the other things**.”*

Transcript: Evidence of **Paul Jorgenson**, October 16, 2023, at p. 79.

Grid Lock & Train Wrecks

Many references were made to the effects of the Freedom Convoy “train wrecking” or gridlocking the city throughout Christopher Barber’s communications with various individuals, including Tamara Lich.

- Jan 29 at 8:15pm: “*We are completely messing the city up*” (Exhibit 135, Vol. 1, Tab 29, p. 10)
- Jan 29 at 8:05pm: “*We fucked this town up*” (Exhibit 135, Vol. 1, Tab 30, p. 6)
- Jan 30 at 8:05am: “*It’s already locked. We train wrecked [sic] it*” (Exhibit 135, Vol. 2, Tab 51, p. 3, copied to right)
- Feb 10 at 8:31pm: “*Really good. Train wrecked [sic] traffic*” (Exhibit 135, Vol. 1, Tab 29, p. 33) [in response to “how are you how is everything over there”]



During this Time, Tamara Lich and Christopher Barber were:

- Conducting Press Conferences
- Liaising with and instructing demonstrators
- Incorporating
- Attending meetings
- Fundraising and disseminating money to truckers on the ground
- Inviting demonstrators to come to Ottawa
- Posting about the Freedom Convoy on various social media sites
- Setting out demands
- Circulating amongst demonstrators on the ground



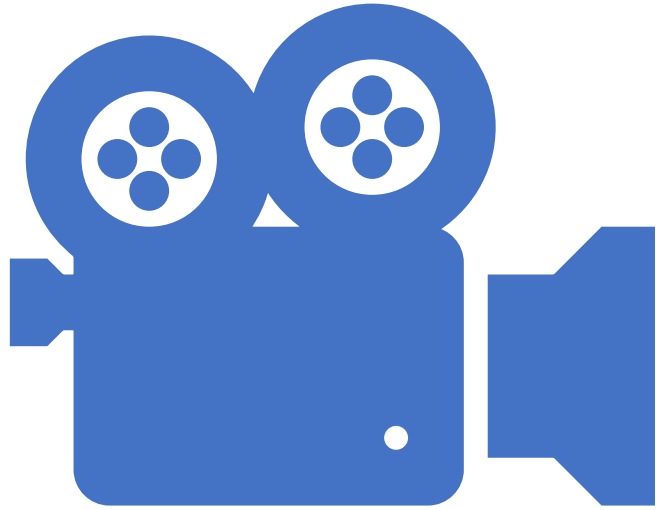


Exhibit 21 –
“She’s not hiding”
TikTok Video
(from Feb 2)

Week #1 – Ms Lich

(Carter Annex B)

- Line 1 – Feb 3 (we have no intent to stay one day longer than necessary)
- Line 2 – Feb 4 (make sure that we get the money to the truckers)
- Line 3 – Feb 4 (we plan to be here for the long haul)

Week #1 – Mr Barber

(Carter Annex A)

- Line 1 – Feb 2 (get your trucks down here, get organized)
- Line 2 – Feb 4 (why don't we try and make it 5 million people)
- Line 3 – Feb 4 (everybody, head for Ottawa this weekend)
- Line 5 – Feb 4 (hit 'em hard people. We have them so scared right now)
- Line 5 – Feb 4 (stand up people and fight. Share share share)

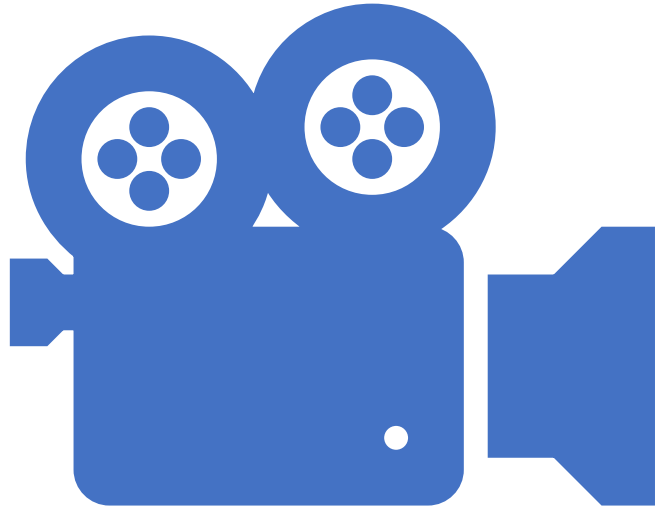


Exhibit 20 –
“Christopher
Barber Thumbs
Up” TikTok Video
(from Feb 3)

Week #1 – Mr Barber

(Carter Texts)

- Jan 29 – Vol 1, Tab 29 (we are completely messing the city up)
- Jan 29 – Vol 1, Tab 38 (this ain't done until mandates are lifted)
- Jan 29 – Vol 2, Tab 35 (we are messing this town up)
- Jan 29 – Vol 2, Tab 44 (trying to get the truckstop to open)
- Jan 29 – Vol 2, Tab 44 (we have cash to top guys off)
- Jan 29 – Vol 2, Tab 56 (it's not finished until we get everyone in)
- Jan 29 – Vol 2, Tab 56 (we go home when they lift mandates)
- Jan 29 – Vol 2, Tab 56 (Find another way in)
- Jan 30 – Vol 2, Tab 40 (trucks flooding the city)
- Jan 30 – Vol 2, Tab 51 (It's already locked. We train wrecked it)
- Jan 31 – Vol 2, Tab 58 (we won't leave till mandates are lifted)
- Jan 31 – Vol 1, Tab 25 (keep those drivers united and patient)
- Jan 31 – Vol 1, Tab 32 [sharing location for diesel fuel]
- Jan 31 – Vol 1, Tab 42 (police wanted us all gone by 8am)
- Jan 31 – Vol 1, Tab 51 (“hotline for trucks needs”)

Week #1 – Mr Barber

*(Carter Texts –
continued)*

- Feb 1 – Vol 1, Tab 21 (we arnt leaving)
- Feb 1 – Vol 2, Tab 63 (City is cutting our fuel)
- Feb 2 – Vol 2, Tab 40 (strengthen our spots)
- Feb 2 – Vol 1, Tab 28 (we can't just leave)
- Feb 3 – Vol 1, Tab 31 (we ain't stopping)
- Feb 3 – Vol 2, Tab 25 (contact for “fuel guy”)
- Feb 3 – Vol 2, Tab 28 (do a slow roll anywhere)
- Feb 3 – Vol 1, Tab 28 (love to open a lane)
- Feb 4 – Vol 1, Tab 51 (fundraising email)
- Feb 4 – Vol 2, Tab 55 (got fuel if you need it)

February 5, 2022 @ 1849 hrs

Kent St/Albert St

Ottawa Police Service – video GH10018

Staff Sergeant Pettis #1366

Week #2 – Context

February 5, 2022 @ 1830 hrs

Laurier Ave/Kent St

Ottawa Police Service – video GH10012

Cst Barahona #2029

Week #2 – Context

*“As time progressed, the officers would be more prone, as time progressed, to be **swarmed by crowds** trying to do enforcement actions, which required me to assign more officers to respond to incidents in those areas*

Transcript – Evidence of **Inspector Russell Lucas**, September 6, 2023, at p. 34.

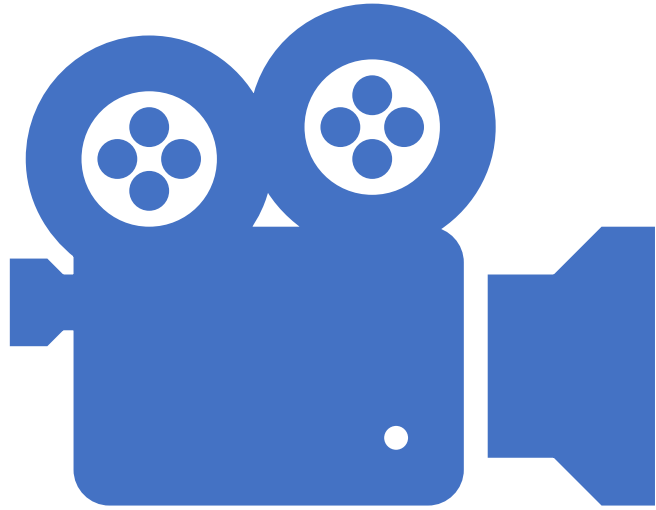


Exhibit 12 –

“We’re sorry it had to happen in your city” TikTok Video (from Feb 6)

“...so, citizens of Ottawa, put pressure on your, your government. Come on. We’re all here for a reason. We’re sorry it had to happen in your city, but this is where the politicians asked us to come or forced us to come, I should say, for policies that we want changed. So, going forward, this can be over with a drop of a hat, a drop of a hat we will be gone.”

Exhibit 12 – Christopher Barber speaking in a TikTok post dated February 6, 2022.

During this
Time, Police,
Courts, and
Government
were:

- Two injunctions were sought and granted by Justice McLean to cease honking;
- Police continued to engage in negotiations with demonstrators, including Christopher Barber, to mitigate the impact to residents of downtown;
- The Mayor's office engaged in negotiations with Tamara Lich, on behalf of the Freedom Convoy, for the same;
- Various states of emergencies were declared



Court File No: CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE MR JUSTICE MCLEAN)
) MONDAY, THE 7th DAY
)
) OF FEBRUARY, 2022

TRUE COPY /
COPIE CERTIFIÉE CONFORME
[Signature] Aug 24/22
REGISTRAR / GREFFIER

SUPERIOR COURT OF JUSTICE /
COUR SUPÉRIEURE DE JUSTICE
ATTA OTTAWA
THIS/LE _____

BETWEEN:

ZEXI

CHRIS BARBER, BENJAMIN DICHTER,
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3,
JOHN DOE 4, JOHN DOE 5, JOHN DOE 6,
JOHN DOE 7, JOHN DOE 8, JOHN DOE 9,
JOHN DOE 10, JOHN DOE 11, JOHN DOE 12,
JOHN DOE 13, JOHN DOE 14, JOHN DOE 15,
JOHN DOE 16, JOHN DOE 17, JOHN DOE 18,
JOHN DOE 19, JOHN DOE 20, JOHN DOE 21,
JOHN DOE 22, JOHN DOE 23, JOHN DOE 24,
JOHN DOE 25, JOHN DOE 26, JOHN DOE 27,
JOHN DOE 28, JOHN DOE 29, JOHN DOE 30,
JOHN DOE 31, JOHN DOE 32, JOHN DOE 33,
JOHN DOE 34, JOHN DOE 35, JOHN DOE 36,
JOHN DOE 37, JOHN DOE 38, JOHN DOE 39,
JOHN DOE 40, JOHN DOE 41, JOHN DOE 42,
JOHN DOE 43, JOHN DOE 44, JOHN DOE 45,
JOHN DOE 46, JOHN DOE 47, JOHN DOE 48,
JOHN DOE 49, JOHN DOE 50, JOHN DOE 51,
JOHN DOE 52, JOHN DOE 53, JOHN DOE 54,
JOHN DOE 55, JOHN DOE 56, JOHN DOE 57, JOHN DOE 58,
JOHN DOE 59 and JOHN DOE 60

ORD

THIS MOTION, made by the Plaintiff for an interlocutory injunction pursuant to section 101 of the *Courts of Justice Act* and Rule 40.01 of the *Rules of Civil Procedure*, was heard at Ottawa on February 5 and 7, 2022 by videoconference.

UPON READING the motion records of the parties and UPON HEARING the oral arguments made by counsel for the parties by Zoom,

1. THIS COURT ORDERS that an interlocutory injunction is granted, pursuant to



ATTA OTTAWA

THIS/LE *[Signature]* Aug 24/22 Court File No: CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE MR JUSTICE MCLEAN)
) WEDNESDAY, THE 16TH DAY
)
) OF FEBRUARY, 2022

BETWEEN:

ZEXI LI

Plaintiff/Moving Party

On February 7 and 16, 2022, Justice McLean of the Superior Court of Justice issued two injunctions requiring the cessation of honking, with certain exceptions.

Both Christopher Barber and Tamara Lich are named, among others, on these court Orders.

These orders were initially opposed by counsel for Christopher Barber and Tamara Lich.

TAMARA LICH, PATRICK KING and JOHN DOE 3, JOHN DOE 4, JOHN DOE 5, JOHN DOE 6, JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10, JOHN DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15, JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20, JOHN DOE 21, JOHN DOE 22, JOHN DOE 23, JOHN DOE 24, JOHN DOE 25, JOHN DOE 26, JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN DOE 30, JOHN DOE 31, JOHN DOE 32, JOHN DOE 33, JOHN DOE 34, JOHN DOE 35, JOHN DOE 36, JOHN DOE 37, JOHN DOE 38, JOHN DOE 39, JOHN DOE 40, JOHN DOE 41, JOHN DOE 42, JOHN DOE 43, JOHN DOE 44, JOHN DOE 45, JOHN DOE 46, JOHN DOE 47, JOHN DOE 48, JOHN DOE 49, JOHN DOE 50, JOHN DOE 51, JOHN DOE 52, JOHN DOE 53, JOHN DOE 54, JOHN DOE 55, JOHN DOE 56, JOHN DOE 57, JOHN DOE 58, JOHN DOE 59 and JOHN DOE 60

Defendants/Responding Parties

R

interlocutory injunction and costs, pursuant to section 101 of the *Courts of Justice Act* and Rule 40.01 of the *Rules of Civil Procedure*, was heard at Ottawa on February 5, 7, and 16, 2022 by videoconference.

UPON READING the motion records of the parties and UPON HEARING the oral arguments made by counsel for the parties by Zoom,

From: +16132826547 Nicole. Ottawa City Police
(owner)

Chris, a lot of this demo is unlawful, and in a lot of aspects, it has been unsafe for many involved.
The locals are extremely unhappy and have been quite vocal about this.

What is the end state here? The demo will end eventually, but what will that end look like?
Either the truckers and supporters leave on their own accord or police move in.
From your point of view- what is going to happen if police move in?

Participant

Delivered

Read

Played

Unknown

Status: Read

02/06/2022 9:53:31 PM(UTC+0)

Source Info:
Second Copy R58M78A3E0Y_files_full.zip\data_mirror\data_ce/null/0/com.android.providers.telephony/databases/mmssms.db : 0x13845B0
(Table: sms; Size: 23564288 bytes)



Look who we found..

“... *it's like
Canada Day
on steroids*”

Exhibit 37 – Tamara Lich speaking in a TikTok video posted February 10, 2022 (Screenshot at 00:20)

Week #2 – Ms Lich

(Carter Annex B)

- Line 4 – Feb 6 (I think you would see that happening ... in short order)
- Line 5 – Feb 7 (And that money can get to them right away)
- Line 6 – Feb 10 (Keep getting the word out)
- Line 7 – Feb 11 (it's really important that we stay unified)

Week #2 – Mr Barber

(Carter Annex A)

- Line 6 – Feb 6 (we're sorry it had to happen in your city)
- Line 7 – Feb 7 (You come here and you flood this city)
- Line 8 – Feb 7 (I will hand \$100 bills to whoever needs it)
- Line 9 – Feb 7 (it looks a little lonely, doesn't it)
- Line 10 – Feb 7 (there is no option for going home without answers)
- Line 13 – Feb 9 (grab that horn switch and don't let go)
- Line 16 – Feb 9 (we will then replace that truck driver with three new truckers)

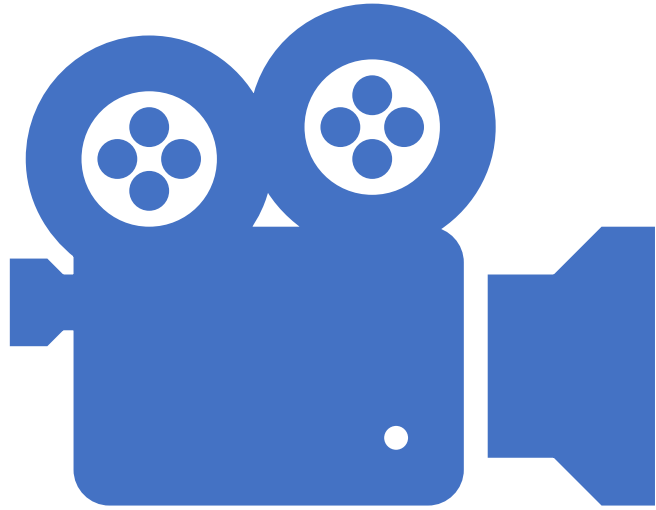


Exhibit 24 –
“Grab that horn
switch and don’t
let go” TikTok
Video (from Feb 9)

“ So, this word is going out to everybody in the trucks around the city. Right now, there’s an order in place to keep the horns down, horns have to be quiet, okay? If you see a large, vast majority of police coming towards your truck like they do, like, the, the ... like they’re building up. Guys lock that door, crawl into that bunk. But before you do that, grab that horn switch and don’t let go. Let that fuckin’ horn go no matter what time it is, and let it roll as long as possible until they’re bustin’ your fuckin’ windows down. We want everybody to know when the time comes, and that is the best way to do it is when that happens. Do that guys, please. Let that horn go. Don’t let it go. When we see that mass force of police coming at you.”

Exhibit 24 – Christopher Barber speaking on a post to TikTok dated February 9, 2022 .

Week #2 – Mr Barber

(Carter Texts)

- Feb 5 – Vol 1, Tab 38 (keep these slow rolls going)
- Feb 6 – Vol 2, Tab 24 (we'll set up slow rolls all over the city)
- Feb 6 – Vol 1, Tab 27 (we stay and finish this)
- Feb 7 – Vol 1, Tab 33 (send as many people as you can)
- Feb 7 – Vol 1, Tab 36 (today we roll to cause grief)
- Feb 7 – Vol 2, Tab 28 (start a campaign of convoy slow rolls)
- Feb 7 – Vol 2, Tab 63 (time to show [the establishment] who we really are)
- Feb 9 – Vol 1, Tab 9 (no one is leaving)
- Feb 9 – Vol 1, Tab 10 (need bodies if they start arresting)
- Feb 9 – Vol 1, Tab 12 (replace every driver arrested)
- Feb 9 – Vol 2, Tab 17 (have money for you to give out)

Week #2 – Mr Barber

*(Carter Texts –
continued)*

- Feb 10 – Vol 1, Tab 51 (Out fucking up traffic)
- Feb 10 – Vol 1, Tab 29 (train wrecked traffic)
- Feb 10 – Vol 1, Tab 53 (lol we fucked the 417 up tonight)
- Feb 10 – Vol 2, Tab 61 (we need more truck to block them in?)
- Feb 10 – Vol 2, Tab 63 (we ain't leaving)
- Feb 11 – Vol 1, Tab 4 (We could always use more trucks)
- Feb 11 – Vol 1, Tab 4 (Government better start dealing)
- Feb 11 – Vol 1, Tab 17 (I've got some cash for guys)
- Feb 11 – Vol 1, Tab 38 (I've got cash if you need)
- Feb 11 – Vol 1, Tab 44 (hold Wellington)
- Feb 11 – Vol 1, Tab 44 (leaders meeting last night)
- Feb 11 – Vol 1, Tab 44 (we can not show weakness now)

*“ Our message to the citizens of Ottawa is one of empathy. **We understand your frustration** and genuinely wish there was another way for us to get our message across, but the **responsibility for your inconvenience lies squarely on the shoulders of politicians** who have prefer [sic] to vilify and call us names rather than engage in respectful, serious dialogue, ” said senior convoy leader Chris Barber, in the release.*

*“The fastest way to get us out of the nation’s Capital, is to **call your elected representatives and end all C-19 mandates**, as the U.K. did two weeks ago and as both Sweden and Switzerland did today.”*

Exhibit 135 (Volume 1, Tab 40, p. 2)

“We are
playing cat
and mouse
with police”

- Feb 8 – “*We are playing games with law*” (Exhibit 135, Vol. 1, Tab 33, p. 26)
- Feb 9 – “*Cops have fucked around and I’m just playing with law enforcement* (Exhibit 135, Vol. 1, Tab 22, p. 7)
- Feb 9 – “*It’s all a big game with law enforcement*” (Exhibit 135, Vol. 1, Tab 10, p. 1)
- Feb 9 – “*Cops messed with us. We just playing back.*” (Exhibit 135, Vol. 1, Tab 12, p. 4)
- Feb 9 – “*I’m fucking with law enforcement*” (Exhibit 135, Vol. 1, Tab 16, p. 9)
- Feb 9 – “*Cops been fucking around with us, why not fuck back?*” (Exhibit 135, Vol. 1, Tab 19, p. 4)
- Feb 9 – “*...police are being dicks. Time to play back ... I’ve got law enforcement just baffled this morning.*” (Exhibit 135, Vol. 1, Tab 41, pp. 13-14)
- Feb 14 – “*Oh lots of games. Streets are blocked. Food and stores are closed trying to push us out. It’s a big game of cat and mouse*” (Exhibit 135, Vol. 1, Tab 40, p. 8)

Wellington St/Colonel-By Dr
Ottawa Police Service – ESU drone still
image: DJI_20220213115146_0002_Z

Week #3 – Context

February 15, 2022 @ 10:21 hrs

Nicholas St

Ottawa Police Service - ESU drone video

DJI_20220215102000_0015_S

Week #3 – Context

2022-02-15 10:21:08

45.425120°N 75.689283°W 101.009m

Exhibit 3 @ 06:18 – Feb 15

86

Week #3 – Context

Week #3 – Context

“We are all one big family now”

Exhibit 47 @ p. 27 – Feb 12

 Freedom Convoy 2022
19h · 🌐

Hi my fellow freedom loving Canadians! I have been able to finally get a new FB account set up but the powers that be still won't let me access it from my cell phone. I am going to get some videos made to get posted here on our main page as I can't do lives from my cell 🙄

As a quick update, it has been a very hectic few weeks but I am happy to say we are winning! Canadians have come together like I have never witnessed in my lifetime. HOPE and PRIDE are now the two words I hear the most. Everywhere I go people are hugging and smiling and flying their Canadian flags with pride. People break out into Oh Canada on a regular basis and everywhere you go there are always shouts of FREEDOM. People are dancing in the streets and the atmosphere of joy is everywhere.

We are waiting on a ride to take us out to visit the truckers out at 'the farm'. We are all one big family now and it moves me to tears daily. We have had our struggles, they have seized all of the money but still we persevere, Canadians are generously donating so much more than just money. I have faith the monetary donations will be recovered and we have great people working around the clock on this. We have the support of a Superior Court judge who has stated numerous times that we have a legal right to be here and to protest peacefully, and peaceful we shall remain.

I cannot express my love and gratitude enough. Hold your heads high and know that we have Truth, Justice and Freedom on our side (and I am more than certain some Divine Intervention). Canada, we got this.



Sincerely,
Tamara

  14K

89
1.2K Comments · 1K Shares

Week #3 – Ms Lich

(Carter Annex B)

- Line 8 – Feb 12 (We have made a plan to consolidate our protest efforts)
- Line 9 – Feb 14 (no matter what you do, we will hold the line)
- Line 10 – Feb 16 (And we're gonna hold the line)
- Line 11 – Feb 17 (roadmap to freedom)
- Line 12 – Feb 17 (Hold the Line)
- Line 13 – Feb 17 (Hold the Line)

“Our residents are exhausted and on edge, and our small businesses impacted by your blockades are teetering on the brink of permanent closure ...”



Jim Watson
Mayor / Maire

**Office of the Mayor
City of Ottawa**

110 Laurier Avenue West
Ottawa, Ontario K1P 1J1
Tel.: (613) 580-2496
Fax: (613) 580-2509
E-mail: Jim.Watson@ottawa.ca

**Bureau du Maire
Ville d'Ottawa**

110, avenue Laurier Ouest
Ottawa (Ontario) K1P 1J1
Tél.: (613) 580-2496
Télééc.: (613) 580-2509
Courriel : Jim.Watson@ottawa.ca

February 12, 2022

Tamara Lich
President
Freedom Convoy 2022

Ms. Lich,

The protests in our city, and the occupation of certain residential districts by a large number of trucks, is now entering its third week. My overarching concern is for the safety and security of our residents, business owners and workers in the downtown core, who are innocent collateral damage of this unprecedented national and international demonstration.

Our residents are exhausted and on edge, and our small businesses impacted by your blockades are teetering on the brink of permanent closure.

I don't believe these harmful effects on our community and its residents were the intended consequences of your protest.

That's why I am writing to ask that you remove your convoy and its trucks from all of our residential neighbourhoods and that you restrict your presence to a limited perimeter from Wellington Street where it meets Elgin Street and to the Sir John A. Macdonald Parkway.

I ask that you immediately seek the support of the truckers to follow this path of de-escalation. I would offer to meet with you to discuss your protesters' concerns, as long as you respect the following conditions:

1. Remove all trucks from the residential districts south of Wellington Street, and from all other residential areas including the market, the Ottawa Baseball Stadium on Coventry, etc.;
2. Agree to not backfill the residential areas currently occupied with trucks, other vehicles and/or demonstrators; and
3. Agree to not displace the truck convoy, vehicles and/or demonstrators to other residential areas in the City of Ottawa.

The Freedom Convoy 2022

An Incorporated Not For Profit Corporation under the Canada Not for Profit Corporations Act



February 12, 2022

Jim Watson
Mayor of the City of Ottawa
Ottawa City Hall
110 Laurier Ave W,
Ottawa, ON K1P 1J1

Re: Freedom Convoy 2022 Reducing Impact to City of Ottawa Residents

Dear Jim Watson:

Thank you for your letter.

The truckers here in Ottawa have always been about peaceful protest. Many of the citizens and businesses in Ottawa have been cheering us on but we are also disturbing others. That was never our intent.

The Freedom Convoy Board agree with your request to reduce pressure on the residents and businesses in the City of Ottawa.

We have made a plan to consolidate our protest efforts around Parliament Hill. We will be working hard over the next 24 hours to get buy in from the truckers. We hope to start repositioning our trucks on Monday.

As stated in your letter, we look forward to working with authorities to ensure the safe movement of our trucks to their new locations.

Please reach out should you have any questions. We look forward to meeting with you to discuss the issues raised by the truckers.

Kind regards,

The Freedom Convoy 2022

Tamara Lich
President

cc: Board of Directors
Keith Wilson, Q.C., Legal Counsel

“The truckers here in Ottawa have always been about peaceful protest. Many of the citizens and businesses in Ottawa have been cheering us on but we are also disturbing others. That was never our intent...”

*“Now I want to address the Prime Minister. **No matter what you do, we will hold the line** [prompts “hold the line” response from member of audience]. **There are no threats that will frighten us. We will hold the line.** Lastly, to our truckers and friends on Parliament Hill. **Do not give in to fear and threats.** Your courage has already exceeded all of our expectations and inspired an international movement. Be strong. Show kindness. Love will always defeat hate. Hold the line.”*

Exhibit 58 – Tamara Lich speaking at a press conference dated February 14, 2022.



OTTAWA POLICE SERVICE

NOTICE TO DEMONSTRATION PARTICIPANTS

It is a criminal offence to obstruct, interrupt or interfere with the lawful use, enjoyment, or operation of property.

The offence is known as mischief to property.

The unlawful act of blocking streets in the downtown core is resulting in people being denied the lawful use, enjoyment and operation of their property.

We are providing you notice that anyone blocking streets or assisting others in the block of streets may be committing a criminal offence.

You must immediately cease further unlawful activity or you may face charges.

You could be arrested without a warrant for this offence if you are a party to the offence or assisting others in the direct or indirect commission in this offence.

Whether you are released on bail depends on factors contained in Part XVI of the *Criminal Code*.

Offence-related property, including vehicles, may be seized as part of the offence. The vehicles may be detained and, following a conviction, possibly forfeited.

Charges or convictions related to the unlawful activity associated with the demonstration may lead to denial in crossing the USA border.

*“We are providing you notice that anyone blocking streets or assisting others in the block of streets **may be committing a criminal offence.**”*

“You must leave the area now. Anyone blocking streets, or assisting others in the blocking streets, are committing a criminal offence and you may be arrested.”

**OTTAWA POLICE SERVICE
NOTICE TO DEMONSTRATION PARTICIPANTS**

You must leave the area now. Anyone blocking streets, or assisting others in the blocking streets, are committing a criminal offence and you may be arrested. You must immediately cease further unlawful activity or you will face charges. If you are arrested you may be released on bail depending on factors contained in Part XVI of the Criminal Code.

The people of Ottawa are being denied the lawful use, enjoyment and operation of their property and you are causing businesses to close. That is mischief under the Criminal Code.

Charges and/or convictions related to unlawful activity associated with the demonstration may lead to denial in crossing the USA border.

The Federal Emergencies Act allows for the regulation or prohibition of travel to, from or within any specified area. This means that anyone coming to Ottawa for the purpose of joining the ongoing demonstration is breaking the law. The act also provides police with a number of measures including the ability to seize vehicles that are part of this demonstration.

Ontario law (EMCPA) now prohibits interference with any critical infrastructure including 400-series highways, railways, airports and international border crossings. It prohibits you from preventing someone from travelling to or from walkways, bridges and highways (other than 400 series highways) or preventing anyone from using them. It also prohibits someone from seriously interfering with the safety, health or well-being of members of the public.

Anyone who commits these illegal actions could face fines or be required to appear in court. Commercial vehicle drivers' licences and private drivers' licences can be suspended or revoked.



Week #3 – Mr Barber

(Carter Annex A)

- Line 19 – Feb 16 (Ex #83):
- KW: “... If you come and stand with the protestors, it will make it harder for the police ...”
- CB: “We’ll be here guys”



Week #3 – Mr Barber

(Carter Texts)

- Feb 12 – Vol 2, Tab 63 (we are going to mess with this government)
- Feb 12 – Vol 1, Tab 56 (I'm handing out cash daily)
- Feb 12 – Vol 2, Tab 12 (I can get cash to drivers)
- Feb 13 – Vol 2, Tab 19 (Holding the line. Not giving up)
- Feb 14 – Vol 1, Tab 56 (we stand and fight)
- Feb 14 – Vol 1, Tab 34 (we have to take a stand)
- Feb 14 – Vol 1, Tab 34 (shut this country down. Fuck Trudeau)

Week #3 – Mr Barber

*(Carter Texts –
continued)*

- Feb 16 – Vol 1, Tab 17 (we where talking about surrender but we all said no)
- Feb 16 – Vol 1, Tab 31 (Head for Ottawa lol we need bodies)
- Feb 16 – Vol 2, Tab 15 (we are wanting bodies fast)
- Feb 17 – Vol 2, Tab 71 (need bodies. Things are heating up with police today)
- Feb 17 – Vol 2, Tab 71 (keep on pushing. We are definitely winning)


“Hold the line. We are in a peaceful protest”

From: +13062198031 Mike [redacted]
To: + [redacted] Chris Barner

Just got handed this by a "police liaison"

Attachments:

Size: 428
File name: 0.smil
0.smil



Size: 219903
File name: IMG_4817.jpg
IMG_4817.jpg

Size: 43
File name: text_1.txt
text_1.txt

To

Participant	Delivered	Read	Played
+ [redacted] Chris Barner			

Status: Read

2/16/2022 11:37:01 AM(UTC-5)

From: + [redacted] Mike [redacted]
(owner)

Asked him what it is and he just said information is all on it. Wouldn't tell me anything more.

Participant	Delivered	Read	Played
Unknown			

Status: Read

2/16/2022 11:37:56 AM(UTC-5)


(owner)
To: + [redacted] Mike [redacted]

Hold the line. We are in a peaceful protest

Participant	Delivered	Read	Played
+ [redacted] Mike [redacted]			

Status: Sent

2/16/2022 1:50:09 PM(UTC-5)



“I’ve always said, as humans we make choices from one of two places. We make choices from love, or we make choices from fear. That’s it. That’s the bottom line. And I pray and hope that you will make your choices from love. You hear the language and the verbiage that they’re using and that is not coming from us. And I know you guys all know that. But we can only win this with love. And we can only win this together . And it’s time to stand together. If you can come to Ottawa and stand with us, that would be fantastic. And if you can't, pray for us. I know you are. I just want you to know that this is my hill. And the hill of so many brave men and women, I can’t tell you how amazing these people are. And they’re gonna stay and they’re gonna fight for your freedom as long as they possibly can.”

Exhibit 59, Tamara Lich speaking on a Live Stream dated February 16, 2022 (Screenshot at 00:04)

From: [redacted] Rooster
(owner)
Why is Tamara on a live saying she's getting arrested tomorrow ?

Participant	Delivered	Read	Played
Unknown			

Status: Read
2/16/2022 10:51:39 PM(UTC-5)

Source info:
Second Copy
R58M78A3E0Y_files_full.zip\data_mirror\data_ce/huawei@com.android.providers.telephony/databases/mmsms.db :
0x163A1157 (Table: sms, Size: 23564288 bytes)

(owner)
To: [redacted] Rooster
Wtf we where talking about surrender but we all said no

Participant	Delivered	Read	Played
[redacted] Rooster			

Status: Sent
2/16/2022 10:55:29 PM(UTC-5)

Source info:
Second Copy
R58M78A3E0Y_files_full.zip\data_mirror\data_ce/huawei@com.android.providers.telephony/databases/mmsms.db :
0x163A06B (Table: sms, Size: 23564288 bytes)

(owner)
To: [redacted] Rooster
Wtf

Participant	Delivered	Read	Played
[redacted] Rooster			

Status: Sent
2/16/2022 10:55:31 PM(UTC-5)

“We were talking about surrender but we all said no”

OTTAWA POLICE SERVICE NOTICE TO DEMONSTRATION PARTICIPANTS

February 17, 2022

We want to inform you that you will face severe penalties under provincial and federal legislation if you do not cease further unlawful activity and remove your vehicle and/or property immediately from all unlawful protest sites.

- You may be arrested and charged with criminal offences including but not limited to mischief and potentially charged with a variety of other non-criminal offences.
- Your vehicle and property may be seized or removed.
- Your driver's licence may be suspended or cancelled.
- CVOR (Commercial Vehicle Operator's Registration) certificates may be suspended or cancelled.
- Your personal or business bank accounts may be subject to examination and restriction, including virtual currency.
- If you bring a minor (a person under 18) with you to an unlawful protest site, you may be charged and fined up to \$5000 and/or potentially spend up to five years in prison.
- Those delivering fuel and other supplies to those taking part in the unlawful demonstration can be charged.
- Persons travelling to any other unlawful protest sites to participate in or support the unlawful demonstration can be charged.
- Be aware that legislation now prohibits interference with any critical infrastructure, including 400-series highways, railways, airports and international border crossings.



“We want to inform you that you will face severe penalties under provincial and federal legislation if you do not cease further unlawful activity and remove your vehicle and/or property immediately from all unlawful protest sites.”

*“Continuing west on Wellington Street, towards Metcalfe, the further west that we got there was more of a crowd began to form. **It was very, very hostile at that point in time.** So hostile, that the liaison team on the ground, at that point in time, made the decision to **pull out of the area and we didn’t continue messaging** at that time, just due to the yelling and the screaming and the swearing. It was very hostile. Something I certainly don’t want to repeat again.*

Transcript: Evidence of **Sergeant Jordan Blonde**, October 27, 2023, at p. 40
(Discussing handing out leaflets on February 17, 2022).

Tamara Lich: She wants to know what my response would be **if I get arrested?**

...

Tamara Lich: **Hold the line.** Thank you. Thank you.





- **Captain Etienne Martel:** As I said, we were trying to move forward to clear the street.

- ...

- **Crown:** What observations, sir, during this time, did you make about the crowd you were facing?

- **Captain Etienne Martel:** It was a crowd that was resisting. They were not clearing but there were no projectiles that were thrown or anything. We could hear some yelling, but they just stayed in place.

Transcript: Evidence of **Captain Etienne Martel**, September 18, 2023, at p. 16.

Exhibit 4 @ 22:47

“In light of the aforementioned argument, the Crown respectfully requests that this court find Mr Barber and Ms Lich guilty of all counts as charged.”

Paragraph 161 of Crown’s Closing Submissions
Exhibit #135, Vol 1, Tab 34 at p.11

