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His Excellency the Right Honourable David Johnston  
Governor General of Canada  
Rideau Hall  
1 Sussex Drive  
Ottawa Ontario  
K1A 0A1

Date: \_\_\_\_\_

Re: Breach of Trust by the Ontario provincial government

Your Excellency the Right Honourable David Johnston  
Governor General of Canada:

Recently a number of Ontarians have written to your office seeking assistance in regards to the sitting government's "Breach of Trust". With the statement of Kathleen Wynne, during the debates on June 3, 2014, of:

Approx. 2:02 minutes –

...I want to address the issue particularly of the relocation of the gas plants. The decisions around the relocation of the gas plants that were made were wrong. ... there was public money that was wasted in those decisions and that shouldn't have happened. **And in the process the public good was sacrificed to partisan interests. ... I know that people are still angry ...because ...there was a breach of trust between the government and the people of the province.**<sup>1</sup> – END 3:09

The duties of a Governor may be summed up in three heads: he must always act through advisers approved of by parliament; he must refrain from personal interference with the ministers in their direction of local affairs except to uphold the law or protect the people; and he must consent to all acts of government except in extreme cases.<sup>2</sup>

With the current "circumstances" would it not be in the best interest of Ontario and Canada for the Governor General to exercise the powers granted to him, if not for the people of Ontario, for the Honour of the Queen?

The confession has been clearly stated, and in conjunction with the Auditor General's Report<sup>3</sup> it would seem that this cancellation did not have to occur at all.<sup>4</sup> The elected officials

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<sup>1</sup> <http://www.cbc.ca/elections/ontariovotes2014/features/view/ontario-provincial-leaders-debate>

<sup>2</sup> Government in Canada D. S. O'Sullivan 1879-1887, Page 38.

<sup>3</sup> Oakville Power Plant Cancellation Costs. Special Report, October 2013

<sup>4</sup> "The contract for the Oakville plant contained protection to relieve both TCE and the OPA of any financial obligations if events beyond their control (*force majeure* events) caused the plant's commercial operation date of February 8, 2014, to be delayed for more than 24 months. Therefore, given Oakville's strong opposition to the plant, it may well have been possible

are considered trustees and they have a duty of care to ensure the best interests of the people are protected. Based on the Auditor General's report this was not the case. The confession shows that the Premier knows there was at least a breach of trust by government, and therefore she knows who was involved and how they were involved.

This has placed the Crown, the government, and the entire justice system in disrepute. Ontarians have had enough of this pious arrogant disregard for the rule of law. This is why, Your Excellency, I again do plea, ask, beseech Your Excellency to instruct Premier Kathleen Wynne to present to you the names of those who were involved in, what is commonly known as, the gas-plant cancellation scandal and have those involved charged under the Criminal Code of Canada, or at the very least remove the offenders from any and all administrative duties, including disallowing them the privilege of attending in the Legislature.

Respectfully,

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

Name: \_\_\_\_\_  
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Office of the Lieutenant Governor of Ontario  
Queen's Park  
Toronto, Ontario M7A 1A1

Date: \_\_\_\_\_

Re: Breach of Trust by the sitting government and Failure of Lieutenant Governor's Chief of Staff

The Hon. Elizabeth Dowdeswell, Lieutenant Governor of Ontario:

Recently a number of Ontarians have written to your office seeking assistance in regards to the sitting government's "Breach of Trust". With the statement of Kathleen Wynne, during the debates on June 3, 2014, of:

Approx. 2:02 minutes –

...I want to address the issue particularly of the relocation of the gas plants. The decisions around the relocation of the gas plants that were made were wrong. ... there was public money that was wasted in those decisions and that shouldn't have happened. **And in the process the public good was sacrificed to partisan interests. ... I know that people are still angry ...because ...there was a breach of trust between the government and the people of the province.**<sup>5</sup> – END 3:09

The duties of a Governor may be summed up in three heads: he must always act through advisers approved of by parliament; he must refrain from personal interference with the ministers in their direction of local affairs except to uphold the law or protect the people; and he must consent to all acts of government except in extreme cases.<sup>6</sup>

With the current "circumstances" isn't it time for the Lieutenant Governor to exercise the powers granted to her, if not for the people of Ontario, at least for the Honour of the Queen?

The confession has been clearly stated, and in conjunction with the Auditor General's Report<sup>7</sup> it would seem that this cancellation did not have to occur at all.<sup>8</sup> The elected officials are considered trustees and they have a duty of care to ensure the best interests of the

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<sup>5</sup> <http://www.cbc.ca/elections/ontariovotes2014/features/view/ontario-provincial-leaders-debate>

<sup>6</sup> Government in Canada D. S. O'Sullivan 1879-1887, Page 38.

<sup>7</sup> Oakville Power Plant Cancellation Costs. Special Report, October 2013

<sup>8</sup> "The contract for the Oakville plant contained protection to relieve both TCE and the OPA of any financial obligations if events beyond their control (*force majeure* events) caused the plant's commercial operation date of February 8, 2014, to be delayed for more than 24 months. Therefore, given Oakville's strong opposition to the plant, it may well have been possible for the OPA to wait it out, with no penalty and at no cost." Oakville Power Plant Cancellation Costs. Special Report, October 2013, p. 9.

people are protected. Based on the Auditor General's report this was not the case. The confession shows that the Premier knows there was at least a breach of trust by government, and therefore she knows who was involved and how they were involved.

This has placed the Crown, the government, and the entire justice system in disrepute. Ontarians have had enough of this pious arrogant disregard for the rule of law. This is why, Your Honour, I again do plea, ask, beseech Your Honour to instruct Premier Kathleen Wynne to present to you the names of those who were involved in, what is commonly known as, the gas-plant cancellation scandal and have those involved charged under the Criminal Code of Canada, or at the very least remove the offenders from any and all administrative duties, including disallowing them the privilege of attending in the Legislature.

Respectfully,

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MPP \_\_\_\_\_  
Address: \_\_\_\_\_  
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Date: \_\_\_\_\_

Re: Breach of Trust by the Ontario provincial government

MPP \_\_\_\_\_:

Recently a number of Ontarians have written to your office seeking assistance in regards to the sitting government's "Breach of Trust". With the statement of Kathleen Wynne, during the debates on June 3, 2014, of:

Approx. 2:02 minutes –

...I want to address the issue particularly of the relocation of the gas plants. The decisions around the relocation of the gas plants that were made were wrong. ... there was public money that was wasted in those decisions and that shouldn't have happened. **And in the process the public good was sacrificed to partisan interests. ... I know that people are still angry ...because ...there was a breach of trust between the government and the people of the province.**<sup>9</sup> – END 3:09

The confession has been clearly stated, and in conjunction with the Auditor General's Report<sup>10</sup> it would seem that this cancellation did not have to occur at all.<sup>11</sup> The elected officials are considered trustees and they have a duty of care to ensure the best interests of the people are protected. Based on the Auditor General's report this was not the case.

As your constituent, it is your duty to represent me in Queen's Park, so as your constituent, I would ask you to walk out in protest and not resume sitting until those in government, who committed this crime, are charged and removed from office. This is your duty to those who elected you to your seat. Criminal acts will only continue if you do not and

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<sup>9</sup> <http://www.cbc.ca/elections/ontariovotes2014/features/view/ontario-provincial-leaders-debate>

<sup>10</sup> Oakville Power Plant Cancellation Costs. Special Report, October 2013

<sup>11</sup> "The contract for the Oakville plant contained protection to relieve both TCE and the OPA of any financial obligations if events beyond their control (*force majeure* events) caused the plant's commercial operation date of February 8, 2014, to be delayed for more than 24 months. Therefore, given Oakville's strong opposition to the plant, it may well have been possible for the OPA to wait it out, with no penalty and at no cost." Oakville Power Plant Cancellation Costs. Special Report, October 2013, p. 9.

this is the only way to ensure those who were involved are properly investigated and charged.

As expressed in Extra-Jurisdictional Authority of Provincially Appointed Officers in Canada, a Discussion Paper, prepared for The Uniform Law Conference of Canada by Johnathan H. Bilton, Osgoode Hall Law School and Philip C. Stenning, Associate Professor, Centre of Criminology, University of Toronto, 2001:

"[26] Interestingly, an effect of this exclusive provincial jurisdiction to "appoint, control and discipline municipal and provincial police officers" is to inform the meaning of "peace officer" in section 2 of the *Criminal Code*<sup>12</sup> and, potentially, to place limits on the effective enforcement of the criminal law."<sup>13</sup>

Based on the R.C.M.P. Act, and the Criminal Code of Canada it is the obligation of the R.C.M.P. to perform the duties, as described in the R.C.M.P. Act, under section 18<sup>14</sup> being that it is the duty of members who are peace officers, subject to the orders of the Commissioner.

The OPP, albeit have charged 2 staffers for allegedly deleting emails, those emails pertained to a breach of trust, therefore the OPP may have a conflict as they are required to report to the provincial legislature; being "creatures of the province." Considering there has been a public admission of guilt, we, the people of Ontario, feel this investigation should be under the R.C.M.P. and charges laid, considering there has been a public admission of guilt, by Kathleen Wynne.

Ontarians have had enough of this abusive disregard for the rule of law and ask, again, as your constituent, that you demand the R.C.M.P. lay charges against those in government who have committed the admitted crime of breach of trust, etc.; walk out in protest and not resume sitting until those in government who committed this crime are charged and removed from office.

Respectfully,

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

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<sup>12</sup> Section 2 of the *Criminal Code* reads, in part: "peace officer" includes ... (c) a police officer, police constable, bailiff, constable, or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process".

<sup>13</sup> *Nolan, supra* note 21 at 295 (per Dickson C.J. writing for the Court). See also comment by His Lordship referring to but not explicating the division of powers difficulties associated with interpreting s. 2 of the *Criminal Code* as conferring plenary "peace officer" authority to all persons enumerated in that section (*ibid.* at 296):

"[T]o treat s. 2 of the *Criminal Code* as a broad grant of authority to thousands of persons to act as "peace officers" in any circumstances could well prompt a constitutional challenge. In the context of division of powers, legislation should be interpreted, when possible, so that it is not *ultra vires*. ... I would therefore conclude that the definition of "peace officer" in s. 2 of the *Criminal Code* serves only to grant additional powers to enforce the criminal law to persons who must otherwise operate within the limits of their statutory or common law sources of authority" [emphasis added]. EXTRA-JURISDICTIONAL AUTHORITY OF PROVINCIALY APPOINTED POLICE OFFICERS IN CANADA A DISCUSSION PAPER, prepared under contract for The Uniform Law Conference of Canada by Johnathan H. Bilton (Law student, Osgoode Hall Law School, York University, Ontario) & Philip C. Stenning (Associate Professor, Centre of Criminology, University of Toronto) June 2001, p. 15.

<sup>14</sup> 18. (a) to perform all duties that are assigned to peace officers in relation to the preservation of the peace, the prevention of crime and of offences against the laws of Canada and the laws in force in any province in which they may be employed, and the apprehension of criminals and offenders and others who may be lawfully taken into custody

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Commissioner J.V.N. (Vince) Hawkes  
Ontario Provincial Police  
General Headquarters  
Lincoln M. Alexander Building  
777 Memorial Avenue  
Orillia, ON L3V 7V3

Date: \_\_\_\_\_

Re: Premier Admits to Breach of Trust

Commissioner Hawkes:

We, the people of Ontario, demand that the OPP immediately investigate and charge Premier Kathleen Wynne, and all those involved, for the admitted Breach of Trust, etc., based on the below confession of the then candidate Kathleen Wynne.

During the Ontario Provincial Election Debate, June 2014, Kathleen Wynne, admitted to Breach of Trust on live television. This was in regards to over a billion tax-payers and rate-payers dollars being used to cancel/relocate the two gas-powered generating plants, merely so the Liberal Party could save or garner seats, during the previous election<sup>15</sup>. What she had said was:

Approx. 2:02 minutes –

...I want to address the issue particularly of the relocation of the gas plants. The decisions around the relocation of the gas plants that were made were wrong. ... there was public money that was wasted in those decisions and that shouldn't have happened. **And in the process the public good was sacrificed to partisan interests. ... I know that people are still angry ...because ...there was a breach of trust between the government and the people of the province.**<sup>16</sup> – END 3:09

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<sup>15</sup> "Mr. John Yakaubski: Now, Premier, ....All of those conditions that you about – childhood asthma, stressed airsheds – they all existed when the plant was first sited in Oakville, for example, in 2004-05...It took you until October 2010 to cancel the plant, ...within a year—of a provincial election, and it looked very much the case that Kevin Flynn, your member in Oakville, could be in serious trouble. So the plant was cancelled within a year of that election, and now you're citing that your decision was based on air quality, children, schools and proximity to those institutions. Yet the current Premier, Premier Wynne's, Dwight Duncan while at committee last year at estimates, and your own story during the Mississauga cancellation was that these gas plants were cancelled for political reasons—the one in Mississauga on the eve of the 2011 election. So you're giving us a different story today, Premier, ...You said all along that you would not be swayed by NIMBYism when you proceeded with the long-term energy plan for Ontario. Scores of meetings took place between 2005 and 2010 in these communities, telling you exactly what you're using as your reasons today for cancelling them in Oakville, and subsequently in Mississauga; telling you that those plants should not be built there for those very reasons...even though the current leadership of your party and the government says they were cancelled for political reasons." Standing Committee on Justice Policy, May 7, 2013, JP-410.

<sup>16</sup> <http://www.cbc.ca/elections/ontariovotes2014/features/view/ontario-provincial-leaders-debate>

The confession has been clearly stated, and in conjunction with the Auditor General's Report<sup>17</sup> it would seem that this cancellation did not have to occur at all.<sup>18</sup> The elected officials are considered trustees and they have a duty of care to ensure the best interests of the people are protected. Based on the Auditor General's report this would seem not to be the case.

The OPP, albeit have charged 2 staffers for allegedly deleting emails, those emails pertained to a breach of trust. Considering there has been a public admission of guilt, we, the people of Ontario, demand that the OPP immediately investigate and charge Kathleen Wynne, and all those involved, for Breach of Trust.

Respectfully,

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

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<sup>17</sup> Oakville Power Plant Cancellation Costs. Special Report, October 2013

<sup>18</sup> "The contract for the Oakville plant contained protection to relieve both TCE and the OPA of any financial obligations if events beyond their control (*force majeure* events) caused the plant's commercial operation date of February 8, 2014, to be delayed for more than 24 months. Therefore, given Oakville's strong opposition to the plant, it may well have been possible for the OPA to wait it out, with no penalty and at no cost." Oakville Power Plant Cancellation Costs. Special Report, October 2013, p. 9.

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Commissioner Bob Paulson  
RCMP National Headquarters  
Headquarters Building  
73 Leikin Drive  
Ottawa ON K1A 0R2

Date: \_\_\_\_\_

Re: Premier Admits to Breach of Trust

Commissioner Paulson:

We, the people of Ontario, demand that the R.C.M.P. immediately investigate and charge Premier Kathleen Wynne, and all those involved, for the admitted Breach of Trust, etc., based on her confession during the Ontario Provincial Election Debate, June 2014. This was in regards to over a billion tax-payers and rate-payers dollars being used to cancel/relocate the two gas-powered generating plants, merely so the Liberal Party could save or garner seats, during the previous election<sup>19</sup>. What she had said was:

Approx. 2:02 minutes –

...I want to address the issue particularly of the relocation of the gas plants. The decisions around the relocation of the gas plants that were made were wrong. ... there was public money that was wasted in those decisions and that shouldn't have happened. **And in the process the public good was sacrificed to partisan interests. ... I know that people are still angry ...because ...there was a breach of trust between the government and the people of the province.**<sup>20</sup> – END 3:09

This confession, in conjunction with the Auditor General's Report<sup>21</sup> it would seem that this cancellation did not have to occur at all.<sup>22</sup> Elected officials are considered trustees and they have a duty of care to ensure the best interests of the people are protected. Based on the Auditor General's report this was not the case.

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<sup>19</sup> "Mr. John Yakaubski: Now, Premier, ....All of those conditions that you about – childhood asthma, stressed airsheds – they all existed when the plant was first sited in Oakville, for example, in 2004-05...It took you until October 2010 to cancel the plant, ...within a year—of a provincial election, and it looked very much the case that Kevin Flynn, your member in Oakville, could be in serious trouble. So the plant was cancelled within a year of that election, and now you're citing that your decision was based on air quality, children, schools and proximity to those institutions. Yet the current Premier, Premier Wynne's, Dwight Duncan while at committee last year at estimates, and your own story during the Mississauga cancellation was that these gas plants were cancelled for political reasons—the one in Mississauga on the eve of the 2011 election. So you're giving us a different story today, Premier, ...You said all along that you would not be swayed by NIMBYism when you proceeded with the long-term energy plan for Ontario. Scores of meetings took place between 2005 and 2010 in these communities, telling you exactly what you're using as your reasons today for cancelling them in Oakville, and subsequently in Mississauga; telling you that those plants should not be built there for those very reasons...even though the current leadership of your party and the government says they were cancelled for political reasons." Standing Committee on Justice Policy, May 7, 2013, JP-410.

<sup>20</sup> <http://www.cbc.ca/elections/ontariovotes2014/features/view/ontario-provincial-leaders-debate>

<sup>21</sup> Oakville Power Plant Cancellation Costs. Special Report, October 2013

<sup>22</sup> "The contract for the Oakville plant contained protection to relieve both TCE and the OPA of any financial obligations if events beyond their control (*force majeure* events) caused the plant's commercial operation date of February 8, 2014, to be delayed for more than 24 months. Therefore, given Oakville's strong opposition to the plant, it may well have been possible for the OPA to wait it out, with no penalty and at no cost." Oakville Power Plant Cancellation Costs. Special Report, October 2013, p. 9.

Upon review of the R.C.M.P. Act<sup>23</sup> and other documents<sup>24</sup>, it would seem that the R.C.M.P. have paramount jurisdiction throughout Canada, including Ontario.

As expressed in Extra-Jurisdictional Authority of Provincially Appointed Officers in Canada, a Discussion Paper, prepared by Johnathan H. Bilton, Osgoode Hall Law School and Philip C. Stenning, University of Toronto, 2001:

"[26] Interestingly, an effect of this exclusive provincial jurisdiction to "appoint, control and discipline municipal and provincial police officers" is to inform the meaning of "peace officer" in section 2 of the *Criminal Code*<sup>25</sup> and, potentially, to place limits on the effective enforcement of the criminal law."<sup>26</sup>

Based on the R.C.M.P. Act, it is the obligation of the R.C.M.P. to perform the duties, as described in the R.C.M.P. Act, under section 18,<sup>27</sup> subject to the orders of the Commissioner.

The OPP, albeit have charged 2 staffers for allegedly deleting emails, those emails pertained to a breach of trust. As the OPP may have a conflict as they are required to report to the provincial legislature; being "creatures of the province." We, the people of Ontario, demand that the R.C.M.P. immediately investigate and charge Kathleen Wynne, and all those involved, for Breach of Trust.

Respectfully,

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

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<sup>23</sup> 11.1 (1) Every officer is a peace officer in every part of Canada and has all the powers, authority, protection and privileges that a peace officer has by law until the officer ceases to be an officer.

18. It is the duty of members who are peace officers, subject to the orders of the Commissioner,

(a) to perform all duties that are assigned to peace officers in relation to the preservation of the peace, the prevention of crime and of offences against the laws of Canada and the laws in force in any province in which they may be employed, and the apprehension of criminals and offenders and others who may be lawfully taken into custody;

(b) to execute all warrants, and perform all duties and services in relation thereto, that may, under this Act or the laws of Canada or the laws in force in any province, be lawfully executed and performed by peace officers;

(c) to perform all duties that may be lawfully performed by peace officers in relation to the escort and conveyance of convicts and other persons in custody to or from any courts, places of punishment or confinement, asylums or other places; and (d) to perform such other duties and functions as are prescribed by the Governor in Council or the Commissioner. R.S., c. R-9, s. 18. R.C.M.P. Act.

<sup>24</sup> "[31]...The fact that the federal Parliament enjoys exclusive jurisdiction over the "administration and management" of the federal police means that provincial legislation cannot, despite concurrent jurisdiction over criminal law enforcement in the province, derogate from federal authority to *appoint* and *empower* persons to enforce federal legislation. Put simply, concurrent jurisdiction over criminal law enforcement does not authorize encroachment on the other level of legislative competence in relation to the appointment of persons satisfying the definition of "peace officer". Indeed, to allow provincial Legislatures to extend the reach of legislation into the appointment and empowerment of federal policing agents in the field of criminal law would in effect be to allow it to legislate in an area of exclusive federal jurisdiction under section 91 of the *Constitution Act, 1867*." EXTRA-JURISDICTIONAL AUTHORITY OF PROVINCIALY APPOINTED POLICE OFFICERS IN CANADA A DISCUSSION PAPER, prepared under contract for The Uniform Law Conference of Canada by Johnathan H. Bilton (Law student, Osgoode Hall Law School, York University, Ontario) & Philip C. Stenning (Associate Professor, Centre of Criminology, University of Toronto) June 2001, p. 19-20

<sup>25</sup> Section 2 of the *Criminal Code* reads, in part: "peace officer" includes ... (c) a police officer, police constable, bailiff, constable, or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process".

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"[T]o treat s. 2 of the *Criminal Code* as a broad grant of authority to thousands of persons to act as "peace officers" in any circumstances could well prompt a constitutional challenge. In the context of division of powers, legislation should be interpreted, when possible, so that it is not *ultra vires*. ... I would therefore conclude that the definition of "peace officer" in s. 2 of the *Criminal Code* serves only to grant additional powers to enforce the criminal law to persons who must otherwise operate within the limits of their statutory or common law sources of authority" [emphasis added]. EXTRA-JURISDICTIONAL AUTHORITY OF PROVINCIALY APPOINTED POLICE OFFICERS IN CANADA A DISCUSSION PAPER, prepared under contract for The Uniform Law Conference of Canada by Johnathan H. Bilton (Law student, Osgoode Hall Law School, York University, Ontario) & Philip C. Stenning (Associate Professor, Centre of Criminology, University of Toronto) June 2001, p. 15.

<sup>27</sup> 18. (a) to perform all duties that are assigned to peace officers in relation to the preservation of the peace, the prevention of crime and of offences against the laws of Canada and the laws in force in any province in which they may be employed, and the apprehension of criminals and offenders and others who may be lawfully taken into custody