



## OPINION

# My brother's death shows there are two systems of justice

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I have been struggling to process the perplexing decision that the Ontario Provincial Police will not be pressing charges against the correctional officers who were involved in my brother's death while in temporary custody.

My brother, Soleiman "Soli" Faqiri, died on Dec. 15, 2016 at the Central East Correctional Facility in Lindsay, Ont. He was pronounced dead after jail guards beat him and left him with more than 50 injuries and bruises to his body. At the time of his death, my brother had been pepper-sprayed, shackled and placed in a spit hood, contrary to the jail's restraint training guidelines.

No one has been held responsible, even now, after three separate investigations: One by the Kawartha Lakes Police Service and two subsequent investigations by the OPP.

continue to erode and undermine public confidence in police to protect the public, including from colleagues who break the law.

It took my family and our supporters years to get a review of an initial coroner's report that determined Soli's cause of death was "unascertained." That advocacy, which included countless media interviews, speaking engagements across Canada and award-winning television and podcast investigations, shone a light on fresh evidence into Soli's death, including an eye witness account of his beating who was deemed by the OPP to be a credible witness. In June, 2021, Ontario's chief pathologist, Michael Pollanen, announced that he would review the original coroner's report.

A year ago this month, Dr. Pollanen released his findings and they confirmed everything our family had suspected. Soleiman, Dr. Pollanen said, died as a direct result of the actions of the guards who beat and restrained him. According to Dr. Pollanen, it was the prone-position restraint and the injuries to Soli's body that caused him to become hypoxic or have a fatal heart arrhythmia. Either individually, or in combination, the actions of those in the cell caused him to die.

What more evidence does the OPP require to press charges? How is it possible that with all the available evidence, the OPP is still unable to find criminal culpability in my brother's death?

In what felt like a cold and calculated e-mail to our family's legal counsel, the OPP official wrote: "...there remains insufficient evidence to form the requisite grounds to believe a criminal offence has been committed by an individual or a group."

We were heartbroken and shocked but not surprised by this recent decision of the OPP. How can Canadians have faith in a system when it operates away from scrutiny or

enforcement agencies accountable, especially when protecting our most vulnerable.

Just as we believe in criminal accountability in Soli's death, so do countless other people, too. Supporters have come out to our rallies and vigils in cities and towns across the country. Thousands have signed petitions, open letters, and shared Soli's story through social media. We have worked with legal scholars, medical professionals and activists. Soli's story was shared in the Ontario Legislature as well as the Canadian Senate.

And this is not the end of the journey. We are now awaiting the coroner's inquest, which will demonstrate even more clearly how the system failed Soli and my family. We intend to be involved.

In the meantime, I intend to keep fighting for a society where all of us, including individuals suffering from mental illness, are treated with dignity and accountability. No one should harm vulnerable people and get away with it.

I believe this is what Soli would have wanted.

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