



140 groups call on Ontario legislature to make public advocacy bill top priority

18 September 2013 (Toronto) – Over 140 groups, including environmental organizations, unions and freedom of expression advocates, are calling on the Ontario legislature to adopt strong legislation to prevent Strategic Lawsuits Against Public Participation (SLAPPs) from being used to limit freedom of expression, public participation and prevent the abuse of libel laws.

Anti-SLAPP laws, which have already been adopted in Quebec, a majority of U.S. states and several other countries are designed to prevent powerful companies and individuals from lodging meritless lawsuits, often for defamation, which are designed not to protect reputation but to silence critics. These lawsuits burden defendants, often public interest advocacy groups, with massive legal fees, draining their resources and distracting them from their core work. As such, they exert a chilling effect on freedom of expression and make it more difficult for civil society to act as watchdog of the powerful.

In May, Attorney General John Gerretsen submitted Bill 83, the first government-sponsored anti-SLAPP bill in Ontario. This follows a 2010 report by the Ontario Anti-SLAPP Advisory Panel which found that SLAPPs deter people from speaking out against what they see as social wrongs.

“With MPPs back in the legislature, it is time to move quickly to protect Ontarians when talking about the issues that matter most to them,” said Shane Moffatt, forest campaigner for Greenpeace Canada. “These meritless lawsuits tangle up our courts and waste taxpayers’ dollars.”

The over 140 groups – including Greenpeace Canada, Canadian Journalists for Free Expression, Council of Canadians, Marineland Animal Defense, and the Centre for Law and Democracy – have presented a petition to Ontario MPPs expressing their concern at the increasing use of SLAPPs and denouncing it as an abuse of the court system. The groups stand behind Greenpeace and other organizations’ right to freely express opinions on issues of public interest, including the future of Canada’s forests, without fear of lawsuit.

“Deep pocketed corporations must be prevented from attacking organizations or individuals with abusive lawsuits to shut down public debate,” affirmed Maude Barlow, national chair of the Council of Canadians. “They undermine the court system and impose a chilling effect on public debate.”

Several of the supporting groups have been targeted by SLAPPs. Greenpeace Canada is currently fighting a \$7 million lawsuit brought by logging giant Rolute Forest Products, while Marineland Animal Defense founder Dylan Powell faces a \$1.5 million SLAPP from Marineland, in both cases for engaging in public interest criticism. The issue first gained prominence in Ontario when Big Bay Point residents were hit with a \$3.2 million lawsuit by developers.

“Our organizations play a crucial role in shining a light on issues the public would otherwise never be aware of,” explained Powell of Marineland Animal Defense. “Unfortunately, case law offers little protection and this legislative void will be used as leverage until anti-SLAPP legislation exists.”

“The need for effective anti-SLAPP laws has been proven around the world,” added Toby Mendel, Executive Director of the Centre for Law and Democracy and Annie Game, Executive Director of Canadian Journalists for Free Expression. “It is critical that Ontario and other Canadian jurisdictions bring themselves into line with these global developments.”

- 30 -

Notes:

For the petition and full list of supporting organizations visit <http://www.greenpeace.ca/antislapp>

Read the proposed Bill 83 at http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2810

View the full 2010 report by the Anti-SLAPP Advisory Panel at http://www.attorneygeneral.jus.gov.on.ca/english/anti_slapp/anti_slapp_final_report_en.pdf

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