



Groups Applaud Government's Anti-SLAPP Bill

Toronto, 4 June 2013 - Public interest groups applauded a proposed new law that would allow Ontario citizens to speak out without fear of damaging lawsuits meant to intimidate them.

Today Attorney General John Gerretsen tabled a government bill to stop the growth of Strategic Lawsuits Against Public Participation (SLAPPs) in Ontario. These unmeritorious civil suits are generally intended to intimidate or silence critics and prevent individuals from publicly voicing community, environmental and other public interest concerns.

“Finally, we have this much needed government-sponsored legislation,” said Hugh Wilkins, staff lawyer with Ecojustice. “Ontario is stronger when its citizens can exercise their rights to expression — calling for clean land, air and water — without fear of a SLAPP. This bill is a big step forward.”

The bill comprehensively addresses the recommendations made by an expert panel on the issue, which was convened by the provincial government in 2010.

“Anti-SLAPP legislation will save costs for the justice system by ensuring the early dismissal of these meritless lawsuits,” said Ramani Nadarajah, counsel with the Canadian Environmental Law Association (CELA). “This bill will protect citizens and groups who are engaging in public debate and is vital to Ontario's democracy.”

SLAPPs have arisen when Ontario citizens report environmental violations, take a case to the Ontario Municipal Board, file complaints with government agencies, work to educate the public about an issue, or speak at a public meeting. The bill tabled today provides for a faster process for dismissing SLAPPs, strong disincentives for initiating them, and guidelines for judges on how to

address them.

The Ontario Bar Association, former judges, the Association of Municipalities of Ontario, the Registered Nurses Association of Ontario, the Ontario Trial Lawyers Association, the Canadian Civil Liberties Association, environment groups, municipalities and a broad spectrum of civil society have all called for anti-SLAPP legislation.

“When a company sues an organization or individual in order to intimidate them, we all lose. Ontario needs people unafraid to advocate for a healthier and more vibrant society,” said Shane Moffatt, a campaigner with Greenpeace Canada.

“Lawsuits without merit that are meant to bully people from exercising their rights must be stopped,” said Maude Barlow, National Chairperson of the Council of Canadians. “There is no place for that type of conduct in our society.”

SLAPPs are on the rise in Ontario. A reported example was the almost \$150 million in lawsuits filed against multiple opponents of the Big Bay Point mega-marina, in Innisfil, on Lake Simcoe. All the suits were either dropped or dismissed by the courts for inactivity, with costs against the developer.

“Ontario residents’ rights under the Environmental Bill of Rights are violated every time a SLAPP chills a fair and open environmental decision-making process,” said David Donnelly, counsel to Environmental Defence. “Many jurisdictions in North America have banned SLAPPs after having to put up with frivolous cases that never reached a judge or jury,” Donnelly added.

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