



Ontario
Civil Liberties
Association

"The OCLA takes a vigorous and highly principled approach to defending free speech rights, which is an approach that is sorely needed in Canada today."

—John Carpay,
President,
Justice Centre for
Constitutional Freedoms

"I am very pleased to learn of the Ontario Civil Liberties Association, and wish it the greatest success in its work, which could not be more timely and urgent as elementary civil rights, including freedom of speech, are under attack in much of the world, not excluding the more free and democratic societies."

—Noam Chomsky,
Institute Professor, MIT

"Freedom of expression is our most fundamental and most precious freedom. It has been under attack in Canada for years. The Ontario Civil Liberties Association has taken a position on freedom of expression that is both courageous and principled. The OCLA now stands alone and its position should be supported by all Canadians who cherish democracy and freedom."

—Robert Martin,
Professor of Law,
Emeritus,
Western University

ocla.ca



September 5, 2018

By Email

Hon. Caroline Mulroney, Attorney General of Ontario
attorneygeneral@ontario.ca; caroline.mulroney@pc.ola.org

Dear Attorney General Mulroney:

Re: Criminal Code censorship prosecutions in Ontario

The Ontario Civil Liberties Association (OCLA) is in receipt of your letter dated August 16, 2018,¹ which was in response to our letter dated July 24, 2018.²

In our letter, we asked you to recognize that several *Criminal Code* provisions inherently violate human and natural justice rights, and violate the *International Covenant on Civil and Political Rights* in particular.

Your answer is that you will apply these unconstitutional provisions responsibly. You also refused to withdraw the Attorney General's consent for existing charges.

The problem is that any application of the said provisions necessarily violates fundamental rights, as we explained.

Any use or condoning of laws that inherently violate fundamental rights deteriorates our values and institutions, no matter how noble the motivating intentions.

We respectfully ask you to reconsider your position. Please do not apply these laws and please withdraw your consent for the on-going prosecutions.

Yours truly,

Joseph Hickey
Executive Director
Ontario Civil Liberties Association (OCLA) <http://ocla.ca>
613-252-6148 (c)
joseph.hickey@ocla.ca

¹ August 16, 2018 letter from AG Mulroney to the OCLA: <http://ocla.ca/wp-content/uploads/2018/09/2018-08-16-response-from-AG-Mulroney-to-OCLA-letter.pdf>

² July 24, 2018 letter from the OCLA to AG Mulroney: <http://ocla.ca/wp-content/uploads/2018/07/2018-07-24-Letter-OCLA-to-AG-Ontario-Mulroney.pdf>