



Justice Centre for Constitutional Freedoms

January 30, 2020

VIA Email

Christina de Castell
Chief Librarian
Vancouver Public Library
350 West Georgia Street
Vancouver, BC V6B 6B1

Dear Ms. de Castell,

Re: Thank you for upholding free speech at the upcoming March 21, 2020 panel discussion

We write further to the upcoming March 21st public event at the Vancouver Public Library (“VPL”) featuring Canadian feminist and social critic, Meghan Murphy, president of Athletics Alberta, Linda Blade and women’s prison advocate, Heather Mason. The presentation is entitled, “GIDYVR Still Talking Series: Women’s Spaces & Places: Sports, Prisons and Shelters” (the “Event”).

The Justice Centre for Constitutional Freedoms thanks and commends the VPL for recognizing its constitutional obligation as a public entity to uphold free speech, which is a central tenant of a free and democratic society. This heritage and sacred trust is vital to the preservation of our society and our country. If freedom of speech is lost, the remaining panoply of fundamental freedoms, such as freedom of association and freedom of religion, and ultimately our democratic process,¹ will follow.

We understand the significant external pressure to capitulate and cancel the GIDYVR Event.

There are many voices which advocate for stifling the exercise of the constitutional right of freedom of expression for any speech which they do not like, including that of the GIDYVR organizers and presenters. Loud voices call for state censorship and vehemently accuse others of “hate” as a means to shut down lawful discussion. They threaten boycotts of VPL events. Some of them may threaten violence.

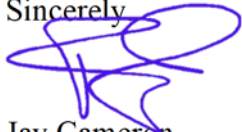
¹ “The connection between freedom of expression and the political process is perhaps the linchpin of the s. 2(b) guarantee, and the nature of this connection is largely derived from the Canadian commitment to democracy.” *R v Keegstra*, [1990] 3 SCR 697 at para 89.

These individuals scorn dialogue and the democratic act of meeting ideas with ideas. If given their way, they would not only shout down and censor speakers but would prevent the constitutional right of listeners to participate in the marketplace of ideas.

As articulated by the Supreme Court of Canada, freedom of expression “was entrenched in our Constitution [...] so as to ensure that everyone can manifest their thoughts, opinions, beliefs, indeed all expressions of the heart and mind, **however unpopular, distasteful, or contrary to the mainstream.**”² The *Charter* describes this protection as fundamental “because in a free and democratic society” such as Canada, “**we prize a diversity of ideas and opinions for their inherent value both to the community and individual.**”³

In your recent statement on this issue, you rightly acknowledged the “importance of freedom of expression as a core principle of democracy”.⁴ You also correctly stated that, “as a public body VPL is expected to act in accordance with the Canadian Charter of Rights and Freedoms, which includes the right to freedom of expression subject only to limits recognized at law.”⁵ We commend you for your courage and for your upholding of the rule of law. Your actions serve to protect and benefit not only the organizers of GIDYVR, but the constitutional rights of all Canadians.

Sincerely,



Jay Cameron
Litigation Manager
Justice Centre for Constitutional Freedoms

² *Irwin Toy Ltd v Quebec (Attorney General)*, [1989] 1 SCR 927 at 968. [Emphasis added].

³ *Ibid.* [Emphasis added].

⁴ “Statement from VPL’s Chief Librarian regarding March 21 GIDYVR event”, Vancouver Public Library: dated January 27, 2020 (the “Statement”).

⁵ *Ibid.*