



# Justice Centre for Constitutional Freedoms

News Release

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## Students take university to court over free speech

CALGARY: The Justice Centre for Constitutional Freedoms (JCCF) today announced that members of Campus Pro-Life at the University of Calgary have gone to court to assert their campus free speech rights.

JCCF President John Carpay has defended the students' free speech rights since 2007.

Seven students are Applicants in an Originating Notice filed at the Alberta Court of Queen's Bench today. Their application for judicial review asks the court to quash a University of Calgary decision that the students are guilty of "non-academic misconduct."

In May of 2010, eight students were found guilty of "non-academic misconduct" for having set up a pro-life display on campus while refusing to comply with the university's demand that the signs be set up in a circle facing inwards, such that people walking by could not see the signs. This finding of guilt was upheld in January of 2011 by the university's Board of Governors, which rendered its decision without scheduling a hearing to listen to the students' appeal.

"The right to free expression simply cannot exist if citizens enjoy a legal right not to be disturbed or offended by speech – including images – that they do not wish to see. The University of Calgary's patronizing and paternalistic approach – trying to decide on behalf of students what they can and cannot see – has no place in a free society, especially not at a public university that is funded by Alberta taxpayers," stated John Carpay.

The group's display has been held on the University of Calgary grounds without incident eleven times since 2006, for two consecutive days each of those eleven times. In 2009, the University charged six students with trespassing, but the Crown Prosecutors' Office stayed these charges prior to trial, as the University of Calgary was not able to explain what rule, policy, regulation or by-law the students had violated.

The U of C has no objection to other graphic photos on campus. For example, pro-seatbelt posters on campus show a mutilated face that has gone through a windshield; the caption states "Without a seatbelt, things can get real ugly." Gory, disturbing photos of Falun Gong members tortured by the Chinese government are also tolerated on campus. U of C President Dr. Elizabeth Cannon has continued her predecessor's policy of suppressing free speech on campus. The U of C claims that nobody should be "forced" to look at disturbing visual images, but this standard is not applied to photos of windshield-scarred faces or torture victims.

The U of C boasts an annual budget of \$1.09 billion, of which 60% comes from taxpayers.

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