

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

CAMPAIGN LIFE COALITION and MAEVE ROCHE

Applicants

and

PARLIAMENTARY PROTECTIVE SERVICE

Respondent

APPLICATION UNDER section 11 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43 and rules 14.05(3)(h) and 38 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194.

**AFFIDAVIT OF [REDACTED] AFFIRMED JANUARY 17,
2025**

I, [REDACTED], of the [REDACTED],
MAKE OATH AND SAY:

1. I hold a PhD in Public Administration and Management with a concentration on Public Policy Analysis and Public Health Policy. I have knowledge of the matters herein deposed, except where such knowledge is based on information and belief, in which case I have specified the source of such information and belief and verily believe the same to be true.

2. I have been asked to provide an expert opinion answering the questions relevant to this court proceeding that are set out below. My signed Acknowledgment of Expert's Duty is attached to this affidavit as **Exhibit "A"**.

3. I am the sole proprietor of a research consulting agency named Provida: Public Sector Solutions, which specializes in providing services to non-profit organizations and government agencies. I have been working as an independent consultant to various degrees since 2008. I have been consulted by think tanks, advocacy organizations, governments, and non-governmental

organizations on policy development and policy analysis. My primary skill is program evaluation. Program evaluation is the measurement of the impact of social service initiatives. I have established model programs that are evidence-based and replicable for successful implementation by social service agencies.

4. Previously, I was an Assistant Professor in the Master of Public Administration Program at Tarleton State University from 2017 to 2021. My scientific research has been published in scholarly peer-reviewed journals and presented at conferences around the world. My CV is attached to this affidavit as **Exhibit “B”**.

5. I have previously qualified as an expert and provided opinion evidence in three legal proceedings: 1) *June Medical Services Et Al v. Caldwell et al*, (Case No. 3:14cv525 (2014)); 2) *Planned Parenthood of Greater Texas. Et Al v. Abbott et al*, (Case No. 1:2013cv00862 (2013)); and *Planned Parenthood Southeast, Inc. et al v. Strange et al*, (Case No. 2:2013cv00405 (2013)).

Facts and Assumptions

6. I have been provided with and have reviewed the Notice of Application in this matter and the Affidavits of [REDACTED] and [REDACTED]. In preparing my opinion, I have assumed that their evidence with respect to their interactions with the Parliamentary Protective Service is accurate.

Opinion

7. I have been asked by counsel for the applicants, Campaign Life Coalition and Maeve Roche, to provide an opinion on 1) what findings from a report I authored titled “A Statistical Analysis on the Effectiveness of Abortion victim Photography in Pro-Life Activism” may be applied to this matter, and 2) my opinion on the persuasive value of the abortion victim photography which is the subject of this matter.

8. Having reviewed this material and revisited my research on this topic, I conclude that abortion victim images (the “**Signs**”) are both effective and necessary for persuasive advocacy in public demonstrations. The assertions made by Mr. [REDACTED] and Ms. [REDACTED] which are based on my research, accurately summarize my work, which is cited as Exhibit B in the Affidavit of [REDACTED] (at para. 10).

9. I can personally testify to the impact of these very images CLC attempted to display because I performed a thorough evaluation (the “**Study**” attached to this affidavit as **Exhibit “C”**) of how these same images affected respondents’ feelings and support for abortion. I conducted my analysis in 2016 following a large-scale campaign that delivered postcards with these photos (the “**Campaign**”) to thousands of homes in Ontario by activists at the Canadian Centre for Bioethical Reform (“**CCBR**”) a few months earlier in the summer of 2015.

10. I was commissioned by CCBR to analyze a large sample of data collected by a research firm hired to survey hundreds of households in the targeted postal codes prior to the postcard campaign and then again after the postcards were delivered. The sample totaled n=1741, consisting of n=845 in June and n=896 in September. These were not matched pairs, but households chosen randomly (to prevent selection bias), before and after the postcard campaign. The aim was to assess the scope of their work (who and how many citizens were actually reached by CCBR’s campaign) and assess public opinion in general before exposure to these images, and then afterward to see what impact the photos had on those CCBR reached with their message.

11. I did not design the surveys or the sampling methodology because I was hired after the fact in order to independently analyze the raw data as objectively as possible. I was tasked to determine if (and to what degree) seeing abortion victims affected respondents’ perceptions (positive or negative) about abortion. I was also tasked with assessing how much (if any) difference this made

in their political views on abortion legality in either direction, toward more restrictions/protectations for unborn human life or against these aims.

12. The sample was sufficiently large for generalizability to the entire Canadian population and combined with random selection to control for selection bias and other threats to internal validity, those surveyed likely reflect the overall views of Canadians within a 5-point margin of error and with 99% confidence that the true population is represented by the sample. The baseline data (before the images were delivered) verifies that the sample corresponded to established data from other national-level public opinion surveys on abortion. Indeed, the initial survey in June mirrored other polls such as one from 2012 commissioned by Post Media News and Global TV¹ which determined how many Canadians consider themselves pro-life vs. pro-choice and how strongly they support or oppose abortion. This poll, conducted by Ipsos Reid² corresponded to the baseline data (before the images were delivered), which increases the confidence that the 2015 sample was representative of general public opinion on this issue.³

13. By reflecting public views on abortion before the campaign as substantiated by other researchers, this data further supports the conclusion from the data that the abortion victim images were instrumental in changing the viewers' feelings negatively regarding abortion and legality.

14. I reported percentages to best communicate with my non-academic audience. However, percentages can be misleading because increases and decreases can fall within the realm of chance. Accordingly, the data was first tested to confirm correlation to ensure that these gains were

¹ "New poll shows most Canadians support abortion — with some restrictions" *National Post* <https://nationalpost.com/news/canada/new-poll-shows-most-canadians-support-abortion-with-some-restrictions>

² "Canadians assess key social-values questions facing the country" *Ipsos Reid* <https://www.ipsos.com/en-ca/canadians-assess-key-social-values-questions-facing-country>

³ General responses on abortion acceptance and legality (i.e. allowing abortion on demand without gestational limits or medical justification vs. regulations or bans), parallels the opinions found from the June survey data from before the images were delivered in Ontario. Some provinces like Quebec and British Columbia are skewed much more in favor of abortion than respondents in other provinces. When controlling for that disparity, the findings are consistent between these two studies.

statistically significant. The results were statistically significant at a 99% confidence level (with a margin of error of + or – 5%).

15. This was true for every construct tested but one. This lone exception is that I found a 7% increase in those identifying as pro-life vs. pro-choice. The baseline sample and the follow-up sample were not different enough to have achieved statistical significance, at least not when maintaining a $p \geq .05$ threshold to confirm less than a 5% chance that the relationship between abortion images and the viewers' feelings was merely due to coincidence. Every other test did meet that threshold.

16. In each analysis measuring the influence of these images on the viewers' abortion worldview, the respective p-values confirmed a relationship between viewing images of abortion victims and the viewers' increasingly negative opinion of abortion, and support for its legality was statistically significant and the relationship strong. This supports the conclusion that the images do change minds and influence viewers' feelings about abortion and political stances in the intended way: making them more sympathetic toward the unborn and less accepting of abortion in general.

17. For those who incrementally shifted their abortion worldview and permissiveness, the value was $p = .02$ meaning there is only a 2% chance the mean overall increase of 15.95% (and 29.41% increase among those who identified as completely pro-life) could be attributed to something other than the images the respondents confirmed viewing—this held firm with changes in political views in favor of gestational limits of abortion legality.

18. Likewise, the overall shift toward a more conservative abortion policy vs. liberal approach of 16.88% was significant at $p = .03$. The loss of liberalism (9.2% fewer people believing abortion should be mostly legal) corresponded almost perfectly with an increase in conservatism (7.80%

who reported believing abortion should be mostly illegal). There is a less than 3% chance that this change was unrelated to the campaign.

19. Furthermore, the reaction to the images correlated to worldview and political ideology. These images increased negative feelings toward abortion in 90% of those who reported reacting to them and consequently, negative feelings increased one's support of gestational limits or other abortion restrictions. This is critical considering that those who felt generally positive about abortion were assuredly more liberal in their views on restrictions, and those who felt generally negative were overwhelmingly against abortion even in the first trimester.

20. The relationships between the images and decreased acceptance toward abortion were supported by Cramer's V scores indicating a strong relationship between the abortion victim images and the viewer's feelings about abortion and abortion policy. Cramer's V is a test that measures the strength of a statistically significant relationship between two variables. Correlation is possible from spuriousness but also from other contravening variables (where two variables are related to a third variable, not to each other). When Cramer's V indicates a strong relationship, this mitigates concern that some factor other than the independent variable(s) tested (X) is/are responsible for the change in the dependent variables (Y).

21. When it came to abortion perception (positive/negative) and political views (dependent variables in this study, X_1 and X_2), Cramer's V indicates a strong relationship to our independent variable: the abortion victim images. The score was $v=0.756$ ($v=1$ is the strongest possible relationship). Some people who feel negatively about abortion still support legality despite their personal objections, so it does not parallel perfectly. Nonetheless, the majority of answers to questions of political views correspond to one's feelings. These correlations were significant, but

the strength of the relationship is what supports the theory that positive/negative perception of abortion also impacts one's view on abortion legality.

22. Of those who were affected by the images, 66.9% reported increased negative feelings towards abortion, ten-fold more than those who said they had increased positive feelings (6.9%). Therefore, confirming that these images increase negative perceptions of abortion supports the other findings that show how this corresponds to an overall change in their worldview and political ideology. These images aptly convey the message that CLC wanted to send to lawmakers and other viewers at the press conference where the use of the signs was denied by the Parliamentary Policy Service ("**PPS**").

23. My analysis was the first to establish a statistically significant relationship between abortion victim images and public opinion, and the results were decisively in favor of their use by quantifying that these graphic images change minds and political views in favor of protecting unborn human life. A sample size of 95% confidence is needed for generalizability but any correlation must be less than $p=.05$, meaning that the established relationship has less than a 5% chance of being spurious or due to mere coincidence. This sample allowed 99% confidence that it reflects validly on the general population, and the relationship between correlations was strong.

24. While any scientific study with a sufficient degree of academic rigor and scope is still limited to the time and place where it was conducted, we know that these images shared in Ontario less than a decade ago confirm that they were effective in promoting the pro-life position when objectively and thoroughly evaluated. Therefore, as a scientist, all that I can authoritatively state with assurance is that these images were effective in this instance with this large, randomized sample and would need to replicate the study elsewhere with other respondents to substantiate

these findings by demonstrating the results hold up elsewhere, and to ascertain if the images affect populations differently based on location or nationality.

25. These images might be more effective with respondents in some locations or cultures than in others. However, it is important to understand that this study was not primarily about determining political opinions on abortion but rather, the impact these images had on people's perceptions about abortion which influenced acceptance of abortion legality. This involved assessing political opinions both before and after viewing the images to quantify the degree of impact upon each individual; to determine if the aggregate sum truly confirmed that it was indeed the images that shifted public opinion in either direction. Political opinions regarding abortion do vary geographically, even from province to province as indicated in the Ipsos Reid poll determining Quebec and British Columbia to be outliers compared to the rest of the country.⁴

26. Where one province is biased in favor or against abortion, it cannot validly represent the views of the average Canadian nor paint an accurate overall picture of how Canadians feel about this issue or the policies that govern it. Accordingly, more conservative and more liberal-leaning parts of the country need to all be sampled so these variances are included in national averages. That said, what is striking about this sample is that it was taken in one geographic area yet still reflected the median views on abortion by polls representative of Canadians nationwide when examined at the provincial level and at the median level.

27. The baseline data was consistent with national public opinion polls in a sample large enough to represent the entire population of Canada with 99% confidence. It did not skew in any direction, liberal or conservative. In such a way, it reflected the change that could be expected

⁴ Ibid

among average Canadians despite location and variances in the political ideology that dominantly supports or generally opposes abortion.

28. Further, pre-existing abortion views from one location to the next are relatively inconsequential because of the nature of this study. If the sample were taken in a location with an anti-abortion bias, those views would only limit the overall results because a population that is largely pro-life has fewer respondents who can shift their perspective towards the pro-life position. This made it impossible to cherry-pick respondents with the goal of making these images appear effective.

29. Given the nature of the images, they either change minds against abortion, or they do not change minds at all. There is not any symmetrical opportunity for the images to change perceptions in any direction. The only way pre-existing pro-life views can shift is in favor of abortion, or else they do not affect the results at all because there is no change. Conversely, a sample selected to be more sympathetic toward abortion would only validate the effectiveness of these images in a more pronounced way because there would be more respondents who could potentially shift their view toward opposing abortion.

30. Therefore, pre-existing abortion views cannot bias these results in a way that unduly advantages the case for graphic images. If researchers attempt to sample areas with more pervasive or extreme pro-abortion sentiments, the results would likely show a more pronounced difference after viewing the images since there is a greater capacity to moderate their views against abortion than those who already oppose it. Replicating the study in other geographic areas and cultures would be useful, but not because it is necessary to control for pre-existing views, as these are inconsequential.

31. The reason why more research is called for is to determine the degree to which other demographic, geographic, or cultural factors may moderate the way these populations respond. There are many variables that could make groups more or less receptive to change or desensitized to images of violence. The shift in opinion against abortion was statistically significant but there may be populations where fewer people are converted by this tool than those I studied. That said, the results of these surveys, conducted in Ontario, are of particular relevance to CLC which used them in determining their educational strategy.

32. My analysis provides credible support in favor of using graphic images to persuade. I am not aware of any comparable empirical evidence to the contrary. The Study suggests that graphic images are powerful persuasive tools. This means that graphic images are not one potentially effective tool among other equally supported strategies: to my knowledge, they are the single strategy for which we have scientific evidence affirming they actually work at changing public opinion at both the micro and macro levels.


33. There are no comparable alternatives to my knowledge that CLC can substitute in future press conferences that would be as effective in enabling them to achieve their goal of promoting the pro-life position. My research objectively affirms that they are vital educational tools.

34. I certify that I am satisfied as to the authenticity of every authority or other document or record referred to in this affidavit.

35. I swear this affidavit is *bona fide* for no improper purpose.

AFFIRMED REMOTELY by videoconference by

[REDACTED]
at the [REDACTED],
before me at the City of [REDACTED],
in the Province of Ontario
on the 17th day of January, 2025
in accordance with O.Reg 431/20.



Hatim Kheir
Barrister & Solicitor
A commissioner of oaths
in the Province of Ontario

[REDACTED]

This is **Exhibit “A”** referred to in the Affidavit
of [REDACTED] sworn
before me this 17th day of January, 2024.

A handwritten signature in cursive script, reading "Hatim Kheir", written over a horizontal line.

Hatim Kheir
Barrister & Solicitor

ONTARIO
SUPERIOR COURT OF
JUSTICE

B E T W E E N:

CAMPAIGN LIFE COALITION and MAEVE ROCHE

Applicants

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PARLIAMENTARY PROTECTIVE SERVICE

Respondent

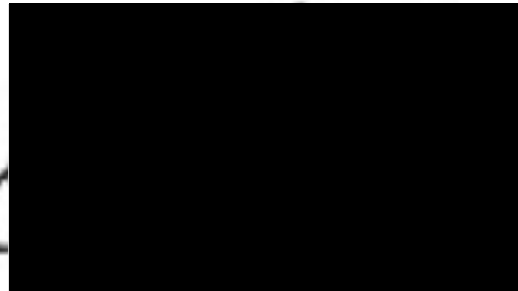
APPLICATION UNDER section 11 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43 and rules 14.05(3)(h) and 38 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194.

ACKNOWLEDGMENT OF EXPERT'S DUTY

1. My name is [REDACTED]. [REDACTED].
2. I have been engaged by or on behalf of the applicants, Campaign Life Coalition and Maeve Roche to provide evidence in relation to the above-noted court proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - (a) to provide opinion evidence that is fair, objective and non-partisan;
 - (b) to provide opinion evidence that is related only to matters that are within my area of expertise; and
 - (c) to provide such additional assistance as the court may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.
5. I certify that I am satisfied as to the authenticity of every authority or other document or record to which I have referred in the expert report accompanying this form, other than:

- a. documents and records provided to me by or on behalf of the party intending to call me as a witness and consisting of evidence or potential evidence in the court proceeding that I have analysed or interpreted in my report; and
- b. authorities and other documents and records to which I have referred in my report only in order to address how another expert witness in the same court proceeding has used them in their report.

Dated this 25 day of October, 2024,



This is **Exhibit “B”** referred to in the Affidavit
of [REDACTED] sworn
before me this 17th day of January, 2024.

A handwritten signature in cursive script, reading "Hatim Kheir", written over a horizontal line.

Hatim Kheir
Barrister & Solicitor

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Response	Percentage
Yes, the U.S. should take action to address climate change	85%
No, the U.S. should not take action to address climate change	15%

[illegible]

Category	Percentage
Very good	10%
Good	20%
Fair	30%
Poor	25%
Very poor	15%

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This is **Exhibit “C”** referred to in the Affidavit
of [REDACTED] sworn
before me this 17th day of January, 2024.



Hatim Kheir
Barrister & Solicitor

CCBR



**CANADIAN CENTRE
FOR BIO-ETHICAL REFORM**

END THE KILLING.ca

**A Statistical Analysis on the Effectiveness of Abortion
Victim Photography in Pro-Life Activism**



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About The Author.

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Executive Summary.

The use of abortion victim imagery in pro-life outreach is perhaps one of the most enduring debates within the pro-life movement. Although proponents cite cases of lives saved and minds changed supporting the effectiveness of the strategy, opponents insist these images impede public receptiveness to other strategies they claim could save more lives. They suggest, therefore, that these images do not advance the pro-life cause, but rather set the cause back by damaging the public opinion of the pro-life movement.



To test this theory, the Canadian Centre for Bio-Ethical Reform (CCBR) launched an effort and commissioned a scientific study on the impact of abortion victim imagery. CCBR developed a survey administered by an independent party—immediately preceding and following simultaneous campaigns in selected geographic areas. By canvassing thousands across several neighbourhoods and surveying 1,741 diverse respondents, results found a statistically significant shift in pro-life worldview, a greater negative perception of abortion, a decreased degree of



permissiveness and liberalism towards abortion law, and a significant gain in pro-life political views after seeing abortion victim imagery.

Those identifying as completely pro-life increased by nearly 30% following the campaign, with those identifying as pro-abortion also decreasing in their degree of remaining support for abortion. Overall, there was a statistically significant gain of nearly 17% toward a pro-life worldview. Those who were generally pro-life had an overall gain of 7%, with the corresponding loss (of those generally pro-abortion), also 7%. The degree of permissiveness toward abortion was statistically decreased and support for incremental pro-life gains, like gestational limits, substantially increased by 15% overall.

Feelings about abortion shifted toward a negative abortion view with fewer reporting feeling positive about abortion after CCBR's campaign showed what abortion truly is, although these results were not statistically significant. Additional analysis found that the strength of one's feelings toward abortion were conclusively parallel to political views about abortion, with those who felt strongly positive towards abortion favoring no legal restrictions, and those who felt strongly negative towards abortion favoring complete prohibition of abortion. This suggests that changing how the public feels about abortion impacts how people vote for candidates who would be willing and able to enact legal restrictions that actually save lives. Abortion victim imagery was effective at changing these feelings, with upwards of 90% of people responding that seeing these images increased their negative feelings towards abortion.

Those who had previously seen an image of abortion victim imagery before the CCBR campaign still reported that the other images increased negative feelings as well. This increase was statistically greater following the CCBR campaign, indicating that CCBR's presentation or choice of images for the campaign were more effective than images they had previously seen. This still suggests, nonetheless, that abortion victim imagery itself, regardless of presentation, is intrinsically effective at altering previously positive perceptions on abortion and changing the culture.

Ultimately, opponents' claims that abortion victim images are ineffective at changing public opinion are unsupported, as was the claim that this strategy is counterproductive or irreconcilable with other strategies. This indicates a loss from those inhibiting the abortion victim imagery strategy, since this strategy is scientifically established as an effective tool. More research is needed to determine where and when this strategy, among others, is the most fruitful choice for pro-life outreach.

Introduction.

Pro-life activists and organizations that employ images of abortion victims as a strategy to educate the public about the horrors of abortion, face substantial criticism and opposition to their efforts. This is certainly to be expected from those who identify as pro-abortion and are uncomfortable or unable to defend their position when the victims are visible.¹ However, pro-abortion opposition to abortion imagery often pales in comparison to the hostility from those who avow themselves as pro-life, yet are opposed to the use of victim imagery, even when they credit this strategy for their own conversion.² Pro-life people who decry the use of abortion victim photography suggest that the images not only fail to shift public perception against abortion, and in so doing, fail to advance the pro-life cause. Rather, they say that these images set the movement back by damaging public opinion of the pro-life movement and public receptiveness to other strategies that they assert *are* effective.



In spite of the frequency and fervor of these debates spanning for several decades, this topic has been virtually ignored in scientific literature. The effectiveness of these images on shifting public opinion is a controversy that predates later debates, such as the effectiveness of state-level abortion regulations versus a national ban. Nonetheless, while the personhood versus incrementalism debate³ is informed by a wealth of studies from pro-life scholars⁴ and pro-abortion thinktanks⁵ on the impact these laws have on abortion rates, the abortion victim images debate continues devoid of any scientific evidence to defend or condemn their use. Furthermore,

while those opposed to incremental laws represent a small minority (many of whom do not identify as members of the pro-life movement or relegate themselves to distinct factions), opponents of abortion victim imagery constitute a large number, and penetrate a diverse array of pro-life organizations that have sufficient influence where they can. Often, they join government officials to inhibit other organizations who swear to the effectiveness of the use of abortion victim imagery.⁶ This makes the need to study these claims even more critical than what the pro-life movement has been and will continue to study.

There are informal attempts like dueling commentary and anecdotes to offer evidence for each position, pro and con. Those in favour, offer their experience to support abortion victim imagery as effective,⁷ while those opposed, with limited to no observation or experience, also attempt to provide a rationale for their perspective. At best, they assert with data they have on the effectiveness of their own approaches that these images would repel those they serve in their own organizations.⁸

To test these hypotheses, substantiate the effectiveness of the abortion victim imagery strategy, and improve the impact of their efforts, the Canadian Centre for Bio-Ethical Reform (CCBR) commissioned several sets of a scientific survey to gauge public opinion on abortion before and after their extensive campaigns in 2015. CCBR delivered postcards with these images to thousands, and commissioned an independent party to survey 1,741 respondents, a sample size sufficient to gauge public opinion within a five-point margin, with 99% certainty that results are generalizable to the entire population of Canada, which is 35,749,600.⁹

The Study.

The Canadian Centre for Bio-Ethical Reform (CCBR) educates the public with images of abortion victims displayed in a variety of approaches. These include “Choice” Chain, where groups of activists, each with individual handheld signs and literature, attempt to spark dialogue in heavy traffic pedestrian areas; a *Truth Truck*, otherwise known as the *Reproductive “Choice” Campaign*, features abortion victim imagery, and is driven on major roadways during heavy volume hours; the *Genocide Awareness Project* events, which are travelling projects that erect large panels on college campuses and use panels and banners in public areas like intersections or highway overpasses. CCBR also creates literature to disseminate: drop cards that are small and can be distributed liberally, and larger postcards for direct mail and canvassing neighbourhoods door to door.¹⁰



For years, CCBR has evaluated the effectiveness of their efforts by public response, either in conversations at face-to-face events, or by calls and correspondence. They have also utilized surveys to gauge public opinion on abortion and to attempt to determine the effectiveness of their campaigns. With such large-scale events, pinpointing enough respondents who witnessed their efforts presented a limitation. Even if enough respondents could be found, survey answers after an event would be likewise limited without baseline data to establish public opinion before the campaign, to demonstrate any change, and to determine the degree of change following the campaign. Campaigns themselves would need to reach a substantial sample size in order to be representative of public opinion and measurable through a survey.

To overcome these limits, CCBR targeted specific geographic areas to canvass with postcards. These postcards were delivered directly to the mailboxes in these specific areas, to ensure delivery was not impeded by post office personnel. CCBR crafted a survey and hired the independent company, Blue Direct,¹¹ to collect responses in these target areas immediately prior to and following each campaign. Campaigns included more than one area to increase validity and were conducted simultaneously (to control for time): first in June of 2015, and then in September of 2015.

The survey employed before and after each campaign asked specific questions about the respondent's opinion and perception of abortion, and their political views on when abortion should be allowed, or if it should be restricted by law. The sample included demographic data on respondents from gender, age, language spoken, and whether or not there were children in the home.

Questions asked whether the respondent believed that abortion, in general, should be legal, mostly legal, mostly illegal, or illegal. The survey also asked whether abortion should be legal, mostly legal, mostly illegal, or illegal in all three trimesters of pregnancy to determine how the respondent would qualify their overall answer. For example, mostly legal could mean that the respondent thought abortion should be limited to the first trimester, whereas mostly illegal could be those who think abortion should sometimes be permitted in rare cases like rape, incest, fetal anomaly, or when posing a threat to the mother. The survey also asked the respondents' feeling about abortion on a four-point scale, from positive, mostly positive, mostly negative, and negative. It inquired if seeing an image of an abortion victim changed their feeling of abortion, and if so, if it increased positive feelings or negative feelings.

Research Methods.

The dataset yielded 1,741 respondents and the subsets were comparable: 845 before the campaign and 896 after. Some answers lacked responses and were excluded from the analysis of that item. Initial frequencies showed no disparities in demographics between the two datasets that could skew results. Data was identified by campaign and coded as 'before' or 'after', so campaigns could be compared individually and as a whole. The subsets were comparable: n=845 before the campaign, and n=896 after the campaign. Each subset was a sample size sufficient to gauge public opinion within a five-point margin, with 99% certainty that results are generalizable to the entire population of Canada in 2015: 35, 749,600.⁹ These were not paired samples that showed changes in individual opinions, but paired samples that showed changes in public opinion.



Responses were analyzed as written in the survey, and then taken a step further and recoded into measures that indicate the degree of support for abortion. They could also yield and measure change, and then they were subjected to analysis otherwise impossible with nominal or ordinal data. Moreover, these new variables more accurately represented respondent viewpoints, given the totality of answers. For example, one who thought abortion should be legal (but not mostly



legal) yet would restrict it to the first trimester and has a generally negative view of abortion, has a different overall perspective than one who believes abortion should be legal, supports no restrictions, and views abortion as strongly positive.

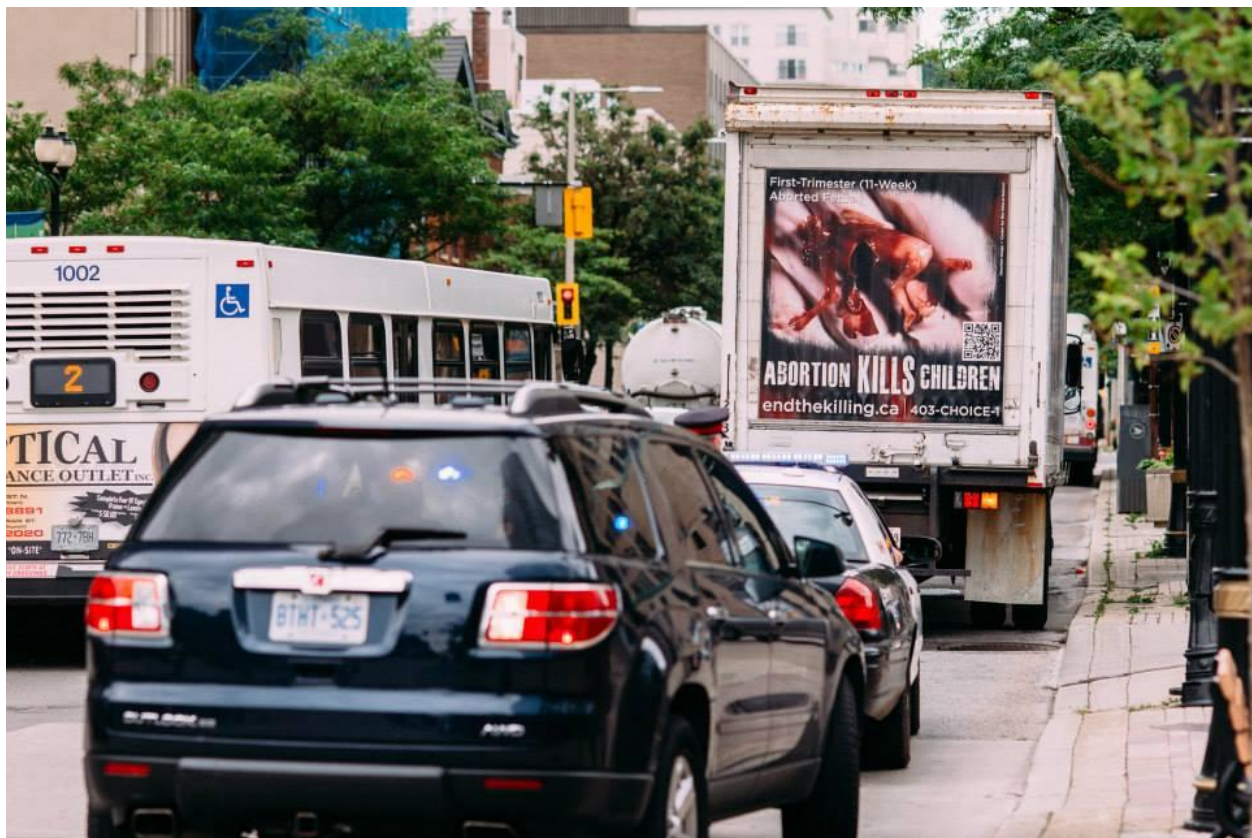
In addition to creating new and complex indicators of abortion perception, variables were also useful when simplified into new variables of dichotomous groups that could segregate those generally in favour of abortion, to those generally opposed. Those who thought abortion should be completely illegal, or at least mostly illegal, were coded as “generally pro-life” and those who thought abortion should be completely legal, or at least mostly legal, were coded as “generally pro-abortion.” For those who felt strongly positive or somewhat positive about abortion, they were coded as “generally positive,” while those who felt somewhat negative or strongly negative about abortion were coded “generally negative.” For those who would permit abortion at least in some cases, a measure of permissiveness was created based on how extreme those pro-abortion views were, from restricted to the first trimester, to those who wanted no restrictions, even in the third trimester. This was also coded as another variable: those who were “generally liberal” on abortion and supported even post-viability and late-term abortions, and those who were “generally conservative” and would permit abortion in the first trimester only.

Since many new explanatory variables were created from the same data and measured the same construct, the new variables were contrasted against original responses and comparable variables to ensure validity. Of course, those who felt generally positive about abortion were assuredly more liberal in their views on restrictions, and those who felt generally negative were overwhelmingly against abortion even in the first trimester. This supports the theory that perception about abortion and altering perception affects a person’s stance on abortions legality. All new variables were significant and the strength of the relationship with Cramer’s V statistic as a perfect $v=1$.

The analysis contrasted ‘before’ responses and ‘after’ responses for all the variables to determine if there was a statistically significant change for each item. These were done in contingency tables: first for the dichotomous variables and then for the original responses. Relationships were determined as well as the strength of the relationship. For any change determined, the next step would be determining the degree of change through ordinal regression to measure the specific difference in ordered responses, i.e. how many changed their view on abortion from “legal” to the lesser “mostly legal,” or went from feeling only “somewhat negative” about abortion to “strongly negative.”

Effects of Abortion Imagery Campaigns on Public Opinion.

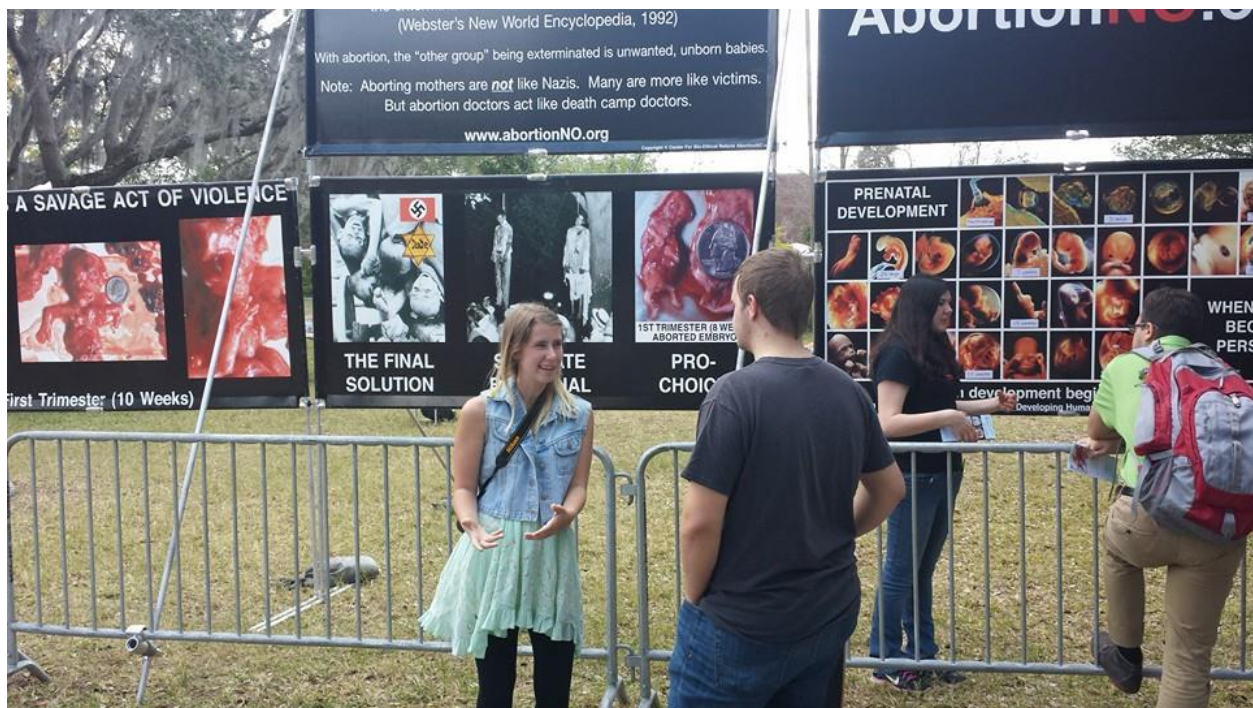
Across all survey items and constructs, pro-life views increased and pro-abortion views decreased. Negative perception of abortion increased and positive perception decreased. On the mean, those who were “generally prolife”, “generally conservative,” or had a “generally negative” view of abortion had a statistically significant increase. On the other hand, those who were “generally pro-abortion,” “generally liberal,” or had a “generally negative” view of abortion had a statistically significant decrease.



This validates the fact that the shift CCBR seeks in public opinion is changing in the right direction. Since sample sizes are not identical and neither are respondents, therefore statistical significance, rather than frequencies, is the only valid measure of change and whether this change could be due to the CCBR campaign.

Increase in Pro-Life Worldview, Decreased Pro-Abortion Sentiment

The survey questioned respondents about their general and specific view of when abortion should be legal. Those who favoured complete abortion on demand or complete prohibition, were the fringe minority on polar ends. Most were leaning toward regulation after the first trimester. Those who wanted complete prohibition or a first-trimester limit were considered more pro-life than pro-abortion, while those who would keep late-term second trimester and full-term third-trimester abortion on demand were clearly more pro-abortion. The first table indicates the shift in worldview from before and after the CCBR campaign.



This is measured by looking at the direction of change toward a more pro-life worldview and away from a pro-abortion worldview. When analyzing the upper threshold for pro-abortion views, such as those that support total legality, and those who feel strongly positive about abortion – this threshold should only decrease. While this may show an increase in moderate views or in those who are somewhat positive toward abortion, this is not an increase in pro-abortion sentiment, unless the threshold for pro-life views decreased in the pro-abortion direction.

However, in regards to the degree of support for abortion on a four-point scale from total prohibition, mostly prohibited, mostly permitted, and completely permitted, the support for legal abortion decreased and the pro-life view increased. In the case of incremental changes in the

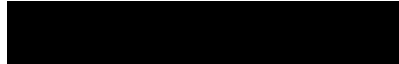
degree of abortion support, this was statistically significant with $p=0.02$. There was a decrease in the most extreme pro-abortion stance and a trend toward the more pro-life view. Table 1 has these results, showing that all percentages shifted away from abortion legality.

Table 1: Impact of CCBR Abortion Victim Image Campaign on Abortion Worldview*				
	Before CCBR Abortion Victim Image Campaign	After CCBR Abortion Victim Image Campaign	Pro-Life Percentage Points Gained	Cultural Impact (Percentage Increase in Pro-Life Views)
Completely Pro-Abortion	15.30%	13.60%	1.70%	11.11%
Moderately Pro-Abortion	18.50%	16.00%	2.50%	13.51%
Mildly Pro-Life	39.00%	35.20%	3.80%	9.74%
Completely Pro-Life	27.20%	35.20%	8.00%	29.41%
Total Overall Cultural Impact: 15.95%				

***Statistically Significant at $p=0.02$**

The upper threshold of abortion on demand with no restriction is accurately labeled with completely pro-abortion. However, those mildly pro-abortion that supported abortion in limited cases would not be accurately identified as completely pro-life. Nonetheless, these individuals who wish for abortion to be “mostly illegal” (just not illegal), as more closely ideologically aligned with those who are completely pro-life than those who are moderately pro-abortion.

For this reason, a new variable was created to split the respondents into ‘generally pro-life’ and ‘generally pro-abortion.’ Statistical significance was found with the four-point scale, but was just shy of statistical significance. While the percentage of those who were pro-life increased by 4.92%, and those identifying as pro-abortion decreased 9.16%, this gain was not statistically



significant due to the change in those identifying as pro-life falling within a 5 percentage point margin of error.

The total cultural impact is an overall 7.04% gain towards a pro-life worldview. This was not statistically significant to suggest the change was due to the campaign, but nonetheless, the frequencies are in the right direction. Results are detailed in Table 2 below.

Table 2: Impact of CCBR Abortion Victim Image Campaign on General Abortion View				
	Before CCBR Abortion Victim Image Campaign	After CCBR Abortion Victim Image Campaign	Pro-Life Percentage Points Gained	Cultural Impact (Percentage Increase in Pro-Life Views)
Generally Pro-Life	48.80%	51.20%	4.80%	9.16%
Generally Pro- Abortion	52.40%	47.60%	2.40%	4.92%
Potential Overall Cultural Impact: 7.03%				

Increased Conservative Views on Abortion, Decreased Liberal Abortion Views:

While not all who changed from ‘generally pro-abortion’ moved to ‘generally pro-life,’ nearly a tenth of respondents no longer thought abortion should be legal or mostly legal after the first trimester, even if they did not wish to make it totally illegal or mostly illegal in the first trimester. Since the increase to pro-life was not quite statistically significant, pro-life respondents were controlled for, in an analysis on the nearly substantial 9.16% that no longer identified as thinking abortion should, overall, be mostly legal.

Although it was not statistically significant, it can be assumed that 4.92% did identify as more pro-life, by excluding just those who saw an abortion victim and yet did not convert to the pro-life cause. Examining just those who supported legal abortion, it was possible to determine how

many were liberal in their support of legal abortion on demand (into the second and third trimesters,) and how many were conservative in wanting abortion on demand, yet wanting it to be legal only in the first trimester. Since there are nuances like rape, incest and health that could not be addressed in detail during the survey, those who thought abortion should be “mostly illegal” in later gestation were more conservative than those who thought abortion should be “mostly legal.” The gain in a more conservative view parallels the gain in the liberal view. Table 3 shows this gain.

Table 3: Impact of CCBR Abortion Victim Image Campaign on Degree of Liberalism*				
	Before CCBR Abortion Victim Image Campaign	After CCBR Abortion Victim Image Campaign	Pro-Life Percentage Points Gained	Cultural Impact (Percentage Increase in Pro- Life Views)
Liberal	54.60%	45.40%	9.20%	16.85%
Conservative	46.10%	53.90%	7.80%	16.92%
Total Overall Cultural Impact: 16.88%				

***Statistically Significant at p=0.03**

Conservative sentiment switched from the minority to the majority by a virtually identical margin. There was a statistically significant gain, lost from a pro-abortion liberal worldview, to a (not completely, but incrementally) more pro-life conservative worldview, following the abortion victim image campaign. There was an almost 17% overall increase in the number of people who were conservative and a corresponding decrease in those who were liberal. Since this was statistically significant with p=0.03 at the 0.05 level, this indicates the change was not due to randomization or chance, but more likely the intervention of CCBR campaigns.

Abortion Victim Images Increase Negative Feelings, and Feelings Correspond to Public Policy Positions

This study examines the effect of abortion victim images, so the survey questioned regarding the images specifically. Respondents were asked if pictures of abortion victims affected their feelings about abortion, and whether positively or negatively. The results from viewing any image of abortion victims (not just a CCBR campaign image), was that it increased negative feelings, but that this increase was higher following CCBR's image choice and method of delivery.

Feelings on abortion are critical because how one feels is statistically shown to correspond to one's view of abortion legality and degree of liberalism. While those who think negatively of abortion may still support its legality, the degree of permissiveness parallels these feelings. Those who feel strongly negative about abortion are more likely to support a total ban, much like those who view abortion as strongly positive support total legality. There are incremental parallels as well, as evidenced in Figure 1.

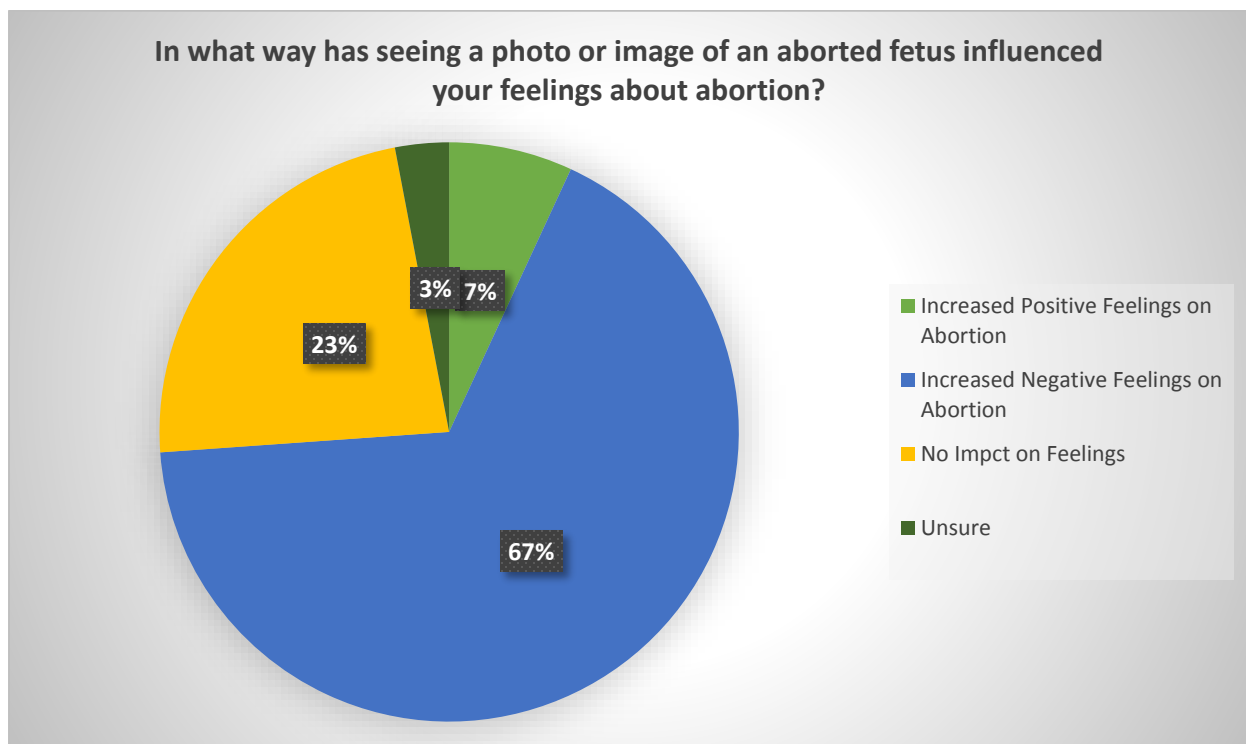


Figure 1

The correlation between these are significant, but the strength of the relationship is the key evidence. Cramer's V indicates a relationship of $v=0.756$ which shows a strong relationship, but one which does not parallel perfectly and suggest the two are the same construct. People who feel negatively about abortion still support legality, so it does not parallel perfectly, but 75% of answers correspond to one's feelings.



When looking simply upon the impact of abortion victim imagery themselves, there is a subset of viewers that indeed declared no reaction to these images. Unfortunately, those who claim the images had no impact are more likely to be pro-abortion than pro-life. Pro-life persons indicated no reaction only 20% of the time, and negative thereafter. When including the 26.7% of those undecided who declared themselves unmoved by these images, a disturbing 53.3% supported abortion. This is the target audience, not the 20% who already knew what abortion entails and therefore reject it.

Overall, results show overwhelming negative feelings after viewing the image: 66.9%, ten fold more than those who say they had increased positive feelings (6.9%). Figure 1 does indicate that the 23% are not affected overall, but this does not indicate public relations damage, rather just those resolute or apathetic about abortion. If isolating simply those affected by the images, the results are much more stark.

A majority of people are affected by abortion victims, and when they are, over 90% increase their negative view of abortion. Figure 2 shows this contrast.

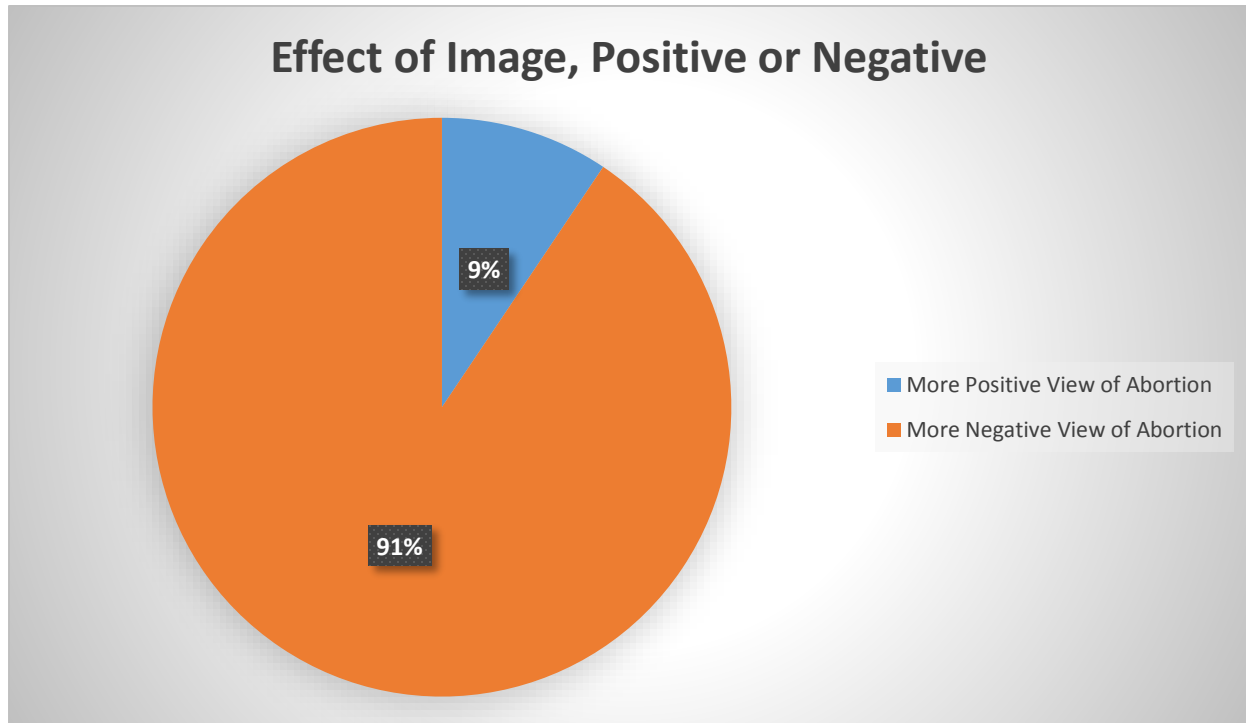


Figure 2

The overall difference between increased negative feelings attributed to the CCBR campaign was not statistically significant (1.2%), as evidenced by Table 3. It is important to note that this table, in spite of lacking statistical significance, still favours the pro-life direction all the same. The results in themselves indicate that abortion victim images increase negative feelings against abortion, so this modest gain is simple encouragement that CCBR could indeed be conveying this message with greater acumen than other uses of abortion victim imagery. As well, it does so without impugning other campaigns. Table 3 shows how these images change people's overall feelings when they think about abortion, after seeing victims of abortion in a CCBR campaign.

Table 3: Impact of CCBR Abortion Victim Image Campaign on Abortion Feelings				
	Before CCBR Abortion Victim Image Campaign	After CCBR Abortion Victim Image Campaign	Pro-Life Percentage Points Gained	Cultural Impact (Percentage Increase in Pro-Life Views)
Generally Positive Feelings About Abortion	37.80%	36.60%	1.20%	3.17%
Generally Negative Feelings About Abortion	62.20%	63.40%	1.20%	1.93%
Potential Overall Cultural Impact: 1.2%				

Incremental Shift in Abortion Acceptance and Legal Permissiveness

Examining just those who had not converted to the complete pro-life worldview of total prohibition shows clear incremental changes in the pro-life direction. Frequencies do illuminate the overall results. It also shows potential incremental change. Answers that appear negative, like an increase in those who are moderately or mildly pro-abortion, show that there is more likely to be an incremental gain according to the overall results.

This is measured by looking at the direction of change toward a more pro-life worldview, and away from a pro-abortion worldview. When analyzing the upper threshold for pro-abortion views such as those that support total legality, and those who feel strongly positive about abortion- this threshold should only decrease. While this may show an increase in moderate views or of those who feel somewhat positive toward abortion, this is not an increase in pro-abortion sentiment unless the threshold for pro-life views decreased in the pro-abortion direction. Those views should only increase. Without significance, it is not possible to attribute these changes to the campaign rather than to change, but they do show a potential shift in the making. In the case of incremental changes in the degree of abortion support, this was statistically significant with $p=0.02$. There was a decrease in the most extreme pro-abortion stance, and a trend towards the more pro-life view.

Conclusion.

Opponents' claims that abortion victim images are ineffective is unsupported by a statistically significant gain in public opinion. There was a statistically significant gain in those who were generally pro-life, and a corresponding loss of those generally pro-abortion: an overall 17% gain in anti-abortion political view (permissiveness) rather than pro-abortion after the campaign. The degree of permissiveness toward abortion was statistically decreased and support for incremental pro-life gains like gestational limits, substantially increased.



Those identifying as completely pro-life increased by nearly 30% following the campaign, with those identifying as pro-abortion decreasing also in their degree of remaining support for abortion. Overall, there was a statistically significant gain of nearly 17% towards a pro-life worldview: those who were generally pro-life and the corresponding loss of those generally pro-abortion. As well, there was an overall 7% gain in those identifying as pro-life rather than pro-abortion after the campaign. The degree of permissiveness towards abortion was statistically decreased and support for incremental pro-life gains (like gestational limits) substantially increased by 15% overall.

Feels about abortion shifted significantly toward a negative abortion view, with fewer reporting feeling positive about abortion after CCBR's campaign, showing what abortion truly is. Additional analysis found that the strength of one's feelings toward abortion were conclusively parallel to political views about abortion, with those who felt strongly positive about abortion favouring no legal restrictions, and those who felt strongly negative favouring complete prohibition. This suggests that changing how the public feels about abortion impacts how they vote for candidates willing and able to enact legal restrictions that actually save lives. Abortion victim imagery was effective at changing these feelings, with upwards of 90% responding that seeing these images increased their negative feelings toward abortion.

Those who had previously seen an image before the CCBR campaign still reported that other images had increased negative feelings as well. This increase was statistically greater following the CCBR campaign, indicating that CCBR's presentation or choice of images for the campaign was more effective than images they had previously seen. This still suggests, nonetheless, that abortion victim imagery in itself, regardless of presentation, is intrinsically effective at altering previously positive perceptions on abortion and changing the culture.

Based on a single campaign this change is not drastic, yet for every variable there were marked incremental shifts in the desired direction toward more pro-life public opinion. Respondents still report as pro-abortion, but fewer do. Those who do, demonstrate less enthusiasm and greater support for abortion restrictions. Opposing claims that abortion victim images are ineffective at changing public opinion can only be supported if effectiveness is qualified as an unrealistic, instantaneous, and drastic conversion against all abortion. However, there was no evidence to support claims that the strategy of abortion victim images does any harm whatsoever, or that it inhibits other strategies.

Endnotes.

¹ Erdreich, Sarah (October 8, 2015). The Dark History of the Right's Graphic, Misleading Abortion Images *Talking Points Memo*

² Hatten, Kristen (June 19, 2012). A Graphic Image Converted Me to Pro-Life; Now Here's Why I Am Against Graphic Images *Live Action News*

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⁵ Guttmacher Institute (March, 2016). Fact Sheet: Induced Abortion in the United States *Guttmacher.org*

⁶ Strand, Paul (January 15, 2013). Graphic Abortion Signs Ban Threat to Free Speech? *Christian Broadcasting Network*

⁷ Gray, Stephanie (September 18, 2012). Ending the Killing: Why Graphics Images of Abortion are Necessary *Live Action News*

⁸ Pauker, Paul (September 19, 2012). Why Stephanie Gray's Argument is Wrong (and Misguided) *Live Action News*

⁹ Statistics Canada (January 7, 2016). Population and Dwelling Count, Census Program www.statcan.gc.ca

¹⁰ Canadian Centre for Bio-Ethical Reform (2015). Projects Unmaskingchoice.ca

¹¹ Blue Direct (2013). IVR Voter ID and Polling www.bluedirect.ca

**CAMPAIGN LIFE COALITION ET AL.
APPLICANT**

-and-

**PARLIAMENTARY PROTECTIVE SERVICE
RESPONDENT**

Court File No.: CV-24-00094951-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
Proceeding Commenced at OTTAWA

AFFIDAVIT OF

CHARTER ADVOCATES CANADA

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