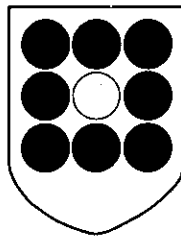


CANADIAN
CIVIL LIBERTIES
ASSOCIATION

215 Spadina Ave., Suite 210
Toronto, ON M5T 2C7
Telephone (416) 363-0321
FAX (416) 861-1291
E-mail: mail@ccla.org



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Courriel : mail@ccla.org

Mayor John D. Close
Mayor of Town of South Bruce Peninsula
& Town of South Bruce Peninsula Council
P.O. Box 310, 315 George St.
Warton, ON. N0H 2T0

November 13, 2013

**DELIVERED BY EMAIL
AND BY FAX: 519-534-4976**

Dear Mayor Close and Councillors,

I am writing on behalf of the Canadian Civil Liberties Association (CCLA) to express our concerns with respect to action taken by the Town of South Bruce Peninsula against Mr. Craig Gammie. We understand that a Resolution has been passed by the Town's Council that prohibits Mr. Gammie from entering Council Chambers and other portions of Town Hall. We are also aware that the Resolution contains a number of other provisions that strictly and severely limit Mr. Gammie's ability to contact Town staff or participate in a meaningful way in his local government. We have concerns about the use of this kind of Resolution to limit an individual's constitutionally-protected freedoms of expression and democratic participation.

CCLA is a national, non-partisan, not-for-profit, nongovernmental organization that works to protect and promote the rights and freedoms of all Canadians. Founded in 1964, the CCLA has long been a staunch defender of freedom of expression. We are committed to protecting the rights of individuals to express their views, including their rights to question and criticize public institutions. Part of our mandate is to ensure fairness and accountability in government decision-making.

We appreciate that there is a lengthy and complex history between Mr. Gammie and the Town of South Bruce Peninsula and that there are a number of pieces of litigation that Mr. Gammie has initiated against individuals affiliated with the Town. We do not and cannot comment on the merits of those lawsuits or on the Town's purported reasons for passing the Resolution. However, we are concerned about the process through which this Resolution was passed and about the absence of avenues open to Mr. Gammie to quickly and effectively challenge the ban.

Municipal governments, like all public bodies, should not have the ability to exclude individuals from a public location because they disagree with the content of the messages conveyed or because of ongoing litigation between the individual and members of the government. While at times, decisions to limit a person's rights to participate in local government might be warranted, such decisions are exceptional and should only be made in the rarest of circumstances and following a fair procedure. Such a procedure should include clear communication about the reasons for the ban and accessible and



effective appeal mechanisms. Further, the ban in this case was issued as a Resolution, although it is not clear whether Council in fact has the legal authority to pass such a Resolution.

We encourage the Town to reconsider its decision with respect to the Resolution or to amend its procedures to ensure that individuals who may be subject to such actions in the future have procedural protections that recognize the seriousness of the sanction being imposed. We would welcome the opportunity to speak with you about this further at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Cara Faith Zwibel". The signature is written in a cursive, flowing style.

Cara Faith Zwibel
Director, Fundamental Freedoms Program