

VIA EMAIL

July 11, 2014

The Honourable Michael Chong, MP, Wellington-Halton Hills
The Honourable Lisa Raitt, MP Halton
Mike Wallace, MP, Burlington
Terence Young, MP, Oakville
Eleanor McMahon, MPP, Burlington
Indira Naidoo-Harris, MPP, Halton
The Honourable Kevin Flynn, MPP, Oakville
Ted Arnott, MPP, Wellington-Halton Hills
Association of Municipalities of Ontario (AMO), Pat Vanini
All Ontario Municipalities

Please be advised that at its meeting held, Wednesday, July 09, 2014 the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: Protection of Public Participation Act, 2014 (Bill 83)

WHEREAS Bill 83, Protection of Public Participation Act, 2014, being “An Statutory Powers of Procedure Act in order to protect expression on matters of public interest” (hereinafter “Bill 83”), was introduced into the Provincial Legislature in June 2013;

WHEREAS Bill 83 was introduced by the government out of concern that Strategic Lawsuits Against Public Participation (SLAPP), being lawsuits brought before the court by one party against another party or individual as a tactic for silencing or intimidating the other party, are having a chilling effect on public participation on contentious matters of public interest in Ontario;

WHEREAS Bill 83 is intended to protect persons from being subjected to legal proceedings that would stifle their ability to speak out on public issues or promote, in the public interest, action by the public or any level of government;

WHEREAS the ability to engage in public participation forums is the foundation of a democratic society;

WHEREAS there exist a number of high profile environmental issues in the Regional Municipality of Halton that are of public interest and that have generated a great deal of debate in the community;

WHEREAS Regional Council is of the opinion that public participation in matters of public interest ought to be encouraged and not discouraged through tactics such as strategic lawsuits against public participation;

WHEREAS provision is made in Bill 83 to amend the Courts of Justice Act for such SLAPP legal proceedings to be dismissed at an early stage and for defendants subjected to such proceedings to be indemnified for incurred costs in such proceedings with the potential for additional damages to be awarded in appropriate circumstances;

WHEREAS provision is made in Bill 83 to amend the Libel and Slander Act to state that any qualified privilege that applies in respect of an oral or written communication on a matter of public interest between two or more persons who have a direct interest in the matter applies regardless of whether the communication is witnessed or reported on by media representatives or other persons;

WHEREAS provision is made in Bill 83 to amend the Statutory Powers Procedure Act to provide that submissions for a costs order in a proceeding must be made in writing, unless the tribunal determines that to do so is likely to cause a party to the proceeding significant prejudice;

THEREFORE BE IT RESOLVED THAT the Council of The Regional Municipality of Halton advise the newly elected Premier of the Province of Ontario, the Honorable Kathleen Wynne, Halton MP's and MPP's, party leaders and all Ontario municipalities of its support for the Protection of Public Participation Act, 2014 and request that Bill 83 be re-introduced forthwith in the Legislature;

THAT the Regional Chair be requested to meet with Halton's newly elected Members of Provincial Parliament to encourage the Province to reintroduce the anti-SLAPP legislation; and

THAT the Association of Municipalities of Ontario be requested to support this resolution.

As per the above resolution, please accept this correspondence for your information and consideration.

If you have any questions please contact Ms. Karyn Bennett, Regional Clerk & Director of Council Services.

Sincerely,



Kathy Kielt
Deputy Clerk and Supervisor of
Council & Committee Services

c. Karyn Bennett, Regional Clerk & Director of Council Services