

# NEWS RELEASE

British Columbia Civil Liberties Association  
Thursday, November 15, 2007

## Proposed New Law Fails to Provide a Fair Hearing

The British Columbia Civil Liberties Association has added its voice to the growing, national-wide call for Parliament to reject Bill C-3 which provides for the continued use of secret evidence in deportation hearings under the security certificates process.

The Canadian government has used security certificates to deport non-citizens to their countries of origin, in some cases at risk of torture, on the basis that they pose a threat to national security.

*Charkaoui*, a recent Supreme Court of Canada decision, struck down the use of secret evidence in the security certificates process, saying it was incompatible with the principles of fundamental justice. Bill C-3 is the government's response to the court's decision and the remedy it proposes is to have "special advocates" hear the secret evidence on behalf of the person the government seeks to deport.

Micheal Vonn, Policy Director of the BCCLA: "The right to know the case against you and the right to answer that case are indispensable features of a fair hearing. Bill C-3 proposes to have someone else know and answer the case on your behalf; a lawyer you cannot even communicate with, except with special court approval, once they have seen the government's files."

The special advocates model is used in the United Kingdom and sharply condemned as a gloss on an inherently unfair process.

Vonn: "The Arar case has shown us the real and visceral dangers of secret evidence for "national security purposes". We have come too far in our understanding to support a band-aid approach to a fundamentally flawed process."

### MEDIA CONTACTS

Micheal Vonn, Policy Director : 604-630-9753

info@bccla.org  
www.bccla.org