



NEWS RELEASE

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FOR IMMEDIATE RELEASE

BCCLA HEADS TO SUPREME COURT OF CANADA TO CHALLENGE LIMITS ON ACCESS TO GOVERNMENT INFORMATION

The BC Civil Liberties Association will intervene tomorrow at the Supreme Court of Canada in *Ministry of Public Safety and Security (Formerly Solicitor General), et al. v. Criminal Lawyers' Association*, a case concerning the right of the public to access government information. The case will be argued for one day.

The case is a constitutional challenge to Ontario's Freedom of Information and Protection of Privacy Act. Ontario's access to information legislation gives the government an absolute right to withhold government information by saying its release would compromise law enforcement activities or solicitor-client information, even when there is a compelling public interest in disclosure.

The case originated when Ontario's Ministry of Public Safety and Security denied a freedom of information request submitted by the Criminal Lawyers' Association under Ontario's access to information legislation. The Criminal Lawyers' Association sought records relating to an Ontario Provincial Police review of alleged abusive conduct by state officials in a murder case.

The BCCLA will argue that portions of Ontario's access to information legislation infringe the Charter right to freedom of expression, which includes a right to an open and transparent government.

Cathy Beagan Flood, Counsel for the BCCLA: "Canadians cannot exercise their right to free speech and their democratic rights in a meaningful way unless they know what the government is doing. Canadians have a right to information about all government institutions, including law enforcement, so they can be held accountable for their actions."

The BCCLA takes the position that where a compelling public interest in the disclosure of government information exists, the public interest must prevail. The Charter requires the disclosure of information that would normally be exempt from disclosure, if it is in the public interest.

Grace Pastine, Litigation Director for the BCCLA: "Access to government information is critical for the functioning of a democratic society. Citizens cannot make informed democratic choices unless information about public institutions is accessible, and the activities of the government are open and transparent."

Cathy Beagan Flood and Iris Fischer are counsel for the BCCLA. Both are of the firm Blake, Cassels & Graydon LLP.

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