

BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION



Annual Report

2006

PREVENTING TORTURE



ANNUAL GENERAL MEETING 2007

MARCH 28 / 7:30 PM / VANCOUVER YWCA / 4TH FLOOR, 535 HORNBY STREET, VANCOUVER

GUEST SPEAKER:

John Lowman, Professor, Department Of Criminology, Simon Fraser University
A Deadly Inertia: Prospects for Prostitution Law Reform in Canada

REG ROBSON CIVIL LIBERTIES AWARD: Maher Arar and Monia Mazigh

THE DEMOCRATIC COMMITMENT

MARCH 2007 / VOLUME 41 / NUMBER 1

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The Democratic Commitment is a publication of the British Columbia Civil Liberties Association. The Association was established in 1962, and is the oldest continuously active civil liberties association in Canada. Its mandate is to preserve, defend, maintain, and extend civil liberties and human rights in British Columbia and across Canada.

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PRESIDENT'S REPORT / JASON GRATL

Canadians often believe in the fundamental goodness of Canada, and as a group we have the remarkable capacity to sustain that belief in the face of countervailing evidence. Although this capacity is amusing in the abstract, it can have a devastating impact on the fabric of our values as manifest in our laws, customs and practices.

Take, for example, the Canadian approach to torture. Many Canadians would scoff at the idea that our government would associate itself with torture in any way. Unfortunately, this naiveté can no longer be sustained in the face of such evidence as prisoner transfers in Afghanistan and the findings of the Commission of Inquiry into Maher Arar. Complicity in torture also infests the Canadian approach to deportation to torture



Jason Gratl

under the security certificate program. Together these examples reveal the corrosive effect of the current global political climate on our country's officials and their attitude towards those in their care, and make a mockery of Canada's self-image as an international champion of human rights.

But something even more profound than simple hypocrisy is at stake: the very essence of our identity as a liberal democracy.

The core values on which our political system is founded are dignity and autonomy. This is not a partisan claim, but the common thread uniting our stand against the practices and methodology of totalitarian regimes that stake a collective claim to the bodies and wills of individuals. Torture, by its very nature, operates by eradicating the autonomy and dignity of the individual, and employs techniques specifically designed to undermine a person's beliefs and exterminate their will.

Dignity and autonomy are indispensable to all Canadians because every time we invoke our most

important shared values, be it our right to vote, our right to speak freely, our responsibilities to our neighbours or our duties to society, we rely directly on these two basic principles. No polity can claim to be a liberal democracy while practicing or condoning torture in any way. For this reason, commitment to preventing any Canadian complicity in torture should be the highest priority on both our domestic and our foreign policy agendas. No torture, no benefiting from information derived from torture, no deportation to torture and no routine transfer of prisoners to torture should be tolerated. If there are political or economic costs and risks associated with distancing ourselves from torture and countries that engage in torture, Canada should bear them with pride.

This annual report highlights some of the Association's work to this end, including drafting and lobbying for our *Prevention of Torture Act*, and challenging security certificates at the Supreme Court of Canada. In tandem with Amnesty International, we initiated a Federal Court challenge to the Afghanistan Prisoner Transfer Agreement in February of 2007. All of these are responses to past failures on the part of our representatives to steer clear of torture and its progeny. But they also seek to create a forward-looking legal architecture to manifest our commitment to our basic liberal democratic values.

We cannot afford to dismiss the lengthening list of direct and complicit acts by Canadian officials as a series of isolated and unrelated incidents. If our *Charter of Rights and Freedoms* is to have meaning, we must send a message now to our representatives, in a voice strong enough that it will erase all temptation to ignore it: Canada does not stand for torture.

ABOUT THE BCCLA / FIGHTING FOR FREEDOM

The B.C. Civil Liberties Association's success as an organization is due to an extraordinary cast of people with a singular focus – preserving citizens' freedom in a free and democratic society. Though the Association has grown from its early days of operating out of the homes of members after its formation in 1962, we remain a grassroots organization reliant on the expertise, dedication and assistance of Board members, a small staff, volunteers and supporters.

The BCCLA is run by a volunteer Board of Directors of over 30 members with diverse backgrounds in academia, law and business. The BCCLA Board distinguishes itself not only by setting the policies of the Association but also by actively advocating for civil liberties before government and private institutions. To support the Board, the Association employs a small staff and relies on volunteers.

The Association's work comprises four program areas:

Public Education (see page 7)

The BCCLA's educational efforts include:

- Free publications: Our newsletter *The Democratic Commitment*, our e-news *Civil Liberties Update*, *The Citizenship Handbook*, *Rights Talk – Students and Civil Liberties at School*, and *The Arrest Handbook/Pocketbook*.
- Free speakers bureau: BCCLA representatives speak to hundreds of people each year.
- Media work: The BCCLA is a trusted source for thoughtful perspectives on the latest issues.
- Website: Visit our website (www.bccla.org) for a comprehensive collection of our work.
- Public events: The BCCLA hosts public talks by leading public figures like Michael Ignatieff and Beverley McLachlin, Chief Justice of Canada. We also organize seminars such as the marijuana law reform conference in 2004 and an annual seminar for high school students.

Complaint Assistance (see page 8)

Each year, the Association provides assistance to individuals whose civil liberties concerns impact a wide group of people. The Association also provides referrals for legal advice or other assistance.

Law Reform (see page 8)

The Association plays a vital role in law and policy reform by meeting with and making oral and written submissions to Ministers, legislative committees, key bureaucrats and officials. Over the years, the Association has built up extensive contacts and respect among public officials at the local, provincial and federal levels.

Litigation (see page 16)

Occasionally, the Association goes to court to protect freedom. Our moral suasion efforts are more successful when others know that we have the capacity to go to court to seek legal remedies. In this effort, we are very fortunate each year to have the assistance of lawyers who donate their services and expertise.

To accomplish each of these programs, the Association devotes considerable energy to researching its positions and submissions.

Funding (see page 23)

The BCCLA receives funding from three primary sources. The Law Foundation of British Columbia provides an ongoing operational grant that covers approximately one half of our budget. The Association also receives a gaming grant each year. Finally, the BCCLA relies to a great extent on individual donors and members to financially support our work. If you are not yet a supporter of the BCCLA, please join today!

2006

Focus on Torture

2006 was a pivotal year to rein in the government's tendency to step on civil liberties in the name of national security. The reports of the Arar Inquiry have been followed by the BCCLA's efforts to create new legislation to prevent torture.

Arar Inquiry

Established in 2004 to ascertain whether Canadian officials were complicit in the events surrounding Maher Arar's deportation by the United States to Syria where he was tortured, the Arar Inquiry produced two key reports.

In the Factual Inquiry Report, Commissioner Dennis O'Connor found that Canadian officials provided inaccurate and unfair information to the United States about Mr. Arar that the Americans almost certainly used as the basis for Mr. Arar's deportation to Syria. The Government of Canada and the RCMP have committed to implement all the recommendations made by Commissioner O'Connor.

Mr. O'Connor also concluded that Mr. Arar poses no threat to the security of Canada nor was involved in terrorist activities of any sort. Simply put, the RCMP fingered the wrong man.

Commissioner O'Connor's second report focuses on his recommendations to create a new Independent Complaints and National Security Review Agency (ICRA) that would have greatly expanded powers to undertake a review of any RCMP complaint and self-initiated reviews of the RCMP's national security activities. In addition, he also recommends that the Security Intelligence Review Committee (SIRC), which reviews Canada's spy agency, CSIS, also review the national security intelligence work of other federal agencies.

Commissioner O'Connor also recommends that an independent review be set up to examine the cases of Mr. Almalki, Mr. El-Maati and Mr. Nureddin who have reported being subject to torture in which

Canadian officials were complicit. The Canadian government has agreed to initiate such a review.

The BCCLA made several major submissions to the Commissioner regarding both his Factual Inquiry and Policy Review. We intend to make sure Mr. O'Connor's recommendations are actually implemented.

i To view the Factual Inquiry report, visit: www.ararcommission.ca/eng/26.htm. To view the Policy Review report, visit: www.ararcommission.ca/eng/EnglishReportDec122006.pdf. To view the BCCLA's submissions to the Arar Inquiry's Policy Review, visit: www.bccla.org/othercontent/05ararpolicy.htm

BCCLA Advocates for New Legislation to Prevent Torture

In response to the Arar reports, the B.C. Civil Liberties Association drafted the *Prevention of Torture Act*. The Act would prohibit certain actions which could encourage torture as well as impose positive duties on Canadian officials to avoid complicity in torture and protect Canadians abroad being subject to torture.

The BCCLA, under the leadership of President Jason Gratl, has been working with officials from the Canadian Government, Opposition party MPs and NGOs to encourage speedy passage of the Bill. Many groups, including Amnesty International and several Muslim organizations, have endorsed the legislation. We are working to persuade the Parliamentary Committee on Public Safety and National Security to introduce a resolution to adopt this legislation, which would lead to a full debate in Parliament.

i To view the BCCLA's draft *Prevention of Torture Act*, visit: www.bccla.org/tortureact.pdf

PUBLIC EDUCATION / REACHING OUT

Civil liberties principles involve complex ideas. A major part of our work is to educate the public, the media and decision makers about the central role civil liberties play in a free and democratic society. Here are some of our education activities in 2006.

MEDIA WORK

TV, radio, print or e-media, the BCCLA is a key source for local, provincial and national media on issues relating to civil liberties. Each year, we conduct hundreds of media interviews.

PUBLICATIONS

The BCCLA is *the* source for information about civil liberties. In 2006, we distributed over 12,000 free publications including the *Arrest Handbook and Pocketbook*, *Rights Talk: Students and Civil Liberties at School*, and *The Citizenship Handbook: A Guide to Democratic Rights and Responsibilities for New Canadians*. In addition, thousands of supporters and interested public receive our newsletter *The Democratic Commitment*, and our e-news bulletin *Civil Liberties Update*. Call the BCCLA for free copies of any of our publications or e-mail jim@bccla.org to be added to the *Civil Liberties Update* mailing list.

To obtain digital copies of BCCLA publications visit www.bccla.org/05pubs.htm

WEBSITE WWW.BCCLA.ORG

Since the late 1990s, the BCCLA website has become an important source for information about BCCLA positions, education and advocacy work.

PUBLIC SPEAKING

Call the BCCLA office to book a BCCLA speaker today! In 2006, the BCCLA made more than 40 presentations to over 2,250 people.

A sampling of talks from 2006 include:

- addressing a Canadian Bar Association meeting on “Civil Liberties Post-9/11”

- speaking on Internet surveillance laws at the Privacy and Security Conference
- discussing the Canadian no-fly list with the BC Library Association Information Policy Committee
- presenting the BCCLA’s position on civilian deaths when in the custody of police at the Canadian Association for Civilian Oversight of Law Enforcement conference
- several talks on HIV disclosure issues and privacy, including a keynote address for World AIDS Day at the Carnegie Centre
- speaking on the lawful access panel at the Information Rights and Organizational Accountabilities Workshop at the University of Toronto
- guest lecturing on policing issues for a criminology course at Kwantlen College and a course for RCMP personnel

In 2006, BCCLA President Jason Gratl, Executive Director Murray Mollard and Policy Director Micheal Vonn co-taught a course on civil liberties at UBC’s Faculty of Law. Mr. Gratl and Ms. Vonn will continue to teach this course in 2007.

PUBLIC EVENTS

The BCCLA has hosted such distinguished speakers as Michael Ignatieff, John Ralston Saul, and the Chief Justice of Canada, the Right Honourable Beverley McLachlin at free public forums. In 2006, Stephen Ward, Associate Professor of Journalism Ethics at UBC spoke at our AGM on the topic of the Muslim Cartoons. We also hosted another batch of students at our annual civil liberties seminar for high school students at SFU. 2007 promises to be a busy year with two public talks by Maher Arar, a major conference on racial profiling at SFU’s Wosk Centre in May, our student seminar, and more.

CASEWORK

Complaint Assistance & Law/Policy Reform

The BCCLA is an important advocate for individuals seeking assistance involving civil liberties whether their complaints involve government or private institutions. Add our numerous law reform files and BCCLA case work occupies the lion's share of our limited resources. The following cases highlight some of our work in 2006.

DISCRIMINATION/AUTONOMY

Adult Adoption – New BCCLA Position

The Association developed a new position paper in response to a complaint from a family looking to adopt an adult child. In the complainant's case, the adult child was in fact the biological child of the complainant, who had given up the child at birth. They reunited after the child reached the age of majority, decided that they would like to formalize their family relations but found that the law of British Columbia prohibited such adoption. The current law requires that adults being adopted must have lived with their would-be adoptive parents before reaching the age of majority. While the circumstances in the complainant's case are undoubtedly rare, the law presumably affects a large number of step-families that would like to adopt adults. Citing the autonomy interests in defining your own family, the Association has lobbied the government to reform the adult adoption provisions of the *B.C. Adoption Act*.

 To view the position of the Association, visit www.bccla.org/othercontent/06Adult%20adoption.pdf

Age of Consent to Sex

The BCCLA Board passed a new position that opposes federal legislation that would raise the age of consent to 16 on the basis that the law would

not add any substantial new protections to children in exploitative relationships (for which legislation already exists) and that the law would likely create a pretext for the withholding of contraception and sexual health information from youth. The Board also affirmed its position that the age of consent for anal sex should be the same as the age of consent generally.

DRUG POLICY REFORM

Insite

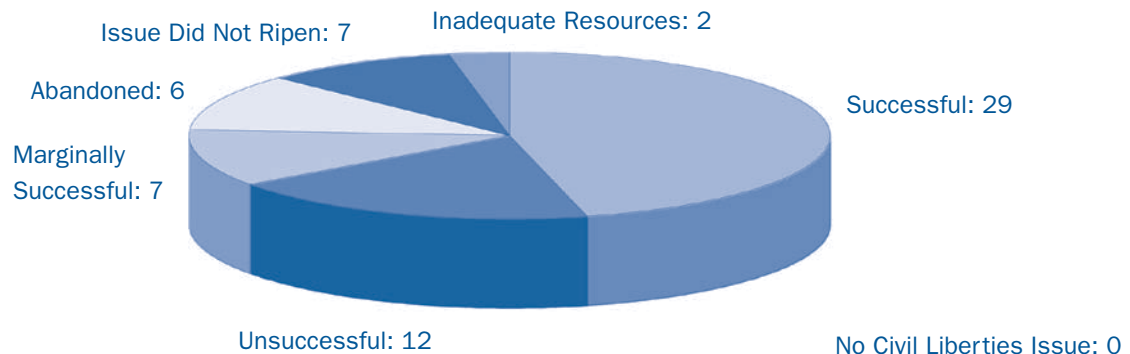
Insite, North America's first legal supervised injection site, has been justly lauded as a harm reduction success story. Despite its well-documented successes, the federal government has not renewed the exemption under the *Controlled Drugs and Substances Act* that allows Insite to operate legally. Instead, the government has "deferred" deciding the issue of the exemption and instilled a "review period" to gather the empirical evidence that the feds say is lacking. It is not lacking. The BCCLA, in its support of Insite, has noted the proven success of the facility which has saved lives by preventing fatal overdoses, prevented the spread of HIV and Hepatitis C, reduced the frequency of public injecting and assisted almost 2,000 people with referrals to addiction counselling services.

Active Files

| | 2006 | 2005 | 2004 |
|-----------------------------------|------------|------------|------------|
| Aboriginal rights | 0 | - | - |
| Administrative decision-making | 1 | 4 | 5 |
| Autonomy | 14 | 1 | 8 |
| Children's rights | 6 | 4 | 4 |
| Discrimination | 14 | 7 | 5 |
| Due process | 31 | 36 | 24 |
| Freedom of speech and association | 25 | 24 | 19 |
| Patients' rights | 3 | 2 | 2 |
| Police complaints | 69 | 49 | 28 |
| Political rights | 9 | 14 | 5 |
| Prisoners' rights | 3 | 3 | 7 |
| Privacy and access to information | 58 | 48 | 22 |
| Total cases | 236 | 201 | 129 |

Closed Cases

Total Closed Files: 63 cases



Case Acceptance Policy

The B.C. Civil Liberties Association accepts complaints about civil liberties violations if the issue is likely to impact a large number of individuals and if we have the resources to provide assistance. Our full case acceptance policy is on our web site: www.bccla.org/acceptance.html



CASEWORK

The federal government's medical marijuana regulations continue to be an ineffective measure for those who use marijuana for medical purposes. The BCCLA takes the position that serious health related decisions are fundamental to one's liberty interests protected by the *Charter*.

The Association not only lobbied the government to renew Insite's exemption for operation, we also urged the government to issue a new, permanent exemption granted on the basis of medical need and the public interest. The end of the review period is December 2007, at which time there will be some decision on the issue of the exemption. We will continue lobbying to ensure that this sane and successful public policy initiative remains open and serves as a model for harm reduction efforts elsewhere in Canada.

Medical Marijuana Access Regulations (MMAR)

The federal government's medical marijuana regulations continue to be an ineffective measure for those who use marijuana for medical purposes. A case in point is the Association's assistance to an individual who has chronic progressive multiple sclerosis. With conventional treatments failing to provide any relief for his condition, our complainant obtained an authorization to possess marijuana and a Designated Producer License under the MMAR. Under these regulations, medical marijuana users must apply for an annual renewal for their possession authorization which requires the signature of a doctor. The complainant's doctor retired and he has been unable to find another doctor to sign his forms – mostly due to the College of Physician and Surgeons discouraging their members from doing so. The BCCLA takes the position that



serious health related decisions are fundamental to one's liberty interests protected by the *Charter of Rights and Freedoms*. The BCCLA has written Health Minister Tony Clement urging him to provide our complainant with a permanent exemption for possession and production. We await his response.

FAIRNESS/DUE PROCESS

A New Ombudsman for B.C.

The BCCLA continues to receive many requests for assistance each year from individuals who complain that the provincial government has treated them unfairly. Many years ago, the BCCLA advocated for the creation of the Office of the Ombudsman of B.C. to which we refer these complaints. Unfortunately, in our view, the Ombudsman's office had become ineffective over the last decade or so. When the term of the past Ombudsman, Howard Kushner, expired, the Association went public and urged the government to replace him. In 2006, the province appointed Kim Carter as British Columbia's new Ombudsman.

i To view the BCCLA opinion editorial in the Vancouver Sun on the need to replace Mr. Kushner, visit: www.bccla.org/othercontent/06ombudsman.htm

FREEDOM OF EXPRESSION

Falun Gong


The Association has supported the Falun Gong's efforts to maintain their round-the-clock peaceful protest of five years' duration. The City of Vancouver has ordered the removal of the small structure in which a single person sits in vigil at the protest site. We have had a strong media presence in this matter, arguing that the structure has caused neither safety nor obstruction problems in five years and, as such, the City should not interfere with the expressive freedom of the protesters.

POLICE ACCOUNTABILITY

Reform of Police Complaint Process


Improving the police complaint process continued to be a significant focus of the BCCLA in 2006 in two ways. First, the BCCLA met with and provided a submission to the B.C. Police Complaint Commissioner, Dirk Ryneveld, Q.C., in response to his recommendations for reforming the complaint process and draft legislation. Second, based on our submission to Mr. Ryneveld, the BCCLA provided a submission to and met with Joe Wood, Q.C. who is responsible for reviewing the police complaint provisions in the *Police Act*. Mr. Wood's review was prompted by calls for an audit of the process by the BCCLA, work by PIVOT Legal Society and Mr. Ryneveld's own recommendation for an audit. We urged Mr. Wood to recommend providing the Police Complaint Commissioner with the authority and resources to conduct his own investigations of important cases – especially civilian deaths when in the custody of police. Mr. Wood's report was released in early February 2007. Though he makes recommendations that will improve the system, he ultimately does not recommend that Mr. Ryneveld have independent authority to investigate the police despite audit results showing material defects in many complaint investigations.

The BCCLA believes that the time has come for B.C. to catch up to other provinces by permitting civilian authorities to directly investigate allegations of police misconduct.

 To view the submissions of the BCCLA to Mr. Ryneveld, visit: www.bccla.org/othercontent/06ryneveld%20letter.pdf. To view the BCCLA and Pivot joint letter to Mr. Wood visit: www.bccla.org/pressreleases/police%20misconduct/responsetowood.PDF

Civilian Deaths While in the Custody of the RCMP

The BCCLA continues to lodge a complaint every time a civilian dies while in the custody of or while being pursued by the RCMP. In 2006, RCMP related civilian deaths in Burnaby, Williams Lake and Fort St. John prompted new complaints from the BCCLA. Our goal is to ensure that every death in-custody includes civilian review of the RCMP's conduct and to push for reform of the current system to ensure that investigations of civilian deaths are independent and thorough. Taking the Ian Bush death in Houston, B.C. as an example, the BCCLA believes that the only effective way to maintain and restore public confidence when a death occurs is to have independent civilian investigations. The Association has launched a judicial review of a decision of Paul Kennedy, Chair of the Commission for Public Complaints Against the RCMP (CPC) to uphold the RCMP's refusal to investigate our complaint in the case of Ian Bush.

 To view the BCCLA's submissions to Mr. Kennedy and the government, visit: www.bccla.org/pressreleases/05RCMP.htm

Mandatory Strip Searches of Inmates

In September 2003, the BCCLA lodged a policy complaint with the Vancouver Police Board objecting to the Vancouver Police Department's mandatory jail strip search policy. We argued that the policy does not comply with the Supreme Court of Canada's decision in *R. v. Golden* which found that mandatory

CASEWORK

The BCCLA lodged a policy complaint with the Vancouver Police Board that the VPD's mandatory jail strip search policy does not comply with the Supreme Court of Canada's decision in *R. v. Golden*. The VPD has updated its policy as a result of our complaint.

strip searches of all prisoners even when they pose no threat is contrary to the *Charter of Rights and Freedoms* protections against unreasonable search and seizure. We learned

that the jail was formally operated by the province of British Columbia but staffed with Vancouver Police Department (VPD) officers and Corrections staff, thus making the regulatory framework complicated. With the transfer of the jail back to the VPD control in 2005, the regulatory framework became more clear. Finally, in 2006, the VPD updated its jail intake policy to ensure that it complies with *Golden*, after consultation with the BCCLA. The BCCLA has written the VPD asking for assurance that there will be adequate training and auditing for compliance with the new policy.

Private Security Law Reform

Private security guards detain, arrest and search people, seize property and use force in doing so. Since Wally Oppal's recommendations to reform the regulation of private security in 1994 (as part of his inquiry into policing when he was a judge), the BCCLA has been advocating for better accountability for private security personnel given their impact on citizens' liberty. In 2006, the BCCLA joined a Private Security Advisory Committee at the invitation of the B.C. Human Rights Coalition. The Coalition received funding from the Law Foundation



of B.C. to create a training program for private security to respect human rights. At the urging of the BCCLA, the Advisory Committee has pressed the provincial government to reform the legislation regulating private security. We have provided written submissions and met with the Director of the Security Programs Division. We will be pressing the Solicitor General John Les to make sure new private security legislation proposed for 2007 will include important means for accountability of security personnel.

RCMP Income Trust Complaint

In the middle of the 2005-06 federal election, the RCMP issued a press release confirming that they were undertaking a criminal investigation as a result of allegations by an NDP Member of Parliament that there had been an illegal transfer of information prior to the Liberal government's decision to change rules regarding income trusts. The publicity surrounding this criminal investigation directly coincided with a shift in election polls to more voters favouring the Conservatives. Concerned about inappropriate interference by the police in political affairs, the BCCLA wrote then RCMP Commissioner Zaccardelli with our concerns. Dissatisfied with the RCMP's

response, the BCCLA launched a complaint against Mr. Zaccardelli and unknown members of the RCMP. The Association received another unsatisfactory response to our complaint (investigated internally by the RCMP) in early 2007. This matter is critically important to the issue of police independence including ensuring that police conduct does not interfere inappropriately with the political affairs of the country. The BCCLA is now calling on CPC Chair Paul Kennedy to hold a public hearing into this controversy. Stay tuned.

i For a copy of the BCCLA's press release calling for a public hearing visit www.bccla.org/pressreleases/06incometrust.htm

POLITICAL RIGHTS

Voter ID in Canada Elections Act

In late 2006, the federal government introduced legislation that will require all voters to provide identification at the polls in order to be eligible to vote. Either voters will need a government approved identification with photo and address (e.g. driver's licence) or two pieces of approved secondary ID. Voters without ID can have someone vouch for them but this becomes a very onerous and difficult task to organize. In particular, marginalized persons, students, seniors, people who have recently moved will all face potential disenfranchisement because of this new requirement. Moreover, there does not appear to be any actual problem with voter fraud that has been identified by the Chief Electoral Office of Canada in testimony to Parliament. The BCCLA was a witness to the Standing Committee reviewing the legislation. We argued for amendments to accommodate those without ID. The Committee ignored our recommendations and the government is likely to pass the law in early 2007. The BCCLA will seek intervenor status when a constitutional challenge to the legislation is initiated.

i To read the BCCLA's opinion editorial in the *Globe & Mail*, visit www.bccla.org/othercontent/06globeandmail.htm

PRIVACY AND ACCESS TO INFORMATION

National ID Card Meeting

The BCCLA, in affiliation with the London School of Economics, the University of Toronto and the American Civil Liberties Union, convened a research meeting on Canadian identity policy and new border-crossing requirements. The meeting gathered representatives of government, industry, academics and non-governmental organizations from Canada, the UK and the US to comment on the economic and legal repercussions of changes to ID policy galvanized by concern about border management, terrorism, illegal immigration and travel security. The meeting was part of a research project sponsored by the Privacy Commissioner of Canada. The researchers will be releasing a report in 2007.

i To view the BCCLA press release on the meeting, visit www.bccla.org/pressreleases/06BorderID.pdf.

PIPEDA – Submission and Research

The BCCLA made two major submissions this year on the *Personal Information Protection and Electronics Document Act* (PIPEDA). We submitted a report to the Office of the Privacy Commissioner of Canada entitled *Securing Compliance, Protecting Privacy* which evaluated the enforcement mechanism of the current legislation. We also made a joint submission (with the Freedom of Information and Privacy Association) on PIPEDA to the House of Commons Standing Committee on Access to Information, Privacy and Ethics. In both submissions we called for the Privacy Commissioner of Canada to be given order-making powers rather than relying on the currently ineffective Ombudsman model. Our submission to the Standing Committee also urged the federal government to better protect the personal information of Canadians that flows across the border and highlighted the threats of emerging privacy-invasive technology.

i To view the *Securing Compliance, Protecting Privacy* report, visit www.bccla.org/othercontent/final%20report.april06.pdf.

CASEWORK

No Fly

Canada is about to get its very own version of the infamous U.S. “no fly” list. The government spent 2006 getting prepared to launch “Passenger Protect” and the BCCLA spent the year opposing it.

In January, we issued an open letter to leaders of all the federal parties to come clean on no-fly lists. We asked why Canada was implementing a program that prevents secretly selected Canadian citizens from boarding airplanes when there appears to be not a single piece of evidence to suggest that no-fly lists increase public safety. We pointed out the unmitigated disaster of the U.S. system that we are emulating. And critically, in a point we reiterated throughout the year, this program, representing a potentially massive infringement on Canadians’ basic rights, came about without any genuine level of democratic process or Parliamentary debate.

The government maintains that it is authorized to create a no-fly program under the *Public Safety Act 2002*, a massive omnibus piece of legislation that has generated serious and persistent criticism. When the Act was being debated, no one so much as mentioned that the obscure amendments to the *Aeronautics Act* that were part of the omnibus bill were for the purposes of a no-fly program. And no one could possibly have guessed. If a no-fly list was what the government had intended all along, it was a curiously well-kept secret while it was before our elected representatives. It is our position that so serious an intrusion into fundamental rights – one that poses such an obvious threat of racial and religious discrimination – must be brought before our elected representatives in a way that is open, clear and straight-forward. The BCCLA will continue working towards this end in 2007.

CCTV in Public Places

The BCCLA has been one of the most outspoken opponents of the latest attempt by the Vancouver Police Department to bring in a program of video surveillance in public places. The Department has expressed a desire to install cameras in various parts of the city but won’t be disclosing its actual “plan” until spring 2007. The Association has lobbied the Vancouver Police Board in an attempt to ensure that

there is genuine public consultation on this issue, that a concrete proposal be made available for public comment and that the police provide evidence of empirical studies that support the efficacy of the cameras for their proposed uses.

CPP Pension Decision

In response to a complaint, the Association advocated that the Canada Pensions Appeal Board change its policy of including personal identification information in its published decisions. We are concerned about the vast amount of extremely personal and confidential medical information of appellants that is disclosed in published appeal decisions. These disclosures can be a real disincentive for someone to launch an appeal. In our view the Appeal Board can both maintain accountability and transparency and uphold important privacy interests by publishing its decisions without names of individuals. We await a response from the Board.

Emergency Shelter Confidential Records

The Association assisted a group that runs emergency shelters with an issue arising from a privacy schedule in their funding contract. The shelter maintains that the provisions in the contract require that they violate their privacy obligations to clients by ceding control of records to the funder. We presented a written submission on relevant privacy law and attended with the complainants at a meeting with the government funder which resulted in the parties agreeing to a process to ensure that the emergency shelter can provide the required privacy protections to its service users.

Appointment to Advisory Board of PI

The BCCLA is delighted to announce that our Policy Director, Micheal Vonn, has been appointed to the Advisory Board of Privacy International. Based in the UK, PI is an international non-governmental organization promoting privacy and data protection. PI’s international Advisory Board has members from over 30 countries.



Public Inquiry Act

In response to a bill that would have asserted strict Cabinet control over future public inquiries, the BCCLA worked in concert with the Freedom of Information and Privacy Association to oppose the

As a result of the BCCLA's intervention on a bill that would have asserted strict Cabinet control over future public inquiries, the government withdrew the proposed legislation.

legislation. Arguing that the proposed amendments to the *Public Inquiry Act* would thwart independent oversight and government accountability, we lobbied the Attorney General and his staff. As a result of intervention by the BCCLA and others, the government withdrew the bill.

Campaign for Open Government

The BCCLA is part of a broad-based coalition that launched the Campaign for Open Government. The campaign aims to improve the Province's record on Freedom of Information (FOI) requests. In 2006, the campaign released a report analyzing five years of data of government's responses to FOI requests. The campaign continues in 2007 with the primary goal of seeing the Province implement its own Special Committee's recommendations on improving FOI and addressing the culture of governmental secrecy.



For information on the campaign, visit: www.opengovernment.ca

PROTECTING AND ENHANCING CIVIL LIBERTIES

Protecting freedoms requires vigilance. But preserving our existing freedoms is only half the battle. Enhancing and protecting civil liberties in a democratic society requires not only dedication but also financial resources. Our greatest challenge has always been funding the extremely important work we do.

There are many ways you can donate to the Association. In 2006, with the Government's announcing the elimination of capital gains tax on gifts of securities (stocks or bonds) the Association saw a rise in this type of gift.

Many Canadians have enjoyed impressive capital gains in their investment portfolios during these robust economic times. As some of you are doing year-end tax planning, please keep in mind that since May 2006 the Federal

Government has made it more attractive to give the gift of securities. With the elimination of capital gains tax on donations of appreciated shares of publicly listed securities to public charities, donating securities now has an even greater return for you the donor. This type of in-kind donation will also provide the BCCLA with important funding for our current and future programs.

If you are considering a gift to the BCCLA and have shares you wish to donate, we recommend obtaining legal advice before making the donation. We are happy to arrange for a free legal consultation. If interested please contact Sarah Frew at sarah@bccla.org or by phone at 604-687-2919 and she would be happy to arrange this for you.

LITIGATION

Our Thanks to the Legal Community

Going to court is one of the most effective ways to protect civil liberties. BCCLA litigation capacity also helps our moral suasion efforts. The BCCLA is indeed fortunate to be the beneficiary of the generous assistance we receive from volunteer lawyers. A review of 2006 court cases follows.

CHARKAOUI, ALMREI & HARKAT APPEALS

Supreme Court of Canada

The BCCLA intervened in this important trio of cases heard simultaneously by the Supreme Court of Canada. The plaintiffs each challenged the security certificate provisions of the *Immigration and Refugee Protection Act*. For example, Mr. Charkaoui has been a permanent resident of Canada since 1995 but detained since May 2003 via a security certificate declaring him a security threat. The BCCLA argued that a constitutionally permissible interpretation of the provisions would require the use of special advocates among other due process protections. The Supreme Court of Canada recently struck down the security certificate provisions as unconstitutional. The BCCLA was represented by BCCLA director Greg DelBigio and President Jason Gratl.

i To view the BCCLA's legal argument, visit: www.bccla.org/othercontent/06security.pdf. To view the decision of the Court, visit: <http://scc.lexum.umontreal.ca/en/2007/2007scc9/2007scc9.html>

BCTF & CFS V. TRANSLINK & B.C. TRANSIT

B.C. Court of Appeal

This case involved a constitutional challenge to identical policies of TransLink and BC Transit that prohibit political advertising on buses and SkyTrain. Consistent with the BCCLA's intervention argument, the Court found that the *Charter* applied to both entities, that free expression rights had

been infringed and that the transit agencies had not proven that the restriction was reasonable. Chris Sanderson, Q.C. and Chelsea Wilson of Lawson Lundell represented the BCCLA, assisted by BCCLA articling student Christina Godlewska.

i To view the BCCLA's legal argument, visit: www.bccla.org/othercontent/Chambers.pdf. To view the Court's decision visit: www.courts.gov.bc.ca/jdb-txt/ca/06/05/2006bccca0529.htm

BARKER & VPD V. HAYES

B.C. Supreme Court

Mr. Peter Hayes brought a complaint against the police to the Human Rights Tribunal alleging discrimination on the basis of sexual orientation based on his "Lifestyle BDSM" (Bondage, Discipline, Sado-masochism). Upon judicial review, the BC Supreme Court agreed with the position of the Association that the Tribunal was correct in accepting this complaint for filing and ordering a hearing to determine whether the complaint is covered under the Human Rights Code. The BCCLA has received leave to intervene in the appeal before the B.C. Court of Appeal where we will argue that novel



Grace Pastine

claims should be considered at first instance on a full evidentiary record in order to advance the broad, liberal interpretations that promote the legislative purpose of human rights law. Grace Pastine of Bull Housser Tupper is counsel for the BCCLA.

i To view the BCCLA's position, visit: www.bccla.org/othercontent/06BDSM.pdf

R. V. SPRATT AND R. V. WATSON

B.C. Court of Appeal

The BCCLA has received leave to intervene in this appeal before the B.C. Court of Appeal which involves a constitutional challenge under section 2(b) of the *Charter of Rights and Freedoms* to the provisions of the *Access to Abortion Services Act* which authorize the creation of no protest zones around an abortion clinic. The BCCLA takes the position that this legislation fails the test for "prescribed by law" under the *Charter* because it is vague in not providing adequate criteria to guide the exercise of discretion of the Cabinet in deciding whether or not to create a zone. The hearing is scheduled for 2007. The BCCLA is represented by Mark Andrews, Q.C. of Fasken Martineau.

BERG V. POLICE COMPLAINT COMMISSIONER

B.C. Court of Appeal

The BCCLA appeared as an intervenor in this case to argue that as a matter of natural justice and statutory interpretation, police complainants under the *Police Act* should have the right to participate in the evidentiary portion of a public hearing into alleged misconduct of a police officer and that the standard should be the civil standard, balance of probabilities. The Court found that the Act does not accord a right to complainants to participate except with permission of the adjudicator. The Court did not address the standard of proof issue. Craig Jones and Rebecca Smyth each formerly of Bull Housser & Tupper represented the BCCLA.

i To view the BCCLA's legal argument visit: www.bccla.org/othercontent/06berg.pdf. To read the court's decision visit: www.courts.gov.bc.ca/jdb-txt/ca/05/01/2005bccca0194.htm.

CHAPMAN V. B.C., GVRD & GVSDD

B.C. Provincial Court

At stake in this case is the public's right to know the details of an environmental private prosecution brought by the plaintiff against a GVRD waste treatment plant which had repeatedly failed to live up to federal toxicity standards. The government sought to argue that, in the process hearing where the evidence against the government is first assessed, the courtroom should be closed to the press and the public. The BCCLA intervened with the intent of arguing that a publication ban would be contrary to the well-established 'open courtroom' principle.



Christina Godlewska

Without conceding the point generally, the government did not pursue a ban in this particular case, potentially setting an important precedent. The Association was represented by BCCLA Articling Student Christina Godlewska.

R. V. BRYAN

Supreme Court of Canada

This case involves a prosecution of Mr. Bryan who allegedly violated the *Canada Elections Act* by publishing the polling results from ridings before polls had closed in western Canada. The BCCLA unsuccessfully sought leave to intervene. Matthew Taylor of Heenan Blaikie represented the Association.

WILD COYOTE CLUB INQUIRY

Office of the Information and Privacy Commissioner

This matter involves a complaint under the *Personal Information Protection Act* regarding the practice of a nightclub to scan and store drivers license information as well as a photo of patrons who enter the club. The purpose for the collection is to enforce age restrictions and deter violence. The BCCLA argued that the means used for this collection are

LITIGATION

not reasonable under the Act. We await a decision of the Commissioner. Brian Samuels of Samuels & Co. represented the BCCLA.

i To read the BCCLA's legal argument visit: www.bccla.org/othercontent/06driverslicense.pdf

R. V. TEREZAKIS

B.C. Court of Appeal

The BCCLA has received leave to intervene in a constitutional challenge to the criminal organization provisions of the *Criminal Code of Canada*. These provisions seek to criminalize individuals who participate in organized crime. The Association is concerned about the vagueness, overbreadth and potential for abuse of discretion of these laws. Rick Peck, Q.C. and Nikos Harris will represent the Association. Tim Dickson of Farris Vaughan Wills & Murphy also provided assistance with the preparation of our application to intervene.

LITTLE SISTERS V. CANADA CUSTOMS

Federal Court

This is an on-going challenge to Customs designation of materials as obscene but also a challenge to the obscenity provisions of the *Criminal Code*. The Supreme Court of Canada has recently delivered a decision that does not provide an advance cost award to Little Sisters. Given this decision, Little Sisters and the BCCLA are rethinking our legal strategy. Joe Arvay, Q.C. of Arvay Finlay represents the Association. Irene Faulkner of Underhill, Faulkner, Boies, Parker and Articled Student Paul Ramsey also assisted Mr. Arvay.

i To read the decision of the Supreme Court of Canada, visit: <http://scc.lexum.umontreal.ca/en/2007/2007scc2/2007scc2.html>

BCCLA Event



BCCLA's Christina Godlewska (Articled Student), Bing Chan (Director), and Lil Woywitka (Membership Secretary) with Maher Arar after Mr. Arar's talk at UBC's Chan Centre.

TREASURER'S REPORT / ALAN ROWAN

These are exciting times for the BC Civil Liberties Association. We not only continue to engage in meaningful and effective work in the defence of our rights and liberties, but we are also becoming more proficient in our fund-raising. Some of this is, no doubt, a measure of good luck; however I do believe that as with other endeavours, practice and persistence bring success.

The biggest piece of news affecting our finances, though, concerns a dramatic change in our operating grant from the Law Foundation of British Columbia. As our members are aware, the Law Foundation has provided generous, unrestricted, core funding



Treasurer Alan Rowan
PHOTO: ALISTAIR EAGLE

to the Association for over 20 years. In recent conversations with them, we were made aware that there were greater funds coming available, and we were considered prime candidates for an increase to our grant. We then went through an extensive needs assessment project, led by our Executive Director, Murray Mollard. In it, we crafted a three-to-five year plan, based on our mandate, our present workload and focus, and where we would most like to see increased energies and funding directed. The result, announced just before year-end, was a fantastic doubling of our base grant of \$134,000, beginning April 1, 2007.

Immediate results of this increase will see the hiring of a full-time caseworker around the first of March, and the hiring mid-year of a full-time litigator. The addition of a dedicated caseworker will shift the intake load off Policy Director Micheal Vonn, and allow her to redirect her energies toward issues that make better use of her talents and training. The introduction of a litigator will permit the Association, for the first time, to initiate legal proceedings on our own behalf, nation-wide. We see

this as a unique opportunity to raise the standard of the Association in areas where we have had little impact or exposure, and a chance to bring the best and most effective civil liberties organization in the country onto the national stage.

Real success in our fund-raising enabled us to finish last year with an unexpectedly large surplus, as noted in the financial statements. We had set a lofty target for 2006, and were doing rather well, when we once again were the recipients of a large (over \$45,000), donation at year-end. Our benefactor was Eric Wyness of Vancouver, who has been a consistent supporter, but who truly went over the top last year. Our gratitude to him is heartfelt and real. Other major past donors, like Win Zacherl, came through with sizeable gifts. Managing the intake of all this money is being handled in an ever-more-effective and professional manner by our Development Director Sarah Frew, and her cohorts on the fundraising committee. Thanks to all of them.

Once again I would like to salute all our supporters, whose gifts of their time, their money, or both, allowed us to continue to grow and improve. To the members of our Board, the Association's debt continues to grow for your thoughtful deliberation and direction. Lastly, we need to celebrate these individuals and organizations who have generously supported the BCCLA over the last year.

ALAN ROWAN

AUDITOR'S REPORT

To the Members of the British Columbia Civil Liberties Association,

We have audited the statement of financial position of the British Columbia Civil Liberties Association as at December 31, 2006 and 2005 and the statements of operations and changes in fund balances, financial position and cash flows for the years then ended. These financial statements are the responsibility of the Association's management. Our responsibility is to express an opinion on these financial statements based on our audits.

Except as explained in the following paragraphs, we conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In common with many not-for-profit charitable organizations, the British Columbia Civil Liberties Association derives revenue from memberships and donations, the completeness of which is not susceptible of satisfactory audit verification. Accordingly, our verification of those revenues was limited to the amounts recorded in the records of the organization and we were not able to determine whether any adjustments might be necessary to memberships and donations, excess of revenue over expenses, assets and net assets.


In our opinion, except for the effect of adjustments, if any, which we may have determined to be necessary had we been able to satisfy ourselves concerning the completeness of the memberships and donations referred to in the preceding paragraph, these financial statements present fairly, in all material respects, the financial position of the Association as at December 31, 2006 and 2005 and the results of its operations for the years then ended in accordance with Canadian generally accepted accounting principles. As required by the Society Act of B.C., we report that these principles have been applied on a basis consistent with that of the preceding year.

TOMPKINS, WOZNY, MILLER & CO.

CHARTERED ACCOUNTANTS

Vancouver, Canada

February 2, 2007

 The complete 2006 BCCLA Audited Financial Statements are available at www.bccla.org/05annual.htm or upon request.

FINANCIAL STATEMENTS

British Columbia Civil Liberties Association

STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES

As at December 31

| | 2006 | | | | | |
|---|----------------|--------------------|----------------|----------------------|----------------|----------------|
| | General Fund | Stabilization Fund | Trust Fund | Little Sister's Fund | Total 2006 | Total 2005 |
| REVENUES | | | | | | |
| Membership and donations | 181,231 | – | – | – | 181,231 | 136,761 |
| Law Foundation of B.C. – operating grant | 157,800 | – | – | – | 157,800 | 144,300 |
| Specified grants & donations earned [note 6] | 47,762 | – | – | 8,677 | 56,439 | 31,566 |
| Gaming revenue earned [note 6] | 53,530 | – | – | – | 53,530 | 52,574 |
| Investment income | 171 | 9,297 | 2,856 | – | 12,324 | 6,211 |
| Realized gains on dispositions | – | 9,032 | 17,329 | – | 26,361 | 31,472 |
| Endowment distributions [note 5] | 4,583 | – | – | – | 4,583 | 4,159 |
| Miscellaneous and special events | 2,092 | – | – | – | 2,092 | 1,066 |
| Amortization of deferred contributions related to capital assets [note 7] | 428 | – | – | – | 428 | 771 |
| | 447,597 | 18,329 | 20,185 | 8,677 | 494,788 | 408,880 |
| EXPENSES | | | | | | |
| Salaries and benefits | 280,460 | – | – | – | 280,460 | 210,723 |
| Rent and utilities | 37,024 | – | – | – | 37,024 | 37,762 |
| Office operating | 26,839 | – | – | – | 26,839 | 26,018 |
| Contract services | 31,485 | – | 311 | 4,235 | 36,031 | 30,732 |
| Insurance | 1,223 | – | – | – | 1,223 | 1,222 |
| Bank charges | 2,212 | – | – | – | 2,212 | 2,087 |
| Fundraising | 7,238 | – | – | – | 7,238 | 6,963 |
| Publications and printing | 8,216 | – | – | – | 8,216 | 14,110 |
| Legal defense | 6,891 | – | – | – | 6,891 | 6,008 |
| Miscellaneous and special events | 5,607 | – | – | – | 5,607 | 6,038 |
| Amortization | 3,108 | – | – | – | 3,108 | 2,726 |
| | 410,303 | – | 311 | 4,235 | 414,849 | 344,389 |
| Excess of revenue over expenses | 37,294 | 18,329 | 19,874 | 4,442 | 79,939 | 64,491 |
| Fund balances, beginning of year | 31,032 | 170,498 | 91,174 | 1,625 | 294,329 | 229,838 |
| Interfund transfers | (2,866) | (2,134) | 5,000 | – | – | – |
| Fund balances, end of year | 65,460 | 186,693 | 116,048 | 6,067 | 374,268 | 294,329 |

 The complete 2006 BCCLA Audited Financial Statements are available at www.bccla.org/05annual.htm or upon request.

BCCLA PEOPLE

| MEMBERSHIP REPORT / SUPPORTERS | | | | | |
|--------------------------------|------|------|-------|-------|-------|
| | 2006 | 2005 | 2004 | 2003 | 2002 |
| Senior | 215 | - | - | - | - |
| Students | 17 | - | - | - | - |
| Special | 0 | 214 | 206 | 252 | 218 |
| Individual | 320 | 342 | 327 | 324 | 342 |
| Family | 251 | 234 | 232 | 198 | 190 |
| Organization | 6 | 1 | 11 | 11 | 9 |
| Total memberships | 809 | 791 | 776 | 785 | 759 |
| Donors only | 155 | 146 | 331 | 354 | 272 |
| Total supporters | 964 | 937 | 1,107 | 1,139 | 1,031 |

Staff

Murray Mollard, Executive Director
 Micheal Vonn, Policy Director
 Lil Woywitka, Membership Secretary
 Jim Braunagel, Office Manager
 Sarah Frew, Director of Development
 Christina Goldewska, Articled Student
 Joel Diakow, SFU co-op student
 Malon Kim, SFU co-op student

Committee Members

Thanks to the following individuals (non-BCCLA board members) who sit on BCCLA committees and provide their time and expertise to the Association's work.

DRUG POLICY COMMITTEE

Ken Tupper, Rielle Capler, Steven Savitt, Eric Wyness

POLICING COMMITTEE

Joel Diakow, Chris Hardcastle

PRIVACY AND ACCESS COMMITTEE

Darrell Evans, Jim Sayre, Paul Holden, Vance Lockton

Volunteers

The BCCLA salutes the following volunteers who, through their dedication and generous contributions, are an enormous help to the BCCLA. Many thanks to:

| | |
|---|--|
| Joel Diakow | John Kehler, Laura Slack and Mich Cyr of Street Youth Services |
| Candace Cho | |
| Mike Barrenger | Spencer Herbert |
| Eleana Swift | Kevin Milsip and Olive Dempsey of Check Your Head |
| Elisabeth Finney | |
| Peter Valbonesi, SFU Faculty of Education | Curtis Clearsky |
| Reg Harris | Mikaela Blumke |
| Matthew Choi | Brian Holgate |
| Romi Chandra | |

Professional Services

Katherine Ruffen of Dragomir Breckner, Bookkeeper

Nadene Rehnby of Hands on Publications, Desktop Publisher for the Annual Report

Laura Moodie for organizing the BCCLA Student Civil Liberties Seminar

Eric Wyness

Portrait of an Artist as a BCCLA Donor

Born in Vancouver but out of wedlock, I was adopted into a family famed for the James Inglis Reid Scottish butchery, a fixture of downtown Vancouver for the bulk of the last century: “Quality 1st, Value Always” and “We have One Store Only- You May Go Farther, and Fare Worse!”...Mottoes worth chewing over....

As a teenager in the 60s I embraced the creative spirit of the time and much to the disappointment of my family became a musician and allied myself with the worldwide movement for a more tolerant, more open society. Keen in my memory of those turbulent years were encounters with the late Bob Hunter (an instrumental figure in Greenpeace), a brilliant, passionate lecture on Thoreau by the UBC professor Kay Stockholder (a Past President of BCCLA) and a remarkable evening with the remarkable Isaiah Berlin, the 20th century’s great champion of diversity of views, of pluralism of values.

It was when living in the West End in the mid-80s that the famous conflict between Little Sister’s Bookstore (a few steps away from my rundown apartment) and Canada Customs emerged. Outrageously, a book (Alex Comfort’s “The Joy of Gay Sex”) anyone could find at the Vancouver Public Library or buy at Duthie’s was seized and pulped by the Federales, who seemingly felt they didn’t need no stinking badges...

Similar feelings of “not in my Canada, you don’t!” were raised by the 1997 APEC débâcle; I filed an official protest (along with 50 other Canadian citizens, UBC and the BCCLA) and endured two and a half years of hearings before I presented a final argument to Commissioner Ted Hughes that a key government witness had given substantially unreliable testimony. Apparently I had been pushing on an open door. In his final report, Ted Hughes concurred. In the five years since I’ve been drawn more and more to civil liberties issues, as our freedom to think and feel as we wish seems increasingly threatened by authoritarian bullies of all stripes. In my experience, those who airily ‘know what’s best for us’ are the ones whose pat answers need the most sceptical questioning.

My gift of \$47,000 to the BCCLA is the first act of a new charitable foundation; named for a young writer whom I admire and collaborate with, it will be called the Monique Radevu Foundation for Democracy and the Arts. We’ve started this foundation and made this big donation to the B.C. Civil Liberties Association because (to echo what Thoreau told Emerson on the abolition of slavery): you only start fully living when you stand up for what is right – exactly at the times it would be so easy to look aside and do nothing.



Eric Wyness donated \$47,000 in shares to the BCCLA.

Supporting the BCCLA

The B.C. Civil Liberties Association depends upon its members and donors for financial support to protect civil liberties.

There are many ways to give financially including donation of cash, securities (stocks), other property, including the BCCLA in your will, and monthly giving.

Please contact Sarah Frew at sarah@bccla.org or by phone at 604-687-2919 for more information.



2007 REG ROBSON CIVIL LIBERTIES AWARD

Maher Arar and Monia Mazigh

Maher Arar has become one of Canada's best known citizens, though not by choice. A father and husband with ambitions to establish a successful small business, Mr. Arar was plucked from obscurity in the fall of 2002 by U.S. border agents and rendered to Syria where he faced torture until his return to Canada a year later. Thanks to the work of Commissioner Dennis O'Connor and the Arar Inquiry, Canadians now know that Mr. Arar's experience was due to errors by the RCMP and other Canadian officials who placed excessive emphasis on national security at the expense of the civil liberties and human rights of our own citizens. In living through this experience, Mr. Arar has demonstrated



extraordinary attributes of citizenship: honesty, courage, fairness, integrity, tenacity and a commitment to make sure that changes occur to prevent torture.

Along this path, Mr. Arar has received the uncompromising advocacy and support of his wife Monia Mazigh. Without her efforts to free her husband, Mr. Arar may never have made it home. Together through their ordeal, Mr. Arar and Ms. Mazigh have become true Canadian heroes.

The B.C. Civil Liberties Association wishes to acknowledge these two extraordinary Canadian citizens by bestowing the 2007 Reg Robson Civil Liberties Award on Maher Arar and Monia Mazigh.

The Reg Robson Civil Liberties Award is given annually to those who have demonstrated a substantial and long-lasting contribution to civil liberties in B.C. and Canada. The award is named after long time BCCLA President and civil libertarian Reg Robson.

BILL GRIMSHAW PHOTO

THE MANDATE of the B.C. Civil Liberties Association is to promote, defend, sustain and extend civil liberties and human rights in the province of British Columbia.

THE BCCLA WISHES TO THANK the Law Foundation of BC, other funders, and all our members and donors for their continued support for the preservation of civil liberties for British Columbians, and for all Canadians.



BC Gaming Policy and Enforcement
Branch of the Ministry of Public
Safety and Solicitor General



VANCOUVER
FOUNDATION