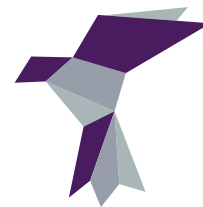




# Board and Staff



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# DONATE TODAY



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**Every donation counts.**

**What you give today will help BCCLA to stand resolutely in the path of those threatening to erode our rights and freedoms in Canada.**

**To donate via mail, send a cheque to:**

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*We normally include a donation reply card with our Annual Reports. However, to use our limited resources impactfully and reduce the cost of printing this report we have removed it this year. Find more information about Ways to Give at: [bccla.org/ways-to-give/](https://bccla.org/ways-to-give/)*

# Letter from the President

As I reflect on my first year as President, I'm filled with pride and awe at the depth and scale of critical issues our dedicated, talented staff have advanced, and deep gratitude for the immense trust placed in us by members, funders, legal allies, and communities across the country.

In 2024, the Association continued to defend freedom of expression with resolve amidst a disturbing climate of repression targeting pro-Palestinian advocacy. We intervened in *Vancouver Island University v. Kishawi*, urging the court to affirm that *Charter* rights, especially those of student protesters, do not end at the edge of private property.

In courtrooms across the country, we fought to protect privacy against rapidly advancing policing technology, uphold procedural fairness in prisons, and stood with sex workers in challenging harmful federal laws. We joined

calls to stop the Vancouver Park Board's attempt to forcibly remove unhoused residents from CRAB Park – an issue made urgent by the City's ongoing criminalization of poverty.

A personally meaningful milestone this year was the successful ratification of our first collective agreement with unionized staff – a key step in living our values internally as well as externally.

Thank you to our members, donors, pro-bono counsel, community partners, and dedicated board. Together, we're shaping a freer, more just future.

With hope and solidarity,



Hasan Alam

# Letter from the Executive Director

In 2024, BCCLA met rising authoritarianism with coordinated resistance. The disconnect between people in power and the lived realities of those they are meant to serve looms large.

As resistance grows, heightened government surveillance and intervention has become the norm. A record number of people across the country find themselves sheltering for survival in encampments. The connection between environmental crises and economic collapse is more salient than ever. Yet, in the midst of this, politicians engage in a tired dance of restricting the liberties of trans and gender-diverse youth, withholding much-needed social supports, and fighting Indigenous Land and Water Defenders and their allies at every turn.

Our fight for liberty, justice, and equality is more urgent now than ever. Governments are funnelling astounding resources into quelling social movements, using the

notwithstanding clause to knowingly advance legislation that violates our *Charter* rights, and continuing to exploit the environment in the face of climate chaos.

The erosion of civil liberties we see today is a challenge that demands action. We're bringing impactful test case litigation; engaging with communities most impacted; providing in-demand legal resources and information; building powerful coalitions; and working to advance policy-based law reform to address these pressing social issues before it's too late. We're going to court to defend our *Charter*, expand its protections, and make sure no one is left behind. Thank you for your dedicated support, without which this crucial work would not be possible.

In gratitude and solidarity,



Liza Hughes

# What We Do



BCCLA is proud to promote, defend, sustain and extend civil liberties and human rights in Canada. We commit our resources to generating structural, systemic change. We are impact-driven, directing our attention to root causes of issues and driving forward meaningful solutions that ripple well beyond the immediate. Our tools include strategic litigation, policy-based advocacy and law reform, and public legal education.

Since our inception in 1962, BCCLA has focused on the unique relationship between people and the state, and how state actions can impede or promote human rights and civil liberties. Our storied history has taught us that social change is not a linear path, but more often winding and cyclical. At times more dance than fight, and always requiring grace, tenacity, vision, and commitment.

As a distinctly non-partisan organization, we are led by our clear commitment to civil libertarian values and human rights. Our principled positions bridge the partisan political environment and speak to fundamental issues at the heart of our democracy, like voting rights, freedom of assembly, expression, movement, and equality rights.

We understand civil liberties and human rights to be mutually reinforcing. We pursue substantive equality because civil liberties are by their nature liberties protected and enjoyed by all in a society, not just a privileged few. Liberty for some is not civil liberty at all. The recognition of inherent human dignity is the strong foundation on which civil liberties stand.

In these uncertain times, we remain steadfast and poised to act. Our values are unwavering, and we know where we stand. We owe deep gratitude to those who stand beside us. We particularly acknowledge our dedicated members and donors who support us, challenge us, grow alongside us, and sustain our important work as we tackle a broad range of often controversial issues. Amid increasing polarity, we value discourse, debate, and the freedom of expression that enables us to speak truth to power every day.

We envision a future that honours our shared dignity, upholds liberty, achieves lasting justice, and affirms the rights of all – and it will take the support of our community to get there. Join us today.

# BCCLA By The Numbers

19 

policy submissions, open letters, and testimonies to various levels of government

31 

active court cases and interventions

1,982 

hours of pro-bono work contributed from **53 lawyers**

8,218 

publications and digital resources distributed

2,458 

appearances in media

122,509

website page views

At BCCLA

2024

was a year of targeted action and resistance to protect hard-won rights and freedoms under threat.

# Fighting the Biggest Threat to Civil Liberties

Everyone should be entitled to live free from government violations of their fundamental *Charter* rights. In recent years, Canadian governments and politicians are increasingly using (or threatening to use) section 33 of the *Charter*—known as the notwithstanding clause—to intentionally pass legislation that violates our rights. This clause allows legislation to operate, even if the legislation violates fundamental *Charter* rights.

Violating the rights of one group leads to a dangerous erosion of all our rights. BCCLA will not stand by and watch this happen.

## Protecting Trans & Gender-Diverse Youth

Last year, BCCLA intervened at the Saskatchewan Court of Appeal to protect the rights of trans and gender-diverse youth and fight against Saskatchewan's misuse of the notwithstanding clause.

In October 2023, the Saskatchewan government used the notwithstanding clause to pass Bill 137 – the “Parents’ Bill of Rights”. This Bill, targeted directly at trans and gender-diverse youth, requires all students under 16 to have parental consent to use a chosen, gender affirming name or pronouns at school.

UR Pride Centre for Sexuality and Gender Diversity (UR Pride), a 2SLGBTQ+ advocacy group at the University of Regina, are challenging Bill 137 and argue it violates these young people’s section 7 (life, liberty, and security of the person) and section 15 (equality) *Charter* rights.

BCCLA intervened in this case to fight for government accountability whenever the notwithstanding clause is invoked by arguing that the clause does not strip courts of their ability to declare legislation unconstitutional or order remedies for individuals harmed.

While the notwithstanding clause is not new, its use has been limited. Invoking it has generally been considered a risky political move, but its recent use in Ontario, Quebec, and now Saskatchewan implies that a new era is upon us.

The Saskatchewan Court of Kings Bench held that the government policy (August 2023), that Bill 137 originates from, subjects gender-diverse youth to irreparable harm. The Saskatchewan government’s use of the notwithstanding clause is just one example of a growing trend of the clause being used, or threatened to be used, to target marginalized groups.

The Court’s ability to issue declarations and other remedies is crucial in holding the government accountable when it chooses to violate constitutional rights.



# Defending the Right to Shelter at CRAB Park

Shelter is a fundamental human right. It is essential for survival, health, dignity, and foundational to the exercise of all other human rights and civil liberties. In 2024, we supported residents of CRAB Park in defending the only designated daytime sheltering area in Vancouver.

What unfolded was a disturbing example of how governments use bureaucratic tools to displace and destabilize unhoused people.



In March, the Vancouver Park Board issued a so-called “cleanup” order that quickly escalated into a full-scale decampment – fencing off the site for over a week. Instead of collaborating with the CRAB Park community, the City made it clear: they were determined to dismantle it.

Alongside residents and allied organizations, we raised public awareness about a human rights complaint against the Vancouver Parks Board and City of Vancouver. The complaint details how residents – many of whom are Indigenous or living with disabilities – were denied access to basic services like electricity and sanitation and subjected to discriminatory treatment.

In November, despite ongoing legal proceedings and calls for a trauma-informed and humans rights-based approach to encampments, the City revoked CRAB Park’s designation as a daytime sheltering area. There are now no legal places in Vancouver where unhoused people can shelter during the day.



**We think it is reprehensible that the Parks Board would propose dismantling the residents’ structures while the human rights proceedings are underway. This is an unlawful disruption of park residents’ fundamental human right to shelter.”**

– Meghan McDermott, BCCLA Policy Director

While we’ve witnessed a government willing to disrupt communities rather than address the root causes of homelessness, we’ve also seen the strength, determination, and resilience of CRAB Park residents and of supporters like you who have refused to stay silent.

This isn’t over. The fight for CRAB Park is part of a broader movement for housing justice – and we’re not backing down.

# Protecting Freedom of Expression

As a civil liberties and human rights organization, we know that free and rigorous dialogue, particularly political discourse, is a necessary facet of democracy. In a time when the threat of fascism rises in the Western world, we must be courageous in defending our democratic values.



## Fighting Against the Suppression of Free Expression in Support of Palestine

Building on our work in 2023 confronting the targeted attack on free political expression by police and academic institutions, BCCLA continued to fight back against the increasingly widespread, deliberate, systemic suppression of free expression in support of Palestine.

On March 26, BCCLA staff penned an open letter to the Ontario Crown Attorney and Toronto Police Service calling for the immediate withdrawal of charges against the Toronto Peace 11 activists, naming the charges laid as being “disproportionate police actions specifically targeting expression for Palestinian human rights [which] raise serious questions as to political influences on policing in Canada.”

On May 3, BCCLA published another open letter, addressed to University Presidents broadly, when protest encampments and actions in solidarity with Palestine

were emerging across Canadian university campuses. We urged academic administrators to take every necessary step to facilitate freedom of expression and assembly on their campuses and safeguard the fundamental freedoms of university students, faculty, and staff.

On August 8, BCCLA intervened in Vancouver Island University’s (VIU) request for an injunction to evict a student-led Palestinian solidarity encampment from the VIU campus. Ga Grant, BCCLA Litigation Staff Counsel, stated: “The courts must take account of essential *Charter* protections for free expression and assembly when issuing injunctions. Students must be able to confidently rely on their *Charter* rights.”

The BC Supreme Court ultimately granted the VIU their injunction in *Vancouver Island University v. Sara Kishawi et al.*, in yet another example of injunctions being used to restrict protest rights and underscoring the need for ongoing, principled action to align the law with our *Charter* rights and values.

On September 18, BCCLA filed police complaints jointly with Pivot Legal about the excessive use of force applied against people protesting the killing of children in Palestine, the chronic video surveillance of pro-Palestinian demonstrations, and the destruction of a sacred fire, contrary to Vancouver Police Department policy. Our Staff Counsel witnessed a police officer wearing an Israel flag patch, in breach of uniform policy, while policing a rally.



**Whether in the workplace, academia, or public institutions, people are being unjustly penalized for standing up against systemic wrongs, including the complicity of Canadian institutions in international human rights abuses. This extends beyond professional consequences—people's reputations are being tarnished for exercising their freedom of expression."**

– Hasan Alam, BCCLA Board President

BCCLA President, Hasan Alam, spoke at a press conference on October 9 in support of Amy Blanding, who was dismissed from her role as staff at the Northern Health Authority due to exercising her right to free expression in support of Palestine in her personal time.

BCCLA will continue to uphold the right of all people in Canada, regardless of politics, race, or creed, to exercise their *Charter*-protected rights and freedoms without fear of reprisal. Our commitment to defending our collective fundamental freedoms remains unwavering.

## **Indigenous Land Defenders, Press Freedom, and Injunctions**

On May 21, 2024, BCCLA was granted leave to intervene in the case of *The Narwhal News Society and Amber Bracken v. Attorney General of Canada et al.*

Award-winning photojournalist Amber Bracken was arrested and detained while covering the protest of and Indigenous resistance to the Coastal Gaslink Pipeline in 2021.

The plaintiffs argue that their rights to freedom of expression were violated, both in that Ms. Bracken was prevented from fully documenting these events and that *The Narwhal* was delayed in being able to report on them. The plaintiffs also argue that Ms. Bracken's section 7 (life, liberty, and security) and section 9 (the right not to be arbitrarily detained) *Charter* rights were violated because she was arrested and detained unlawfully; she was held in custody for four days before getting a bail hearing, something that would never be allowed in the criminal context.

Freedom of the press must receive special consideration when these types of injunctions are being granted and enforced. It is critical that police actions in remote locations and against Indigenous Land Defenders are documented and shown to the public.



# Combating Racial Profiling

Racial profiling is widespread across Canada and has lasting effects on the people and communities targeted. When racial profiling takes place in the context of policing, it leads to the disproportionate incarceration of racialized people and their continued marginalization. BCCLA is committed to fighting racial profiling in all its forms.

## Fighting to End “Random” Traffic Stops

For years, BCCLA has been advocating against random police checks. Arbitrary street checks and traffic stops are harmful towards racialized and low-income communities, and have no basis in law. When police lack safeguards and accountability, individual discretion enables internalized prejudice to affect policing practices. Ultimately, this results in the overrepresentation of racialized people in practices like street checks and “random” traffic stops.

In 2018, we launched our campaign against street checks in Vancouver following the release of Vancouver Police Department data showing a decade of disproportionate and discriminatory checks against Indigenous and Black people. Despite nearly 10,000 people and over 68 organizations signing our petition for the Vancouver Police Board to ban street checks, the practice continues today, allowing the pervasiveness of systemic racism in policing to go unchecked.

In March 2024, BCCLA brought our fight to end random police checks to the Quebec Court of Appeal in a crucial case that challenged racially profiled traffic stops. *Attorney General of Quebec v Luamba et al.* came after the Province of Quebec appealed an earlier decision, which found that “random” traffic stops violate sections 7 (life, liberty, and security), 9 (freedom from arbitrary detention) and 15 (equality rights) of the *Charter*.

We intervened in this case to argue that previous court decisions on “random” traffic stops did not consider racial profiling as a factor. Our argument also addressed that section 7 of the *Charter* has become far more expansive in its legal application and that racialized people should have the right to move around and maintain psychological

integrity without interference based solely on race. “Random” traffic stops are an arbitrary practice and have shown no rational connection to improving road safety.

In October, the Quebec Court of Appeal upheld the 2022 landmark decision, confirming that random traffic stops by police lead to racial profiling. As a result, the province’s Highway Safety Code that allowed police to randomly stop drivers without a reasonable suspicion that an offence had been committed has been struck down, ending the discriminatory practice in Quebec.

## Justice for One Man; A System Left Unchanged

In another case, Mr. Ali, a Somali refugee, was stopped when an officer saw him using his cell phone while driving. When the birth date on his out-of-province license did not match the internal police record, the officer directed Mr. Ali out of his vehicle and immediately charged him with obstruction. He was further charged with possession of a firearm when police found a gun when searching him upon this arrest.

In court, Mr. Ali argued that the officer racially profiled him. The officer admitted that he did not follow standard practice with out-of-province licenses, which would have been to call the central records office. The contradictions in police evidence, as well as the deviation from standard policing practices, were clear indications of racial profiling taking place. Yet, the judge convicted Mr. Ali stating that there was “no direct evidence of racial profiling.”

This case was appealed to the Supreme Court of Canada, where BCCLA applied to intervene. Our arguments highlighted multiple systemic issues with racial profiling law, pushing for systemic solutions.



Mr. Joseph-Christopher Luamba (centre) appears with various Counsel, including BCCLA Pro-Bono Counsel Ivan da Fonseca (far left) and Claire Peacock (far right) at the Quebec Court of Appeal.

In a win for Mr. Ali, the Crown conceded that the case was incorrectly decided because racial profiling law was incorrectly applied. As a result, Mr. Ali will be given a new trial where the law is correctly applied.

However, by conceding to the appeal, the Crown conveniently avoided giving the Supreme Court of Canada the opportunity to consider BCCLA and other

intervener arguments that could have advanced racial profiling law even further.

BCCLA will continue to intervene in cases where racial profiling is at stake, and fight on all fronts, until an end to random police stops is realized.

# Looking Back 2024

## ► January 19

BCCLA and CIRA Net Good program launch youth online privacy survey to help inform our advocacy around Canada's next privacy laws.

## ► January 31

BCCLA endorses the BC Drug Policy Coalition's "To End a Crisis: A Vision for BC Drug Policy".

## ► March 1

BCCLA celebrates Supreme Court of Canada *Bykovets* decision protecting online privacy.

## ► March 8

BCCLA hosts 19th Annual Youth Conference on International Women's Day.



## ► May 13

85 organizations call on Prime Minister Trudeau to stop plans to use federal prisons for immigration detention.



## ► May 31

BCCLA makes submissions to the House of Commons Standing Committee on Public Safety and National Security regarding Bill S-210, An Act to restrict young persons' online access to sexually explicit material.

January

February

March

April

May

June

## ► February 29

BCCLA calls on government to provide financial assistance to People with Disabilities while the Canadian Disability Benefit is in limbo.



## ► April 22

The Police in Schools Pocketbook is released, outlining the rights of students when interacting with police at school.

## ► April 24

BCCLA joins partner organizations in calling for the withdrawal of the controversial Artificial Intelligence and Data Act.

## ► June 21

BCCLA celebrates Supreme Court of Canada decision in *York Region District School Board v Elementary School Teachers' Federation of Ontario* upholding privacy rights in schools.



## ► July 4

BCCLA staff ratify first collective agreement with MoveUP.



## ► July 17

'Racial profiling law: justice for one man but a system left unaccountable,' a commentary on our intervention in the *Ali* and *Luamba* racial profiling cases by Ga Grant, is published.

## ► October 9

BCCLA President speaks out in support of Amy Blanding, who was removed from her position by the Northern Health Authority for exercising her right to speak out in support of Palestinian human rights during her personal time.



## ► October 17

BCCLA welcomes Ontario Court of Appeal decision finding the impacts of the government's greenhouse gas emissions target must be consistent with the *Charter* rights of youth.

## ► October 28

BCCLA challenges the Law Society of Alberta's mandatory oath of allegiance to the King at the Alberta Court of Appeal.

## ► December 6

BCCLA welcomes, in part, the Supreme Court of Canada decision in *R v Campbell*, which affirmed individuals have a reasonable expectation of privacy in their text messages, but widened the boundaries of exigent circumstances for warrantless searches.

July

August

September

October

November

December

## ► November 12

BCCLA intervenes at Supreme Court of Canada to challenge Canada's sex work criminalization laws.

## ► December 20

BCCLA celebrates decision in *Québec (Commission des droits de la personne et des droits de la jeunesse) v Directrice de la protection de la jeunesse du CISSS A*, which protects the rights of youth in protective care.

## ► August 1

BCCLA announces new Board President, Hasan Alam.

## ► September 18

BCCLA and Pivot Legal Society file multiple complaints against Vancouver Police Department for excessive use of force and surveillance of pro-Palestine protestors.

## ► September 23

BCCLA appears before the Saskatchewan Court of Appeal in a challenge to the Province's use of the *Charter's* notwithstanding clause to enact Bill 137, a law requiring schools to obtain parental consent to address young people by the correct name and pronouns.

## ► November 18

BCCLA Litigation Staff Counsel Ga Grant presents at the Standing Committee on Canadian Heritage on the disproportionate surveillance and violent targeting of Indigenous Land and Water defenders, and those expressing solidarity with Palestine.





# Preserving Privacy & Challenging Police Powers

The right to privacy is critical to a healthy democracy. It is especially important in interactions with law enforcement as policing technology continues to expand.

From drones to CCTV surveillance, from IP address access to body-worn cameras, BCCLA has been fighting back against tools that have allowed police increased access to our most private information. In 2024, we welcomed three Court decisions in which BCCLA fought to protect our privacy.

## Text Message Privacy & Police Accountability

Everyone deserves a reasonable expectation of privacy, including in their electronic communications. In March, BCCLA intervened in *R v Campbell* – a case relating to a police incident in which Guelph Police seized the phone of “Gammie” during an arrest.

Following the arrest, police engaged in a text exchange about a suspected drug deal using Gammie’s phone. Hours later, Dwayne Alexander Campbell arrived with a package of drugs. Campbell was arrested, and his cell phone, containing the complete exchange of text messages with Gammie, was seized.

The actions taken by the police would normally require a warrant. The police argued that the possibility of the deal being abandoned and the fentanyl being sold to another person amounted to “exigent circumstances,” meaning they could proceed without the prior judicial authorization process.

At the Supreme Court of Canada, we argued that exigent circumstances cannot be applicable if the police created the urgency. In Campbell’s case, the emergency did not have a level of immediacy that warranted overriding the accused’s privacy interests.

On December 6, the Court affirmed that people do have a reasonable expectation of privacy in their text messages. While we were disappointed that the majority

of the court also widened the boundaries of exigent circumstances to justify the warrantless search, we were heartened to see dissenting Justices echoing our concerns around police accountability.

## Challenging Government Secrecy

In March, the Supreme Court of BC rejected the Ministry of Public Safety’s ongoing attempt to hide information about the costs of implementing the controversial Community Safety Act (“CSA”).

CSA, once in place, could force homeowners or the occupants of a property to vacate if a court finds that actions in the home are damaging to the neighbourhood.

BCCLA has criticized this legislation because it would unjustly put people’s housing security at risk and disproportionately impact vulnerable, and often heavily policed communities.

In October 2019, BCCLA made an Access to Information Request for all records relating to the anticipated cost of implementing CSA. The 80 pages we eventually received after a lengthy delay were heavily redacted.

BCCLA requested a review of the withheld information, and an Office of the Information and Privacy Commissioner (“OIPC”) inquiry began in 2022. In June 2023, the OIPC Adjudicator ordered the Ministry to disclose the information. The Ministry then filed for judicial review of that decision.

Through this review, the Court confirmed that the OIPC Adjudicator was correct. The judge also remarked on the Ministry's significant delay in responding, saying: "access delayed is access denied." This result affirms that public bodies' commitment to transparency and accountability is integral to a functioning democracy.

## A Huge Victory for Online Privacy

In an increasingly digital world, police surveillance extends far beyond the physical. In the case *R v Bykovets*, police obtained the Internet Protocol (IP) address of Andrei Bykovets from an online payment processing company, without a warrant. Through the IP address, police were able to gather critical information about Bykovets, including his name and address, ultimately leading to his arrest.



BCCLA intervened, arguing that police should require a search warrant before obtaining personal information from internet providers, including IP addresses. An IP address is tied to a person's identity and their private online behaviour. BCCLA argued that there is an inherent imbalance of power between internet users and companies that provide services online.



**Through this decision the Supreme Court recognized the need to take control of our online information out of the hands of corporations, and give it back to us, as individuals – where it belongs."**

– Liza Hughes, BCCLA Executive Director

Using the internet is necessary to participate freely in society; individuals do not have a choice whether to use an IP address or not. However, after accessing services online, we should be able to decide for ourselves whether our IP addresses are shared with others. The state should not have access to personal information that internet service providers hold in the same way that police should not have access to other private spaces without a warrant.

On March 1, in a groundbreaking decision, the Court agreed with BCCLA that the right enshrined in section 8 of the *Charter* to be secure against unreasonable search or seizure protects IP addresses under a reasonable expectation of privacy, and that a search warrant is required to access them.



# Investing in the Power of Youth

Young people in Canada are inheriting a challenging future where rights once taken for granted are being threatened or eroded. However, youth also have the power to shape the world. In 2024, BCCLA worked with inspiring young people to safeguard and advance their rights. We also invested in the next generation through our Annual Youth Conference attended by students from local schools to learn about legal issues, understand their rights, and gain valuable tools to fight for social justice.

## Balancing Privacy, Free Expression, and Protection Online

In a win for BCCLA, and after months of advocacy, the federal government decided in late 2024 to prioritize online safety for youth by taking out parts of Bill C-63 that contained alarming changes to the Criminal Code. These problematic revisions would have imposed life sentences for speech crimes and could have had a dangerous chilling effect on free expression.

Bill C-63 was an omnibus bill that included the Online Harms Act, an Act to amend the Criminal Code, the Canadian Human Rights Act, and An Act respecting the mandatory reporting of Internet child pornography.

All of us – especially young people – deserve to freely explore the internet without exploitation or sacrificing privacy. The parts of Bill C-63 that were separated did very little to advance this and their inclusion prevented much-needed debate around how this Bill could have protected our youth online.

We repeated calls throughout 2024 for the Bill to be split as we consulted with young people to hear their concerns, met with political representatives, penned an open letter to policymakers, and presented at a conference to C-63 drafters.

Although the recent prorogation of parliament and federal election prevented further work on this Bill, BCCLA will continue to build on our momentum to ensure that any Online Harms legislation balances privacy, free expression, and protection from harm – regardless of who is in power.

## Youth on Privacy and Surveillance

BCCLA has had a growing concern that young people have normalized the idea that they have to give up their privacy rights to participate in society. Born into a digital age, this generation has so much at stake in how their personal information is used by companies, governments, and other people online.

Supported with funding from the CIRA Net Good program, BCCLA asked 154 young people aged 16-25 across Canada about privacy online, social media, and phones.



**The biggest issue with online privacy is that there is no such thing. Even if you try and secure privacy for yourself, you're never going to be truly hidden unless you flat out don't use the internet, and nowadays, that isn't really an option because jobs, schools, and governments all want you to input your information into something online."**

– Youth respondent

We found that the current generation of young people lack a full understanding of, or just accept, the potential impact and harm that giving up their privacy rights today might have in their futures.

In these results, young people showed concern about sexual exploitation, identity theft, personal safety, or doxxing. Yet generally, they couldn't identify the potential long-term impact of privacy infringements on things like future employment, education prospects, or reputation.

Youth deserve to be safe online. BCCLA believes improving privacy protection for young people requires education alongside robust legislation that holds private and state actors accountable. We will continue to engage with youth to ensure their voices are heard.

## Fighting for Accountability & Climate Justice

In 2024, BCCLA contributed to a historic win in *Mathur et al v His Majesty the King in Right of Ontario*, where the Court agreed with us that governments must be held accountable to deliver on their commitments in a way that complies with our *Charter* rights.

Seven young Ontarian climate leaders, supported by Ecojustice, bravely took on the Ontario government in 2019 by filing a lawsuit arguing that provincial climate targets are too weak and that the resulting impact of climate change violates their *Charter* rights to equality, life, liberty, and security of the person.

In 2023, the Ontario Superior Court dismissed the case, interpreting the young people's claims as so-called "positive rights."

Governments have long tried to shield their decisions and legislation, claiming that they are not subject to *Charter* scrutiny because the *Charter* itself doesn't create "positive rights" – rights that require government action.

In 2024, at the Ontario Court of Appeal, BCCLA intervened to make a crucial argument: that governments must be held accountable to deliver on their commitments in a way that complies with our *Charter* rights.

We argued that it doesn't matter whether the *Charter* obligates the government to act – from healthcare to education to responding to the climate crisis – when governments commit to take action on an issue, they have an obligation to ensure they comply with our constitutional rights.

The Court agreed. On October 17, the Ontario Court of Appeal overturned the 2023 dismissal ensuring these young people will have their day in court. BCCLA stands in solidarity with these youth as we continue to fight for government accountability on climate justice and constitutional rights violations for everyone.



Photo courtesy of Ecojustice; Photography: Tilly Nelson; Set design: Kendra Martyn and Kira Evanson



# Labour Rights, Bodily Autonomy, & Choice

Workers' rights are an issue close to the heart of BCCLA. We are a proudly pro-union organization, fighting for bargaining rights since 1968. Since then, our work on labour rights has expanded to opposing employee drug testing and biometric information gathering, defending workers' freedom of expression when sanctioned for criticizing their employer, and most recently, fighting to preserve the right to choice and bodily autonomy for sex workers.

## In Defense of Sex Workers' Rights

In November 2024, BCCLA intervened in a Supreme Court of Canada case – *R v Kloubakov* – in defense of sex worker rights. This case is a constitutional challenge brought by Mr. Kloubakov and Mr. Moustaine, who were convicted under the challenged provisions of the *Criminal Code*.

The *Protection of Communities and Exploited Persons Act* ("PCEPA", an Act amending the *Criminal Code*) criminalizes many activities related to sex work, including the procurement of, and material benefit (directly or indirectly) from, sexual services.

PCEPA confronts sex workers with an untenable choice: work alone, placing themselves in dangerous conditions, or face an increased risk of criminalization and police harassment by choosing to work with others (who may benefit from their services) for their safety and well-being.



BCCLA argued that by undermining the ability of people engaging in sex work to determine their own working conditions, PCEPA violates sex workers' section 7 *Charter* rights (life, liberty, and security). What is at risk here are not merely economic rights, but core aspects of a person's bodily autonomy and security.

Our arguments were originally developed while intervening in another case brought by the Canadian Alliance for Sex Work Law Reform (CASWLR) – an association of sex workers, grassroots organizations, and service organizations that provide front-line support. When front-line groups were denied leave to intervene in *R v Kloubakov*, we worked directly with CASWLR to ensure that their voices were still heard by the Court.



**As a civil liberties organization, BCCLA has always emphasized the importance of preserving the right to choice and bodily autonomy."**

– Ga Grant, BCCLA Litigation Staff Counsel

Individual decisions regarding sexual activity are decisions over one's body, remuneration or not. Sex work must be regarded as falling within the sphere of personal decisions integral to individual autonomy and dignity. Sex workers must be considered the experts of their own experience.

# Advancing Rights for People in State Detention



Whether in protective care or in prison, people who are detained deserve to have their *Charter* rights protected.

## Systemic Problems Require Systemic Solutions

When institutions regularly violate people's rights, no one – particularly vulnerable youth – should have to fight the same battles over and over to access justice.

In early 2024, BCCLA intervened in a key youth protection case in Québec (*Commission des droits de la personne et des droits de la jeunesse*) v *Directrice de la protection de la jeunesse du CISSS A* to protect access to justice, push back against institutional rights violations, and uphold the rights of youth in protective care.

A young person brought a successful application to the Court of Québec alleging that their rights had been violated while placed in treatment and supervision facilities. Allegations included the use of isolation cells and physical restraints.

Despite the systemic nature of the abuses, on appeal the Court held that available remedies applied only to each individual, rather than providing system-wide remedies to prevent the abuse from happening to others. But in late 2024, the Supreme Court of Canada agreed with BCCLA that systemic problems require systemic solutions. While disappointed with the limits on available remedies in the decision, it offers a better legal landscape to create systemic change through public interest litigation.

## Protecting Rights Regardless of the Context

In October, BCCLA intervened in a crucial *Charter* challenge at the Supreme Court of Canada – *John Howard Society of Saskatchewan v Attorney General of*

*Saskatchewan*. This case challenged the low standard of proof required to find a prisoner guilty of a disciplinary offence.

If a prisoner is found guilty of a disciplinary offence, their penalties can include a loss of earned remission (essentially prolonging the prison sentence) and placement in solitary confinement.

The John Howard Society of Saskatchewan argued that the harsh penalties imposed require the higher standard of proof of beyond a reasonable doubt, and that the failure to use this higher standard violates the presumption of innocence under both section 7 and section 11 of the *Charter*.



**Legal rights such as the right to a fair hearing, the right to an impartial decision maker, and the right not to be punished twice need to be upheld in administrative hearings as well as criminal courts."**

– Vibert Jack, BCCLA Litigation Director

BCCLA intervened in support of the John Howard Society to argue that even where section 8-14 rights do not apply, including section 11 (d), section 7 can apply and not only protect the same rights, but in this case, protect them to the point of requiring the beyond reasonable doubt standard of proof.



# Thank You

BCCLA's impact is a collaborative effort made possible by the incredible work of our dedicated staff, board, pro-bono counsel, wide network of supporters, and community members who share their expertise and entrust us with their stories and experiences. We owe deep gratitude to our community partners who work alongside us, share knowledge and resources, and come together to build movements beyond what any one of us could achieve alone.

We are grateful for the ongoing support of our core funder, the Law Foundation of BC, as well as our union allies.

Thank you to everyone, including our cherished donors and members, who stood alongside us in 2024, for your trust, resilience, and dedication.

## Pro-Bono Counsel:

Safiyya Ahmad	Emily MacKinnon
Greg Allen	Frances Mahon
Harpreet Aulakh	Tabir Malik
Alexandra Belley-McKinnon	Heather Mallabone
Adam Cembrowski	Teagan Markin
Paul Champ	Akosua Matthews
Sujit Choudhry	Alex Mok
Mannu Chowdhury	Chya Mogerman
Ben Clarke	Avnish Nanda
Ivan da Fonseca	Brodie Noga
Nikolas De Stafano	Erica Olmstead
Tim Dickson	Claire Peacock
Nadia Effendi	Julia Riddle
Ramisha Farooq	Noah Ross
Michael Fenrick	Bijon Roy
Jean-Phillippe Groleau	Samara Sector
Fraser Harland	Laesha Smith
Naoki Hasegawa	Daniel Song
Mani Kakkar	Mia Stewart
Danny Kastner	Brian Studniberg
Alex Kirby	Kyle Thompson
Ewa Krajewska	Gib van Ert
Molly Krishtalka	Joelle Walker
Rosanne Kyle	Emily Wang
Vincent Larochelle	Ruth Wellen
Anna Lund	

## Intervention Partners:

First Nations Leadership Council  
Animal Justice  
Centre for Free Expression

## Pro-Bono & Summer Students:

Maria Michouris  
Kenya Rogers  
Marko Stefanov

## Former Staff:

Safiyya Ahmad, Staff Counsel  
Brittany Chung, Donor Relations & Development Manager  
Darcie Dyer, Operations Manager  
Meera Eragoda, Litigation Coordinator  
Kathleen Yang, Interim Communications & Outreach Manager

## Former Board of Directors:

Kevin Millsip



## Funders:

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# Stand With Us | Support BCCLA

For over 60 years, BCCLA has continued to work on issues at the heart of civil liberties and human rights. Today, we resolutely stand in the path of those threatening to erode these precious rights and freedoms.

Across decades, our work has only been possible because of dedicated supporters like you. Advancing the rights and dignity of all would not be possible without the generosity of our community. As it was in our earliest days, your support now is crucial to sustaining our pursuit of justice, liberty, and equality.

## Become a Member

We have strength in numbers. BCCLA members can vote at our Annual General Meeting, receive special invitations to our events, and receive BCCLA publications, newsletters, and regular updates on our cases and outreach activities. Become a member at [bccla.org/ways-to-give](https://bccla.org/ways-to-give)

## Leave a Legacy Gift

Leaving a legacy to BCCLA in your will is a powerful way to ensure our organization can continue to grow and plan for the years ahead. Legacy gifts can be in any amount and can also take the form of life insurance, real estate, appreciated securities, retirement plans, art, or trusts. Learn more at: [bccla.org/ways-to-give](https://bccla.org/ways-to-give)

## Become a Donor

None of our work would be possible without our donors' generosity. Achieving lasting change can take years, and we rely on donations to achieve the impact you are reading about today.

With our donors behind us, together, we can fight for a shared future for all.



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# Financial Statement

## Statement of operations and changes in fund balances

Year ended December 31

	2024				2023
	General Fund	Stabilization Fund	Trust Fund	Total	Total
	\$	\$	\$	\$	\$
<b>REVENUE</b>					
Membership and donations	648,789	—	—	648,789	390,545
Law Foundation of B.C. – operating grant	484,500	—	—	484,500	389,500
Grants earned	397,662	—	—	397,662	500,098
Net investment income	—	81,563	251,991	333,554	116,342
Distributions BCCLA Legacy Trust Fund	185,000	—	—	185,000	200,000
Litigation recovery	47,695	—	—	47,695	—
Amortization of deferred contributions	10,200	—	—	10,200	10,200
Endowment distributions	8,330	—	—	8,330	7,885
Miscellaneous and special events	761	—	—	761	2,598
	1,782,937	81,563	251,991	2,116,491	1,617,168
<b>EXPENSES</b>					
Salaries and benefits	1,485,500	—	—	1,485,500	1,292,140
Rent and utilities	84,913	—	—	84,913	76,399
Office operating	58,474	—	—	58,474	72,093
Amortization	41,768	—	—	41,768	42,689
Accounting and audit	37,777	—	—	37,777	41,064
Contract fees	37,273	—	—	37,273	7,409
Litigation costs	27,519	—	—	27,519	7,216
Database	24,903	—	—	24,903	22,871
Publications	22,119	—	—	22,119	80,006
Departmental development	14,714	—	—	14,714	11,175
Events	11,403	—	—	11,403	8,518
Insurance	5,904	—	—	5,904	5,684
Fundraising	5,878	—	—	5,878	7,034
Bank and donation processing charges	4,818	—	—	4,818	5,844
Partner contributions	3,729	—	—	3,729	24,287
	1,866,692	—	—	1,866,692	1,704,429
<b>Excess of revenue (expenses) for the year</b>	<b>(83,755)</b>	<b>81,563</b>	<b>251,991</b>	<b>249,799</b>	<b>(87,261)</b>
Interfund transfers	(145,063)	145,063	—	—	—
	(228,818)	226,626	251,991	249,799	(87,261)
Fund balances, beginning of year	552,836	190,763	1,261,038	2,004,637	2,091,898
<b>Fund balances, end of year</b>	<b>324,018</b>	<b>417,389</b>	<b>1,513,029</b>	<b>2,254,436</b>	<b>2,004,637</b>

The 2024 Financial Statements have been approved by the BCCLA Board and will be presented to our membership at the 2025 AGM on June 16th.



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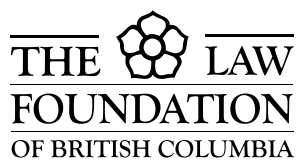
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We acknowledge the financial support of the Province of British Columbia and generous support of the Law Foundation of BC in producing this Annual Report.

The BC Civil Liberties Association's main office is located on the traditional, unceded, and ancestral territories of the hən̓q̓əmi̓nəm speaking xʷməθkʷəy̓əm (Musqueam) people and səliłwətaɬ (Tsleil-Waututh) Nation, and the Skwxwú7mesh sníchim speaking Skwxwú7mesh Úxwumixw (Squamish Nation). These lands and the languages derived from them were never freely given up for settler occupation. As a predominantly settler organization, we acknowledge our complicity in colonial violence through our continued occupation of these lands. Our work spans the traditional territories of hundreds of Nations. We are grateful for their stewardship, including ongoing resistance to the destruction of these lands. We believe that the realization of human rights and civil liberties can never be achieved until the Indigenous Peoples of these lands can be fully self-determined. In this spirit, we pledge to use our resources to oppose violations of the rights and freedoms of Indigenous people now and in the future.

The Annual Report is a publication of the BC Civil Liberties Association. Established in 1962, BCCLA is the oldest and most active civil liberties associations in Canada. Our mandate is to promote, defend, maintain, and extend civil liberties and human rights in British Columbia and Canada.

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