



Ontario
Home Builders'
Association

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Standing Committee on Justice Policy
MPP Shafiq Qaadri (Chair) / Tamara Pomanski (Clerk)
Room 1405, Whitney Block
Queen's Park, Toronto, ON
M7A 1A2

Re: Bill 52, Protection of Public Participation Act

The Ontario Home Builders' Association appreciates the opportunity to comment on the proposed *Protection of Public Participation Act* (Bill 52). The proposed legislation amends the *Courts of Justice Act* to create a process for getting a proceeding against a person dismissed if it is shown that the proceeding arises from an expression made by a person that relates to a matter of public interest.

Unlike when the Legislation was previously introduced, this Attorney General went out of her way to state, "But make no mistake: protecting freedom of expression and debate does not give anyone the right to unfairly attack an opponent in a public forum. Reputation is one of the most valuable assets a person or business can possess. That's why we've worked hard to develop a proposal that balances the interest of both plaintiffs and defendants." During debate on December 10, 2014 at Queen's Park, the Attorney General also stated, "**It does not create a so-called 'license to slander.'**" Instead, the bill aims to protect expression of matters of public interest. What the bill would do is let a court review lawsuits brought against such expression at an early stage. It would then be up to the court to decide whether the expression at issue is likely to cause serious harm. If so, the court may allow the lawsuit to continue in the normal course of litigation."

OHBA, could not agree with the Attorney General more, this piece of anti-SLAPP legislation cannot be a license to slander. Since the Legislation was originally introduced in the previous session of the legislative assembly, OHBA consistently communicated this message to the government and the Attorney General's office. OHBA believes that it is a hallmark of our society that people need to be able to participate in discourse, particularly on matters that impact their communities, so it should go without saying that people should be encouraged, not discouraged, from participating in issues that affect where they live and how they live. We are therefore supportive of the principles behind the legislation, but reiterate the Attorney General's words that protecting freedom of expression and debate does not give anyone the right to unfairly attack an opponent in a public forum.

OHBA appreciates the commitment by this government and the support of the opposition parties to improve the public policy framework and we look forward to continuing the ongoing constructive dialogue and the opportunity to work together.

Sincerely,

Joe Vaccaro
CEO
Ontario Home Builders' Association

c. Attorney General, Hon. Madeleine Meilleur