

August 9, 2023

CHP Canada Seeks Judicial Review Against City of Hamilton

Christian Heritage Party of Canada (CHP Canada) Files Notice of Application for Judicial Review with Ontario Superior Court of Justice (Divisional Court) against City of Hamilton

In response to the City of Hamilton's written decision to decline CHP Canada's ad poster on City owned bus shelters CHP Canada has successfully filed for Judicial Review of the Decision.

HAMILTON, ONTARIO – August 8, 2023 -- CHP Canada has launched a court challenge of the City's July 6, 2023 written decision to decline placement of CHP Canada's paid political ad on City of Hamilton Bus Shelters. The Ad image (attached) in question is a photo of a woman with the caption "Woman: An Adult Female. Bringing Respect for Life and Truth to Canadian Politics." The Ad further included CHP Canada's logo and contact information.

This is not the first time that CHP Canada has challenged the City of Hamilton on the Charter Right of Canadian political parties to post political ads in public space. In 2016, the City removed approved CHP Canada poster ads from their bus shelters without notice. Those ads contained the image of a male person beginning to push open a door marked 'LADIES SHOWERS' with the caption "Competing Human Rights. . . Where is the JUSTICE? Bringing Respect for Life and Justice to Canadian Politics." CHP Canada was successful in that case where the City's actions were unanimously rejected by a 3 judge panel. In their written decision the judges wrote:

[39] The right to free speech has been recognized as a fundamental ingredient to the proper functioning of democracy for hundreds of years. As a consequence, it has been protected by constitutions, laws, and courts across numerous jurisdictions. Conversely, a lack of free speech is a common attribute of dictatorships and tyrannical regimes.

The City's reasons for declining this new ad claim that the Ad endangers members of the transgender community, while simultaneously acknowledging that the Ad contains "a simple definition that can be found in most dictionaries."

CHP Canada has retained the law firm Acacia Group¹ as legal counsel for this case.

Details of this case will be posted as they develop at chp.ca.

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Footnotes

¹ acaciagroup.ca/