

Pages 1 through 4 redacted for the following reasons:

S12, S14

BILL 10 – 2001

PROTECTION OF PUBLIC PARTICIPATION ACT

Contents

Section

- 1 Definitions
- 2 Purposes of this Act
- 3 Defamation
- 4 Application for summary dismissal
- 5 Orders available to defendant
- 6 Onus on plaintiff at trial
- 7 Court may hear any evidence and argument
- 8 Disposition of security
- 9 Relief under this Act is in addition to other available relief
- 10 *Offence Act*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions

- 1 (1) In this Act:

“claim” means any claim for relief within a proceeding;

“defendant” means a person against whom a proceeding is brought or maintained;

“government body” means any level of government, and includes

- (a) any government body, within the meaning of the *Financial Administration Act*,
- (b) any body appointed or established by, or from which advice is requested by, the Provincial government, and any equivalent body of any other level of government, and
- (c) any local government body within the meaning of the *Freedom of Information and Protection of Privacy Act*;

“improper purpose” has the meaning set out in subsection (2);

“level of government” includes

- (a) the federal government,
- (b) the Provincial government,
- (c) the government of any other province or territory of Canada, and
- (d) the government of any municipality or regional district;

- (a) the plaintiff could have no reasonable expectation that the proceeding or claim will succeed at trial, and
- (b) a principal purpose for bringing the proceeding or claim is
 - (i) to dissuade the defendant from engaging in public participation,
 - (ii) to dissuade other persons from engaging in public participation,
 - (iii) to divert the defendant's resources from public participation to the proceeding, or
 - (iv) to penalize the defendant for engaging in public participation.

Purposes of this Act

2 The purposes of this Act are to

- (a) encourage public participation, and dissuade persons from bringing or maintaining proceedings or claims for an improper purpose, by providing
 - (i) an opportunity, at or before the trial of a proceeding, for a defendant to allege that, and for the court to consider whether, the proceeding or a claim within the proceeding is brought or maintained for an improper purpose,
 - (ii) a means by which a proceeding or claim that is brought or maintained for an improper purpose can be summarily dismissed,
 - (iii) a means by which persons who are subjected to a proceeding or a claim that is brought or maintained for an improper purpose may obtain reimbursement for all reasonable costs and expenses that they incur as a result,
 - (iv) a means by which punitive or exemplary damages may be imposed in respect of a proceeding or claim that is brought or maintained for an improper purpose, and
 - (v) protection from liability for defamation if the defamatory communication or conduct constitutes public participation, and
- (b) preserve the right of access to the courts for all proceedings and claims that are not brought or maintained for an improper purpose.

Defamation

- 3 Public participation constitutes an occasion of qualified privilege and, for that purpose, the communication or conduct that constitutes the public participation is deemed to be of interest to all persons who, directly or indirectly,
- (a) receive the communication, or
 - (b) witness the conduct.

Application for summary dismissal

- 4 (1) If a defendant against whom a proceeding is brought or maintained considers that the whole of the proceeding or any claim within the proceeding has been brought

- (3) If, on an application brought by a defendant under section 4 (1), the defendant is unable to satisfy the court under subsection (1) of this section, the defendant may obtain an order under subsection (4) if the defendant satisfies the court that there is a realistic possibility that, when viewed on an objective basis,
 - (a) the communication or conduct in respect of which the proceeding or claim was brought constitutes public participation, and
 - (b) a principal purpose for which the proceeding or claim was brought or maintained is an improper purpose.
- (4) If, on an application brought by a defendant under section 4 (1), the defendant satisfies the court as required in subsection (3) of this section in relation to the proceeding or a claim within the proceeding, the court may make the following orders:
 - (a) an order, on the terms and conditions that the court considers appropriate, that the plaintiff provide as security an amount that, in the court's opinion, will be sufficient to provide payment to the defendant of the full amounts of the reasonable costs and expenses and punitive or exemplary damages to which the defendant may become entitled under section 6;
 - (b) an order that any settlement, discontinuance or abandonment of the proceeding be effected with the approval of the court and on the terms the court considers appropriate.
- (5) On an application for the settlement, discontinuance or abandonment of a proceeding or claim in respect of which an order was made under subsection (4) (b), the court may, despite any agreement to the contrary between the defendant and the plaintiff, order the plaintiff to pay all of the reasonable costs and expenses incurred by the defendant in relation to the proceeding or claim, as the case may be, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding or claim.
- (6) If, in a proceeding in which the defendant has obtained an order under subsection (4), the defendant makes an application to dismiss the proceeding for want of prosecution, the defendant may obtain an order under subsection (7) of this section if
 - (a) the proceeding is dismissed for want of prosecution, and
 - (b) the plaintiff is unable to satisfy the court on the application that, when viewed on an objective basis,
 - (i) the communication or conduct in respect of which the proceeding was brought does not constitute public participation, or
 - (ii) none of the principal purposes for which the proceeding was brought or maintained were improper purposes.
- (7) If, under subsection (6), the defendant is entitled to obtain an order under this subsection, the defendant may obtain an order that the plaintiff pay all of the

Court may hear any evidence and argument

- 7 (1) Without limiting any other rights the parties may have to present evidence and make arguments in an application brought under section 4 (1) or at a trial under section 6 (1) or (2), the parties may present evidence and make arguments as follows:
- (a) as to whether the communication or conduct in relation to which the proceeding was brought constituted public participation;
 - (b) as to whether the proceeding was brought or is being maintained for an improper purpose.
- (2) The parties may present the evidence or make the arguments referred to in subsection (1) (a) and (b) whether or not the evidence or arguments relate to the particulars of the claim or claims raised by the plaintiff.

Disposition of security

- 8 (1) If a defendant succeeds under section 5 (7) in respect of a proceeding, the defendant may obtain an order that the reasonable costs and expenses to which the defendant is entitled under the order made under section 5 (7) be paid to the defendant out of any security provided by the plaintiff under section 5 (4).
- (2) If a defendant succeeds under section 6 (1) in respect of the whole of a proceeding, the defendant may obtain an order that the following amounts be paid to the defendant out of any security provided by the plaintiff under section 5 (4):
- (a) the reasonable costs and expenses to which the defendant is entitled under the order made under section 6 (1);
 - (b) any punitive or exemplary damages awarded to the defendant by the court.
- (3) If a defendant succeeds under section 6 (1) in respect of a claim brought as part of a proceeding, the defendant may obtain an order that the following amounts be paid to the defendant out of any security provided by the plaintiff under section 5 (4):
- (a) whichever of the following the court considers best gives effect to the purposes of this Act:
 - (i) the proportion of the reasonable costs and expenses referred to in subparagraph (ii) of this paragraph that the claim bears to the proceeding as a whole;
 - (ii) the reasonable costs and expenses incurred by the defendant in relation to the proceeding, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding;
 - (b) any punitive or exemplary damages awarded to the defendant by the court.
- (4) After the defendant receives payment of the money to which the defendant is entitled out of any security provided by the plaintiff under section 5 (4), any



GOVERNMENT POLICY AND COMMUNICATIONS OFFICE

4TH FLOOR, 617 GOVERNMENT STREET
PO BOX 9409, STN PROV GOVT
VICTORIA, BRITISH COLUMBIA V8W 9V1
PHONE: (250) 387-0924 FAX: (250) 387-6687

MEMORANDUM

DATE: March 8, 2001

TO: Linda Foubister
Health, Education and Social Policy

Claudia Wilimovsky
B.C. Communications

RE: Briefing Material for Draft Legislation

Attached are the briefing note and communications plan for the *Protection of Public Participation Act* (anti-SLAPP) priority draft legislation, submitted by the Ministry of Attorney General, for your review.

Please provide Gregg Burkinshaw with written comments by Friday, March 9th, to prepare for the next meeting of the Deputy Ministers' Committee on Legislation. You are welcome to discuss the attached with Gregg; however, to prevent duplication of work, please do not contact Ministries directly.

Shred these documents when their purpose has been served, and ensure their security in the meantime.

Sandy Evans, Legislative Officer
Strategic Management and Legislation

Attachments

cc: Ann Marr-Paine, A/Director
Health, Education and Social Policy

Pages 10 through 28 redacted for the following reasons:

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MEMORANDUM

DATE: February 8, 2001

TO: Linda Foubister
Health, Education and Social Policy

Claudia Wilimovsky
B.C. Communications

RE: Status Report for DMCL

Attached is the status report on the ~~Recreation of Public Participation Act~~ priority legislation, submitted by the Ministry of Attorney General, for your review.

Please provide Gregg Burkinshaw with written comments by Friday, February 9th, to prepare for the next meeting of the Deputy Ministers' Committee on Legislation. You are welcome to discuss the attached with Gregg; however, to prevent duplication of work, please do not contact Ministries directly.

Shred this document when its purpose has been served, and ensure its security in the meantime.

Sandy Evans, Legislative Officer
Strategic Management and Legislation

Attachment

cc: Ann Marr-Paine, A/Director
Health, Education and Social Policy

Pages 30 through 47 redacted for the following reasons:

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2000 Legislative Session: 4th Session, 36th Parliament
FIRST READING

The following electronic version is for informational purposes only.
The printed version remains the official version.

HONOURABLE ANDREW PETTER
ATTORNEY GENERAL AND MINISTER
RESPONSIBLE FOR HUMAN RIGHTS

BILL 29 — 2000

PROTECTION OF PUBLIC PARTICIPATION ACT

Contents

Section

- 1 Definitions
- 2 Protected communications and conduct
- 3 Application to dismiss
- 4 Onus on plaintiff
- 5 Remedies on application to dismiss
- 6 Relief under this Act is in addition to other available relief
- 7 Offence Act
- 8 Commencement

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions

1 In this Act:

"**defendant**" means a person against whom a proceeding is brought or maintained;

"**government body**" means any level of government, and includes

(a) any government body, within the meaning of the *Financial Administration Act*, or any body appointed or established by, or from which advice is requested by, the Provincial government, and

(b) any equivalent body of any other level of government;

"**level of government**" includes

(a) the federal government,

- (b) the Provincial government,
- (c) the government of any other province or territory of Canada, and
- (d) the government of any municipality or regional district;

"plaintiff" means a person who initiates or maintains a proceeding against a defendant;

"proceeding" means any action, suit, matter, cause, counterclaim, appeal or originating application brought in any court.

Protected communications and conduct

2 (1) Subject to subsection (2), a person may make any communication or engage in any conduct if the communication or conduct is genuinely aimed at promoting or furthering lawful action by the public or by any government body in relation to an issue of public interest.

(2) Communication or conduct is not protected under subsection (1) if the communication or conduct

- (a) resulted in damage to or destruction of property,
- (b) resulted in physical injury,
- (c) was in breach of any law or any order of any court, or
- (d) is considered by a court to be an unwarranted interference with the rights or property of any person.

(3) No proceeding lies, for damages or otherwise, against any person for any communication or conduct protected under this section.

Application to dismiss

3 (1) If a defendant against whom a proceeding is brought or maintained considers that the proceeding contravenes section 2 (3), the defendant may, no later than 60 days before the date scheduled for the hearing of the trial of the proceeding, bring an application to dismiss the proceeding.

(2) If an application is brought under subsection (1), all further applications, procedures or other steps in the proceeding are, unless the court otherwise orders, suspended until the application has been heard and decided.

Onus on plaintiff

4 If, in an application brought under section 3, the court is satisfied, on whatever evidence the court considers appropriate, that the proceeding is one to which section 2 (3) might apply, section 5 applies unless the plaintiff satisfies the court, on whatever evidence the court considers appropriate, that

- (a) the proceeding is not one to which section 2 (3) applies, or
- (b) the plaintiff has a reasonable possibility of proving at the hearing of the proceeding that the proceeding is not one to which section 2 (3) applies.

Remedies on application to dismiss

5 (1) If, on an application referred to in section 4, the plaintiff does not satisfy the court under section 4 (a) or (b),

(a) the defendant may obtain an order

(i) dismissing the proceeding, and

(ii) ordering the plaintiff to pay all of the reasonable costs and expenses incurred by the defendant, including all of the defendant's reasonable legal fees and disbursements, in defending the proceeding, in bringing the application and in realizing on any order made under this paragraph and paragraph (b), and

(b) the court may, in addition to the costs and expenses referred to in paragraph (a) (ii), on its own motion or on the application of the defendant, award punitive or exemplary damages against the plaintiff.

(2) If, after the trial of any proceeding that was not dismissed under subsection (1) (a) (i), the court is satisfied, on whatever evidence the court considers appropriate, that the proceeding is one to which section 2 (3) applies, the defendant in that proceeding may obtain the orders referred to in subsection (1) of this section.

Relief under this Act is in addition to other available relief

6 Nothing in this Act limits or restricts the rights available to a defendant under any Act or any rule of any court.

Offence Act

7 Section 5 of the *Offence Act* does not apply to this Act.

Commencement

8 This Act comes into force by regulation of the Lieutenant Governor in Council.

Explanatory Note

This Act protects persons from being subjected to lawsuits that would stifle their ability to promote, in the public interest, action by the public or by any level of government. Provision is made in this Act for such lawsuits to be dismissed at an early stage, for defendants subjected to such suits to be indemnified for the costs they incur in responding to those proceedings and for the court to award additional damages to those defendants in appropriate circumstances.

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MINUTES

LEGISLATIVE REVIEW COMMITTEE

July 12, 2001

MEMBERS PRESENT:

Honourable Geoff Plant, Chair
Honourable George Abbott, Minister
Honourable Sindi Hawkins, Minister
Susan Brice, MLA Saanich South
Ida Chong, MLA Oak Bay-Gordon Head
Walter Cobb, MLA Cariboo South
Barry Penner, MLA Chilliwack-Kent
Ralph Sultan, MLA West Vancouver-Capilano

Attorney General
Community, Aboriginal and Women's Services
Health Planning
Chair, GCC on Health
Chair, GCC on Government Operations
Chair, GCC on Natural Resources
Chair, GCC on Communities and Safety
Chair, GCC on Economy

MEMBERS ABSENT:

Kevin Krueger, MLA Kamloops-North Thompson

Member, GCC on Government Operations

GUEST MINISTERS:

Honourable Rich Coleman
Honourable Graham Bruce

Management Services (First Acting Minister)
Skills Development and Labour

OFFICIALS PRESENT:

G. Burkinshaw (*Secretary*), S. Evans
M. Brown, K. Dawson
B. Greer, R. Adamson, K. Downing


Cabinet Operations Legislation Branch
Office of the Premier
Legislative Counsel

Not Responsive

Not Responsive

S12

Not Responsive


Geoff Plant, Chair
Legislative Review Committee



CABINET OPERATIONS

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MEMORANDUM

STRICTLY CONFIDENTIAL - NOTICE OF MEETING

To: Members of the Legislative Review Committee

July 11, 2001

Thursday, July 12, 2001 - 9:00 a.m. to 11:00 a.m.
Cabinet Chambers, West Annex, Parliament Buildings

Not Responsive

4. *Ministry of Attorney General*

Hon. Plant 9:45

Not Responsive

b) *High Priority Draft Legislation - Protection of Public Participation Act*

Not Responsive

Gregg Burkinshaw, Secretary
Legislative Review Committee

Attachments

CABINET MINUTES

July 4, 2001

Members Present:	Honourable Gordon Campbell	(PREM)
	Honourable George Abbott	(CA&WS)
	Honourable Bill Barisoff	(PR)
	Honourable Shirley Bond	(AE)
	Honourable Graham Bruce	(SD&L)
	Honourable Gulzar Cheema	(MoSMH)
	Honourable Christy Clark	(MOE)
	Honourable Murray Coell	(HR)
	Honourable Rich Coleman	(PS&SG)
	Honourable Gary Collins	(FCR)
	Honourable Mike de Jong	(MOF)
	Honourable Kevin Falcon	(MoSD)
	Honourable Stan Hagen	(SRM)
	Honourable Greg Halsey-Brandt	(MoSIGR)
	Honourable Colin Hansen	(HS)
	Honourable Sindi Hawkins	(HP)
	Honourable Gordon Hogg	(CFD)
	Honourable Joyce Murray	(WL&AP)
	Honourable Ted Nebbeling	(MoSCC)
	Honourable Richard Neufeld	(EM)
	Honourable Geoff Plant	(AG)
	Honourable Judith Reid	(MOT)
	Honourable Linda Reid	(MoSECD)
	Honourable Sandy Santori	(MS)
	Honourable Lynn Stephens	(MoSWE)
	Honourable Rick Thorpe	(CSE)
	Honourable John van Dongen	(AFF)
	Honourable Katherine Whittred	(MoSIL&HC)

A. CABINET MINUTES:

1. Minutes of Previous Meetings:

- June 20 and 27, 2001

June 20th and 27th were deferred to July 11th meeting of Cabinet.

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JUN 27 2001

Kathryn Dawson
Assistant Deputy Minister
Cabinet and Committee Support
Office of the Premier

RECEIVED

JUN 27 2001

LÉGISLATION


Attention: Gregg Burkinshaw

Re: Legislative Initiatives for the Ministry of Attorney General

Please find enclosed signed copies of the legislative initiatives for the following legislation for Cabinet approval:

- Repeal of the Protection of Public Participation Act
-
-
-
- Not Responsive
-
-

Thank you for your attention to this matter.



Geoff Plant
Attorney General

Enclosure

cc: Carol Whitehouse



CABINET OPERATIONS LEGISLATION BRANCH

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MEMORANDUM

CONFIDENTIAL

DATE: July 16, 2001

TO: Honourable Geoff Plant
Attorney General

RE: Summer 2001 Legislative Program

At its meeting on July 12, 2001, the Legislative Review Committee reviewed the following:

- Not Responsive
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The committee approved draft legislation for introduction in the Summer 2001 Session.

Gregg Burkinshaw, Secretary
Legislative Review Committee

cc: Gillian Wallace, QC, Deputy Attorney General
Carol Whitehouse, Senior Policy Analyst
Brian Greer, QC, Chief Legislative Counsel

MINUTES

DEPUTY MINISTERS' COMMITTEE ON LEGISLATION

February 20, 2001

MEMBERS PRESENT:

Jack Ebbels, A/Chair
John Heaney
Gillian Wallace

Energy and Mines
Government Policy and Communications Office
Attorney General

MEMBERS ABSENT:

Gerry Armstrong
Cassie Doyle
Liz Gilliland
Val Mitchell
Tony Penikett
Blair Redlin
Charles Ungerleider
Suzanne Veit

Advanced Education, Training and Technology
B.C. Assets and Land Corporation
Women's Equality
Multiculturalism and Immigration
Labour
B.C. Transportation Financing Authority
Education
Municipal Affairs

OFFICIALS PRESENT:

G. Burkinshaw (*Secretary*), S. Evans
B. Greer
D. Hull, B. Littler
D. Matviw
K. Speck
D. Thompson, R. Hunter, L. Alexander,
M. Rankin, M. Pollard, R. Easton
A. Hazlewood, K. Johnston, B. Smith
P. Bailey, A. McFarlane, A. Moyes, M. Sidhu

Government Policy and Communications Office
Legislative Counsel
Advanced Education, Training and Technology
Agriculture, Food and Fisheries
Attorney General
Environment, Lands and Parks
Environment, Lands and Parks
Health
Health

GUEST:

E. Davies

Legislative Counsel Articling Student

Not Responsive

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Not Responsive

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Not Responsive

MINUTES

DEPUTY MINISTERS' COMMITTEE ON LEGISLATION

February 13, 2001

MEMBERS PRESENT:

Gerry Armstrong, Chair
Jack Ebbels
John Heaney
Val Mitchell
Tony Penikett
Blair Redlin,
Charles Ungerleider
Gillian Wallace

Advanced Education, Training and Technology
Energy and Mines
Government Policy and Communications Office
Multiculturalism and Immigration
Labour
B.C. Transportation Financing Authority
Education
Attorney General

MEMBERS ABSENT:

Liz Gilliland
Cassie Doyle
Suzanne Veit

Women's Equality
B.C. Assets and Land Corporation
Municipal Affairs

OFFICIALS PRESENT:

G. Burkinshaw (*Secretary*), S. Evans
B. Greer
K. Speck, C. Whitehouse, S. Christie
J. Chalke
A. Moyes, B. Moncur
J. Rossley, P. Stanton

Government Policy and Communications Office
Legislative Counsel
Attorney General
Office of the Public Trustee
Health
Labour

GUESTS:

W. Jackson
A. Chan

Legislative Counsel Articling Student
Legislative Intern, Ministry of Education

Not Responsive

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Not Responsive

MINUTES

DEPUTY MINISTERS' COMMITTEE ON LEGISLATION

March 13, 2001

MEMBERS PRESENT:

Charles Ungerleider, A/Chair
Liz Gilliland
John Heaney
Tony Penikett
Blair Redlin
Gillian Wallace

Education
Women's Equality
Government Policy and Communications Office
Labour
B.C. Transportation Financing Authority
Attorney General

MEMBERS ABSENT:

Gerry Armstrong
Cassie Doyle
Jack Ebbels
Val Mitchell
Suzanne Veit

Advanced Education, Training and Technology
B.C. Assets and Land Corporation
Energy and Mines
Multiculturalism and Immigration
Municipal Affairs

OFFICIALS PRESENT:

G. Burkinshaw (*Secretary*), S. Evans
B. Greer, J. Erasmus
D. Hull, H. Hitchman
A. Ratel, C. Whitehouse, K. McLean
D. Thompson, R. Easton, R. Hunter
K. Baker, L. Alexander
A. Hazlewood, K. Johnston
J. Rossley
A. Wharton, M. Audley, K. Langereis

Government Policy and Communications Office
Legislative Counsel
Advanced Education, Training and Technology
Attorney General
Environment, Lands and Parks
Green Economy Secretariat
Health
Labour
Social Development and Economic Security

Not Responsive

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Not Responsive

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Attorney General

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PROTECTION OF PUBLIC PARTICIPATION ACT

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- 10 *Offence Act*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions

- 1 (1) In this Act:

“**claim**” means any claim for relief within a proceeding;

“**defendant**” means a person against whom a proceeding is brought or maintained;

“**government body**” means any level of government, and includes

- (a) any government body, within the meaning of the *Financial Administration Act*,
- (b) any body appointed or established by, or from which advice is requested by, the Provincial government, and any equivalent body of any other level of government, and
- (c) any local government body within the meaning of the *Freedom of Information and Protection of Privacy Act*;

“**improper purpose**” has the meaning set out in subsection (2);

“**level of government**” includes

- (a) the federal government,
- (b) the Provincial government,
- (c) the government of any other province or territory of Canada, and
- (d) the government of any municipality or regional district;

“plaintiff” means a person who initiates or maintains a proceeding against a defendant;

“proceeding” means any action, suit, matter, cause, counterclaim, appeal or originating application that is brought in the Supreme Court or the Provincial Court, but does not include a prosecution for an offence or a crime;

“public participation” means communication or conduct aimed at influencing public opinion, or promoting or furthering lawful action by the public or by any government body, in relation to an issue of public interest, but does not include communication or conduct

- (a) in respect of which an information has been laid or an indictment has been preferred in a prosecution conducted by the Attorney General or the Attorney General of Canada or in which the Attorney General or the Attorney General of Canada intervenes,
- (b) that constitutes a breach of the *Human Rights Code* or any equivalent enactment of any other level of government,
- (c) that contravenes any order of any court,
- (d) that causes damage to or destruction of real property or personal property,
- (e) that causes physical injury,
- (f) that constitutes trespass to real or personal property, or
- (g) that is otherwise considered by a court to be unlawful or an unwarranted interference by the defendant with the rights or property of a person;

“reasonable costs and expenses”, in relation to a proceeding or claim, means costs and expenses that

- (a) have been agreed on between the plaintiff and the defendant, or
- (b) if no agreement has been reached, consist of the following:
 - (i) the amount of legal fees and disbursements that are, in a review conducted under section 70 of the *Legal Profession Act* after the conclusion of the proceeding, determined to be owing by the defendant to the defendant’s lawyers for all matters related to the proceeding or claim, as the case may be, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding or claim, and for the purposes of the review under this subparagraph, the plaintiff is deemed to be, and to have standing to appear at the review as, a person charged within the meaning of the *Legal Profession Act*;
 - (ii) any other costs and expenses that the registrar conducting the review considers to be reasonably incurred by the defendant in relation to the proceeding or claim.

(2) A proceeding or claim is brought or maintained for an improper purpose if

- (a) the plaintiff could have no reasonable expectation that the proceeding or claim will succeed at trial, and
- (b) a principal purpose for bringing the proceeding or claim is
 - (i) to dissuade the defendant from engaging in public participation,
 - (ii) to dissuade other persons from engaging in public participation,
 - (iii) to divert the defendant's resources from public participation to the proceeding, or
 - (iv) to penalize the defendant for engaging in public participation.

Purposes of this Act

2 The purposes of this Act are to

- (a) encourage public participation, and dissuade persons from bringing or maintaining proceedings or claims for an improper purpose, by providing
 - (i) an opportunity, at or before the trial of a proceeding, for a defendant to allege that, and for the court to consider whether, the proceeding or a claim within the proceeding is brought or maintained for an improper purpose,
 - (ii) a means by which a proceeding or claim that is brought or maintained for an improper purpose can be summarily dismissed,
 - (iii) a means by which persons who are subjected to a proceeding or a claim that is brought or maintained for an improper purpose may obtain reimbursement for all reasonable costs and expenses that they incur as a result,
 - (iv) a means by which punitive or exemplary damages may be imposed in respect of a proceeding or claim that is brought or maintained for an improper purpose, and
 - (v) protection from liability for defamation if the defamatory communication or conduct constitutes public participation, and
- (b) preserve the right of access to the courts for all proceedings and claims that are not brought or maintained for an improper purpose.

Defamation

- 3 Public participation constitutes an occasion of qualified privilege and, for that purpose, the communication or conduct that constitutes the public participation is deemed to be of interest to all persons who, directly or indirectly,
- (a) receive the communication, or
 - (b) witness the conduct.

Application for summary dismissal

- 4 (1) If a defendant against whom a proceeding is brought or maintained considers that the whole of the proceeding or any claim within the proceeding has been brought

or is being maintained for an improper purpose, the defendant may, subject to subsection (2), bring an application for one or more of the following orders:

- (a) to dismiss the proceeding or claim, as the case may be;
 - (b) for reasonable costs and expenses;
 - (c) for punitive or exemplary damages against the plaintiff.
- (2) If an application is brought under subsection (1),
- (a) the applicant must set, as the date for the hearing of the application, a date that is
 - (i) not more than 60 days after the date on which the application is brought, and
 - (ii) not less than 120 days before the date scheduled for the trial of the proceeding, and
 - (b) all further applications, procedures or other steps in the proceeding are, unless the court otherwise orders, suspended until the application has been heard and decided.
- (3) Nothing in subsection (2) (b) prevents the court from granting an injunction pending a determination of the rights under this Act of the parties to a proceeding.

Orders available to defendant

- 5 (1) On an application brought by a defendant under section 4 (1), the defendant may obtain an order under subsection (2) of this section if the defendant satisfies the court, on a balance of probabilities, that, when viewed on an objective basis,
- (a) the communication or conduct in respect of which the proceeding or claim was brought constitutes public participation, and
 - (b) a principal purpose for which the proceeding or claim was brought or maintained is an improper purpose.
- (2) If, on an application brought by a defendant under section 4 (1), the defendant satisfies the court under subsection (1) of this section in relation to the proceeding or in relation to a claim within the proceeding,
- (a) the defendant may obtain one or both of the following orders:
 - (i) an order dismissing the proceeding or claim, as the case may be;
 - (ii) an order that the plaintiff pay all of the reasonable costs and expenses incurred by the defendant in relation to the proceeding or claim, as the case may be, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding or claim, and
 - (b) the court may, in addition to the orders referred to in paragraph (a), on its own motion or on the application of the defendant, award punitive or exemplary damages against the plaintiff.

- (3) If, on an application brought by a defendant under section 4 (1), the defendant is unable to satisfy the court under subsection (1) of this section, the defendant may obtain an order under subsection (4) if the defendant satisfies the court that there is a realistic possibility that, when viewed on an objective basis,
 - (a) the communication or conduct in respect of which the proceeding or claim was brought constitutes public participation, and
 - (b) a principal purpose for which the proceeding or claim was brought or maintained is an improper purpose.
- (4) If, on an application brought by a defendant under section 4 (1), the defendant satisfies the court as required in subsection (3) of this section in relation to the proceeding or a claim within the proceeding, the court may make the following orders:
 - (a) an order, on the terms and conditions that the court considers appropriate, that the plaintiff provide as security an amount that, in the court's opinion, will be sufficient to provide payment to the defendant of the full amounts of the reasonable costs and expenses and punitive or exemplary damages to which the defendant may become entitled under section 6;
 - (b) an order that any settlement, discontinuance or abandonment of the proceeding be effected with the approval of the court and on the terms the court considers appropriate.
- (5) On an application for the settlement, discontinuance or abandonment of a proceeding or claim in respect of which an order was made under subsection (4) (b), the court may, despite any agreement to the contrary between the defendant and the plaintiff, order the plaintiff to pay all of the reasonable costs and expenses incurred by the defendant in relation to the proceeding or claim, as the case may be, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding or claim.
- (6) If, in a proceeding in which the defendant has obtained an order under subsection (4), the defendant makes an application to dismiss the proceeding for want of prosecution, the defendant may obtain an order under subsection (7) of this section if
 - (a) the proceeding is dismissed for want of prosecution, and
 - (b) the plaintiff is unable to satisfy the court on the application that, when viewed on an objective basis,
 - (i) the communication or conduct in respect of which the proceeding was brought does not constitute public participation, or
 - (ii) none of the principal purposes for which the proceeding was brought or maintained were improper purposes.
- (7) If, under subsection (6), the defendant is entitled to obtain an order under this subsection, the defendant may obtain an order that the plaintiff pay all of the

reasonable costs and expenses incurred by the defendant in relation to the proceeding, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding.

Onus on plaintiff at trial

- 6 (1) A defendant who has obtained an order under section 5 (4) in respect of a proceeding or claim may, at the trial of the proceeding, obtain one or more of the orders referred to in section 5 (2) if
- (a) the defendant alleges at trial that
 - (i) the communication or conduct in respect of which the proceeding or claim was brought constitutes public participation, and
 - (ii) the proceeding or claim was brought or maintained for an improper purpose,
 - (b) the proceeding or claim is discontinued or abandoned by the plaintiff or is dismissed, and
 - (c) the plaintiff is unable to satisfy the court at trial that, when viewed on an objective basis,
 - (i) the communication or conduct in respect of which the proceeding or claim was brought does not constitute public participation, or
 - (ii) none of the principal purposes for which the proceeding or claim was brought or maintained were improper purposes.
- (2) A defendant who has not obtained an order under section 5 (4) may, at the trial of the proceeding, obtain one or more of the orders referred to in section 5 (2) if
- (a) the defendant gives notice to the plaintiff, at least 120 days before the date scheduled for the trial of the proceeding, that the defendant intends at trial to seek an order under this section in respect of a proceeding or claim,
 - (b) the defendant satisfies the court at trial that there is a realistic possibility that, when viewed on an objective basis,
 - (i) the communication or conduct in respect of which the proceeding or claim was brought constitutes public participation, and
 - (ii) a principal purpose for which the proceeding or claim was brought or maintained is an improper purpose,
 - (c) the proceeding or claim is discontinued or abandoned by the plaintiff or is dismissed, and
 - (d) the plaintiff is unable to satisfy the court at trial that, when viewed on an objective basis,
 - (i) the communication or conduct in respect of which the proceeding or claim was brought does not constitute public participation, or
 - (ii) none of the principal purposes for which the proceeding or claim was brought or maintained were improper purposes.

Court may hear any evidence and argument

- 7 (1) Without limiting any other rights the parties may have to present evidence and make arguments in an application brought under section 4 (1) or at a trial under section 6 (1) or (2), the parties may present evidence and make arguments as follows:
- (a) as to whether the communication or conduct in relation to which the proceeding was brought constituted public participation;
 - (b) as to whether the proceeding was brought or is being maintained for an improper purpose.
- (2) The parties may present the evidence or make the arguments referred to in subsection (1) (a) and (b) whether or not the evidence or arguments relate to the particulars of the claim or claims raised by the plaintiff.

Disposition of security

- 8 (1) If a defendant succeeds under section 5 (7) in respect of a proceeding, the defendant may obtain an order that the reasonable costs and expenses to which the defendant is entitled under the order made under section 5 (7) be paid to the defendant out of any security provided by the plaintiff under section 5 (4).
- (2) If a defendant succeeds under section 6 (1) in respect of the whole of a proceeding, the defendant may obtain an order that the following amounts be paid to the defendant out of any security provided by the plaintiff under section 5 (4):
- (a) the reasonable costs and expenses to which the defendant is entitled under the order made under section 6 (1);
 - (b) any punitive or exemplary damages awarded to the defendant by the court.
- (3) If a defendant succeeds under section 6 (1) in respect of a claim brought as part of a proceeding, the defendant may obtain an order that the following amounts be paid to the defendant out of any security provided by the plaintiff under section 5 (4):
- (a) whichever of the following the court considers best gives effect to the purposes of this Act:
 - (i) the proportion of the reasonable costs and expenses referred to in subparagraph (ii) of this paragraph that the claim bears to the proceeding as a whole;
 - (ii) the reasonable costs and expenses incurred by the defendant in relation to the proceeding, including all of the reasonable costs and expenses incurred by the defendant in pursuing rights or remedies available under or contemplated by this Act in relation to the proceeding;
 - (b) any punitive or exemplary damages awarded to the defendant by the court.
- (4) After the defendant receives payment of the money to which the defendant is entitled out of any security provided by the plaintiff under section 5 (4), any

portion of that security that is not provided to the defendant under this section, including any interest that has accrued on that money, must be returned to the plaintiff.

Relief under this Act is in addition to other available relief

- 9 Nothing in this Act limits or restricts the rights available to a plaintiff or defendant under any Act or any rule of any court.

Offence Act

- 10 Section 5 of the *Offence Act* does not apply to this Act.

-----Original Message-----

From: Gordon.Campbell.MLA@leg.bc.ca
[mailto:Gordon.Campbell.MLA@leg.bc.ca]
Sent: Thursday, November 29, 2001 9:36 AM
To: premier@gov.bc.ca
Subject: FW: Two of my concerns

-----Original Message-----

From: S22
Sent: Thursday, November 29, 2001 8:31 AM
To: Campbell.MLA, Gordon; Brice.MLA, Susan
Subject: Two of my concerns

I have been meaning to 'write' to the two of you concerning concerns I have over two of the actions taken by the provincial government over the course of the last few months.

First of all, you should be aware that I voted for you (Susan Brice) willingly as I was very pleased to see you file for Saanich South. I can not, however, say the same thing for the liberal party as led by Gordon Campbell. While I didn't believe all of the pro-business hype circulated by the NDP and others I am beginning to have some serious questions about that aspect as my first concern will show.

I really question the motives behind the current government's action in rescinding what was known as the "anti-SLAP" legislation. While it may well be true that there are other pieces of legislation that provide the same safeguards to community residents, all I have ever seen are those assurances - I have never seen a detailed description of exactly what pieces of existing legislation provide these. Further, even given that these pieces of legislation do exist I question what is really gained by the community residents by rescinding the anti-SLAP legislation. What, other than the fact that there was some form of duplication of legislation, was the problem in leaving that legislation in force? Finally, I wonder why this removal was so high on your priority list that it warranted action before such things as corrective action to such areas as health care and education. This removal certainly seems to only benefit property developers and others who wish to proceed with plans that are contrary to what the local residents desire. I think you get my drift on this matter - it was an unnecessary action that looks like catering to big business at the expense of the community residents.

Not Responsive

Not Responsive

S22

-----Original Message-----

From: Office of the Premier PREM:EX

Sent: December 19, 2001 3:37 PM

To: S22

Subject: RE: Two of my concerns

Dear S22

Thank you for your email regarding the anti-SLAPP (Strategic Lawsuits Against Public Participation) legislation and funding for nurses' salaries.

The decision to repeal the anti-SLAPP legislation was made because my government believes that our law already has provisions in place to protect the rights of people against frivolous and vexatious litigation, and because the processes contemplated by this Act are simply unreasonably burdensome and complicated.

Not Responsive

The changes we have announced recently reflect our commitment to restoring confidence in British Columbia. We are identifying the efficiencies and inefficiencies, and we are entering into a New Era of responsible and accountable decision-making on behalf of all British Columbians.

I appreciate the time you have taken to make me aware of your concerns.

Sincerely,

Gordon Campbell
Premier

From: S22
Sent: Saturday, June 4, 2011 9:26 AM
To: christy@christyclark.ca
Subject: SLAPP Suits

Dear Premier Christy Clark,
I am imploring you to review the previous decision to repeal legislation against S.L.A.P. suits.

S22

S22 In 2001 when the liberals repealed the new law after a short 5 months Geoff Plant was quoted as saying "the legislation was unnecessary, given that judges already had the ability to summarily dismiss lawsuits deemed frivolous" and now he is clearly hooked up with big business to issue them.

I will provide you with a little bit of background. In December 2009 the proponent of a large composting facility came into our community S22 and has bullied their way around. The residents of the S22 have been asked to trust and respect the proponent, yet they have done nothing to garner that trust or respect. They would suggest to you that the opponents are but a few; however on May 30, 2011 MLA Harry Lali read a petition in the legislature with 494 signatures asking for amoritorium until an impact study was completed. Residents want a Environmental Impact Study however under the current Ministry of Environment OMRR it is not necessary, they have applied for S22 tonnes, a mere 5% below where an Impact Study would be necessary. Our concerns are for damage to our area's eco-system that cannot be reversed after the fact. This is a big issue for a small community who believes in composting and organics, but not at the cost of our Valley.

S22 have been SLAPP'd for simply having an opinion. The the allegation made in both these suits are outrageous and completely fabricated however because of these suites the company has managed to stifle many community members. I have never heard so many people say "I can't I am afraid of being sued." These suits are not only costly for the defendants and the courts; they are a complete waste of our court system and should be considered frivolous.

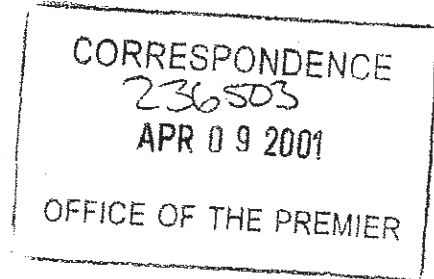
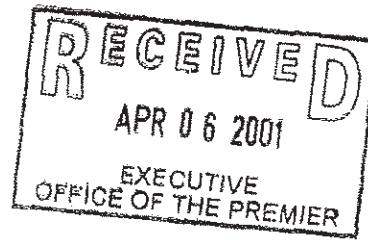
I ask you to re-enact this legislation for the people of British Columbia.

Yours truly,

S22

April 5, 2001

Honourable Ujjal
Dosanjh: Ujjal.Dosanjh.Office@leg.bc.ca
Fax: 387-0087.



Dear Premier Dosanjh:

I wish to congratulate you on passing the anti-SLAPP legislation today. Many people are suffering because of lawsuits against them.

We sincerely hope that this legislation will correct many injustices.

I respectfully request that royal assent to the anti-SLAPP legislation be done immediately. Many individuals are affected by SLAPP suits and are waiting for this legislation to take effect.

Thank you again for passing this legislation.

Sincerely,

Grant, Damian T PREM:EX

From: webmanagerBCIS@gems8.gov.bc.ca
Sent: Sunday, April 08, 2001 2:51 PM
To: premier@gov.bc.ca
Subject: Premier's Page Internet Feedback Submitted - Reply to: S22

name1:

S22

postalCode:

S22

address1:

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city:

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province:

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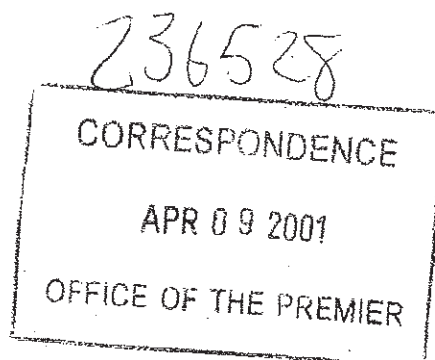
email:

S22

message:

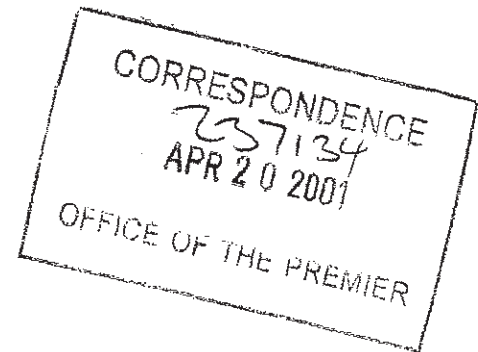
I'm an old NDP'er who's been vacillating lately (not that there's anybody else to vote for) but I've been brought back into the fold by your proposed anti-SLAPP legislation. Thank you and congratulations! I'd like to think that your amiable relationship with Ottawa might be used to dissuade DFAIT from the worst excesses of the FTAA and the support of a serious reassessment of Canada's acceptance of Chapter 11 of NAFTA.

I'm a verry worried guy who's losing sleep over the inevitable loss of sovereignty and human rights resulting from Canada's flirtation with "free trade". I think that we all now know for whom it's free.



April 9, 2001

Members of the British Columbia Legislature
Parliament Buildings
Victoria, BC



Re: Protection of Public Participation Act (Bill 10)

The article by Chris Tollefson, University of Victoria Faculty of Law, in the Wednesday April 4, 2001 edition of the Times Colonist awakened me again to the importance of anti-SLAPP legislation. The SLAPP's (Strategic Lawsuits Against Public Participation) are more than a threat to lawful citizen participation and activism. These pieces of legislation strike at the heart and soul of the individual and society.

For years, on the editorial page of the Globe & Mail one reads "the subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures." - Junius. This is an ancient wisdom. It still holds. If we are going to be whole and healthy human beings, and live in a health promoting society, we hold the right to object and to civil disobedience, where necessary. Any legislation which penalizes the person who says "no" to what he or she objects to, is a gun at the head of the citizen.

Not only should there be anti-SLAPP legislation, but it is time for updating existing legislation giving the citizenry the right to recall and to initiative. The current legislation makes it impossible for citizens to voice objection. Whoever drafted the numbers, was not interested in citizen participation.

A look at more proven-to-be workable models on direct democracy in Switzerland and the states of Washington and Oregon could result in the drafting of legislation which truly empowers citizens to voice objection. This would negate necessity for civil disobedience.

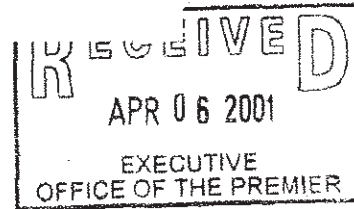
In the meantime, please act on behalf of citizens in BC society by supporting the proposed anti-SLAPP legislation.

Respectfully submitted.

S22

April 6, 2001

Premier Ujjal Dosanjh
Parliament Buildings
Victoria, BC V8V 1X4



Fax: 250-387-0087

The Honourable Premier Ujjal Dosanjh,

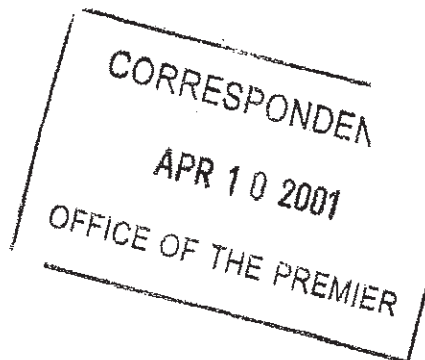
Warmest congratulations for initiating and passing the anti-SLAPP legislation. For far too long some industrial concerns have used the justice system for unjust ends. It's taken a long time for government to recognize the profound inequities and the injury done citizens in their regard for the court and for equal justice under law.

I wish that your environmental policies of the past years could have reflected the color of change and concern that now characterizes your government's policies. It may well be too late in the S22 as just about everyone I know has come to despise Evans for his deceits and folksy arrogance. In this connection, the only thing that might make a difference is a water protection act that keeps logging out of headwaters, but that prospect is unlikely if the draft legislation is passed as first circulated.

Notwithstanding, the SLAPP legislation, the Rainforest Agreement, these are achievements which put some shine on a much tarnished political party and for that, warmest appreciation.

Sincerely,

S22



S12

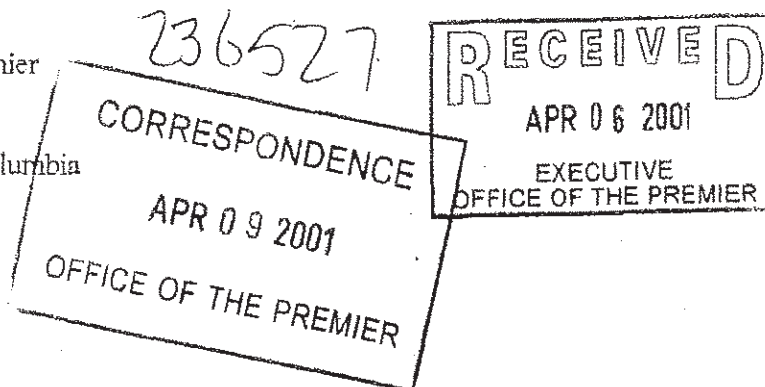
S22

S22

Phone
Fax

S22

April 05, 2001
The Office of the Premier
Legislative Buildings
Province of British Columbia
Victoria, BC.



Dear Premier Dosanjh,

We wish to congratulate you and your Government for passing anti-SLAPP legislation in the house today. This initiative is truly a landmark decision for not only British Columbians, but all Canadians.

We are proud to live in a Province whose Government has the courage to move forward with legislation that will protect honest citizens from this kind of abuse.

It is our fervent prayer that many good people will now be vindicated by this stand.

We ask that "royal assent" be enacted to strengthen this timely legislation, as too many reasonable people have had their lives ruined by unscrupulous individuals who abuse the system to advance their cause.

The importance of this legislation will lie in its immediate enactment, we therefore request that you and your Government will move it towards that end.

We are most appreciative and very grateful for this decision.

Yours in solidarity,

S22

FACSIMILE COVER PAGE**To :** Honourable Ujjal Dosanjh**From :** S22**Sent :** 4/11/01 at 10:46:58 AM**Pages :** 1 (including Cover)**Subject** anti-SLAPP legislation

The Honourable Ujjal Dosanjh
Ujjal.Dosanjh.Office@leg.bc.ca
fax: 387-0087.

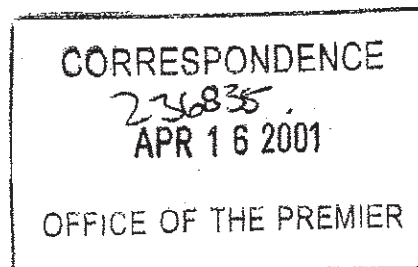
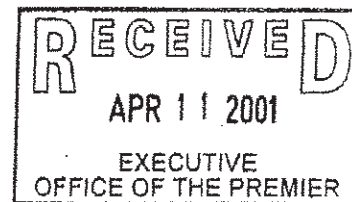
Dear Honourable Dosanjh,

I wish to congratulate you on passing the anti-SLAPP legislation today. Many people are suffering because of lawsuits against them. We sincerely hope that this legislation will correct many injustices.

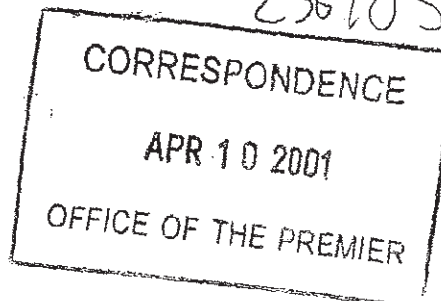
I respectfully request that royal assent to the anti-SLAPP legislation be done immediately. Many individuals are affected by SLAPP suits and are waiting for this legislation to take effect.

Thank you again for passing this legislation.

S22



Honourable Ujjal Dosanjh,
Premier of British Columbia



April 6, 2001

RE: Request for Royal Assent of anti-SLAPP Legislation

Dear Premier Dosanjh,

Thank you very much for passing this legislation in Parliament yesterday. I am anxious for royal assent to take place as soon as possible.

S22

S22 I know the suffering and injustice that such a lawsuit can cause ordinary people. At times it has been unbearable. I reviewed the debate on the bill, and knew that only someone who viewed the damage of such an action as inconsequential could have spoken as Mr. Plant had.

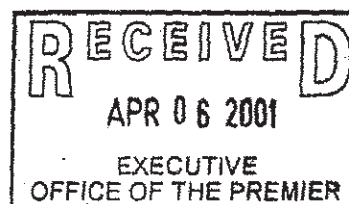
Chris Tolafsson and the students at the faculty of Environmental Studies at UVIC, Karen Wriston, Angela McCue, and Tim Reid at Sierra Legal Defense, and the staff of the Attorney General are very much appreciated for their efforts. They have helped to come up with a solution that will be fair for all.

My husband and I have a business in British Columbia. A British Columbia where business interests can stifle public participation by allowing this type of legal bullying is not the way in which we would want to see business being conducted in our province. Mr. Plant seems to think this is okay.

In opposing this bill, Mr. Plant has given us a preview of life under a Liberal Government. I will be broadcasting this loud and wide to my friends! Next time you write your name on a petition or write a letter to the local paper you are at the mercy of those who would silence you AND YOUR PROVINCIAL LIBERAL GOVERNMENT WILL NOT HELP YOU.

With all respect, I request that royal assent be completed as soon as possible. Thank you for your efforts.

S22



CC: Mr. G. Plant

Grant, Damian T PREM:EX

From: webmanagerBCIS@gems8.gov.bc.ca
Sent: Tuesday, April 10, 2001 3:26 PM
To: premier@gov.bc.ca
Subject: Premier's Page Internet Feedback Submitted - Reply to: S22

name1:
S22

postalCode:

address1:

city:

province:

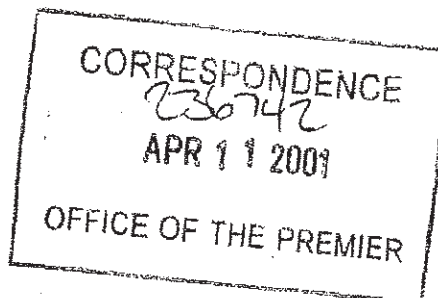
email:
S22

message:
Dear Premier Dosanjh,

I wish to congratulate you on passing the anti-SLAPP legislation today. Many people are suffering because of lawsuits against them. We sincerely hope that this legislation will correct many injustices.

I respectfully request that royal assent to the anti-SLAPP legislation be done immediately. Many individuals are affected by SLAPP suits and are waiting for this legislation to take effect.

Thank you again for passing this legislation.



Garry Oak Meadow Preservation Society

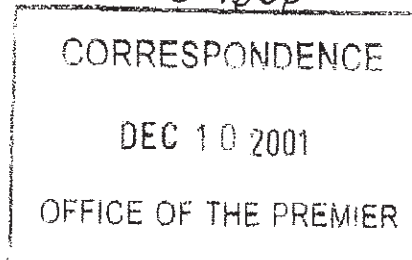
Dedicated to Protecting Victoria's Heritage Landscape

October 28, 2001

Honourable Gordon Campbell, Premier
Government of British Columbia
Legislature Building
Victoria, British Columbia

Dear Sir:

Re: SLAPP Legislation



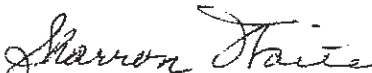
We are appalled by your government's ill-considered decision to remove the protections for ordinary citizens against SLAPP [Strategic Lawsuits Against Public Participation] actions. You are supporting the bullying tactics of powerful entrepreneurial and corporate interests against citizens who desire to peacefully exercise their democratic right to express their opinions about issues of the day. Very few private citizens have the resources to defend themselves against the legal might that large businesses can buy. It is well known that few SLAPP suits are ever judged in court; instead, the price of settlement is silence.

We believe that our province is much richer for the success of citizens speaking out to challenge developers' and industrialists' plans. Citizens' groups do not achieve all their objectives, but those they accomplish make our communities and our province more attractive and healthy places to live.

The accomplishments of citizen action lend themselves to cost-benefit analysis. The economic cost may be some acres of trees that do not go to a mill; or a place that remains as it was rather than becoming a condominium or subdivision. The economic benefits come from the retention of beautiful, pleasant places in British Columbia that attract people from elsewhere who are seeking restful or challenging experiences. Tourists are not apt to spend their dollars to see a subdivision, or go hiking in a clearcut! While it is more difficult to precisely quantify the contribution such places make to the health and longevity of British Columbians, it is true that reduced stress increases immune system response.

Developers and industries move on once they have extracted the wealth from their activities [for example, Tumbler Ridge; Port Renfrew; Tahsis; Gold River; etc., etc], but they leave behind them places altered for all time. Surely it is natural justice that those who must live with the consequences of the changes they wreak be able to comment on what is planned without fear of losing all they possess.

Yours truly,



Sharron Waite
Board of Directors



January 17, 2002

Ms. Sharron Waite
Board of Directors
Garry Oak Meadow Preservation Society
935 Woodhall Drive
Victoria, BC
V8X 3L7

Dear Ms. Waite:

Thank you for your letter regarding the anti-Strategic Lawsuits Against Public Participation (SLAPP) legislation. I appreciate this opportunity to review your comments and to respond.

The decision to repeal the anti-SLAPP legislation was made because my government believes that our law already has provisions in place to protect the rights of people against frivolous litigation, and because the processes contemplated by this Act were simply unreasonably burdensome and complicated.

This change in legislation is one of the many renewed policies and initiatives that my government has put into place to improve the justice system for all British Columbians in this New Era of hope, prosperity and leadership.

Thank you for sharing your views with me. They will be included in our discussions.

Sincerely,

A handwritten signature in black ink, reading "Gordon Campbell".

Gordon Campbell
Premier

Grant, Damian T PREM:EX

From: webmanagerBCIS@gems8.gov.bc.ca
Sent: Wednesday, April 11, 2001 9:57 PM
To: premier@gov.bc.ca
Subject: Premier's Page Internet Feedback Submitted - Reply to: S22

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S22

postalCode:
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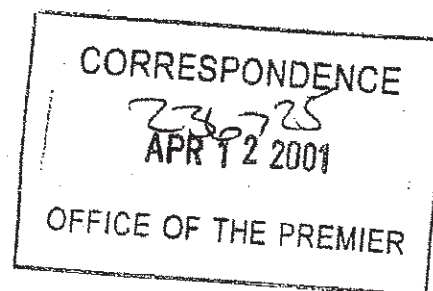
address1:
S22

city:
S22

province:
BC

email:
S22

message:
Thank you for passing the Protection of Public Participation Act. Jim Plant, the Liberal justice critic said he disagrees with it and all of the Liberals voted against it. I have been told that the Liberals will repeal it once they are in power. Would you tell me concrete proof that the Liberals will repeal it?
I also want to know the best approach to bring a higher profile to this piece of legislation. It is very important and I wish to publicize it.
Thank you
S22





COPY

236725

April 18, 2001

S22

Dear S22

Thank you for your recent correspondence, received on April 12, 2001.

I appreciate your enquiry and the time you have taken to bring it to my attention. I have forwarded your comments to the Honourable Graeme Bowbrick, with the request that he, or his delegate, respond to you directly on my behalf.

Yours sincerely,

Ujjal Dosanjh, Q.C.
Premier

pc: The Honourable Graeme Bowbrick
Attorney General
and Minister Responsible for Human Rights

S22

Premier Gordon Campbell
Legislative Buildings
Victoria, British Columbia
V8V 1X4

Dear Premier Campbell;

Re: Anti-SLAPP legislation:

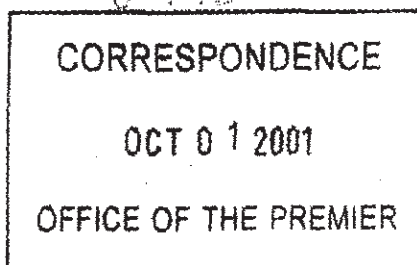
Please reconsider the repeal of anti-SLAPP legislation.

The possibility of lawsuits inhibits useful discussion. Lawsuits themselves take energy and money that could be used more productively.

Thank you.

Yours truly,

S22





October 5, 2001

COPY

S22

Dear S22

Thank you for your letter regarding the anti-SLAPP (Strategic Lawsuits Against Public Participation) legislation. I appreciate this opportunity to review your comments and to respond.

The decision to repeal the anti-SLAPP legislation was made because my government believes that our law already has provisions in place to protect the rights of people against frivolous and vexatious litigation, and because the processes contemplated by this Act were simply unreasonably burdensome and complicated.

This change in legislation is one of a vast array of renewed policies and initiatives that my government has set forth in order to offer new hope for prosperity under a New Era of leadership and public service

Thank you for taking the time to write to me on this issue. It was good to hear from you.

Sincerely,

Gordon Campbell
Premier