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For immediate release

### **Supreme Court of Canada grants leave to appeal hate propaganda decision**

“The Saskatchewan Human Rights Commission is pleased that the Supreme Court of Canada has granted it leave to appeal the decision of the Saskatchewan Court of Appeal in the Whatcott case,” said Chief Commissioner Judge David Arnot. In 2005, the Saskatchewan Human Rights Tribunal found that William Whatcott conveyed messages of hatred against gays and lesbians when he distributed flyers in Regina and Saskatoon which, among other things, referred to homosexual men as "sodomites" and “pedophiles," referred to same-sex relationships as "filthy,” and urged people to lobby government to prevent homosexual persons from working as teachers.

“This case is about the power of words to maim,” said Chief Commissioner Arnot.

The Saskatchewan Human Rights Code protects both the right to freedom of expression and the right of persons and groups to be free from discrimination and hate propaganda. “The Code asks us to protect both rights,” said Chief Commissioner Arnot. “When we decide whether to pursue a complaint of hate propaganda, we must assess whether the facts of the case fit within the Code’s very narrow prohibition against extreme speech which will expose marginalized groups to hatred or incite others to discriminate against them.”

Chief Commissioner Arnot noted that it has been 20 years since the Supreme Court of Canada last ruled on the appropriate balance between freedom of expression and freedom from discrimination. He stated that the commission will welcome the court’s ultimate decision. “In this appeal, we will be asking the court for guidance on where the line should be drawn between extreme speech and the right of citizens to express their beliefs freely.”

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