

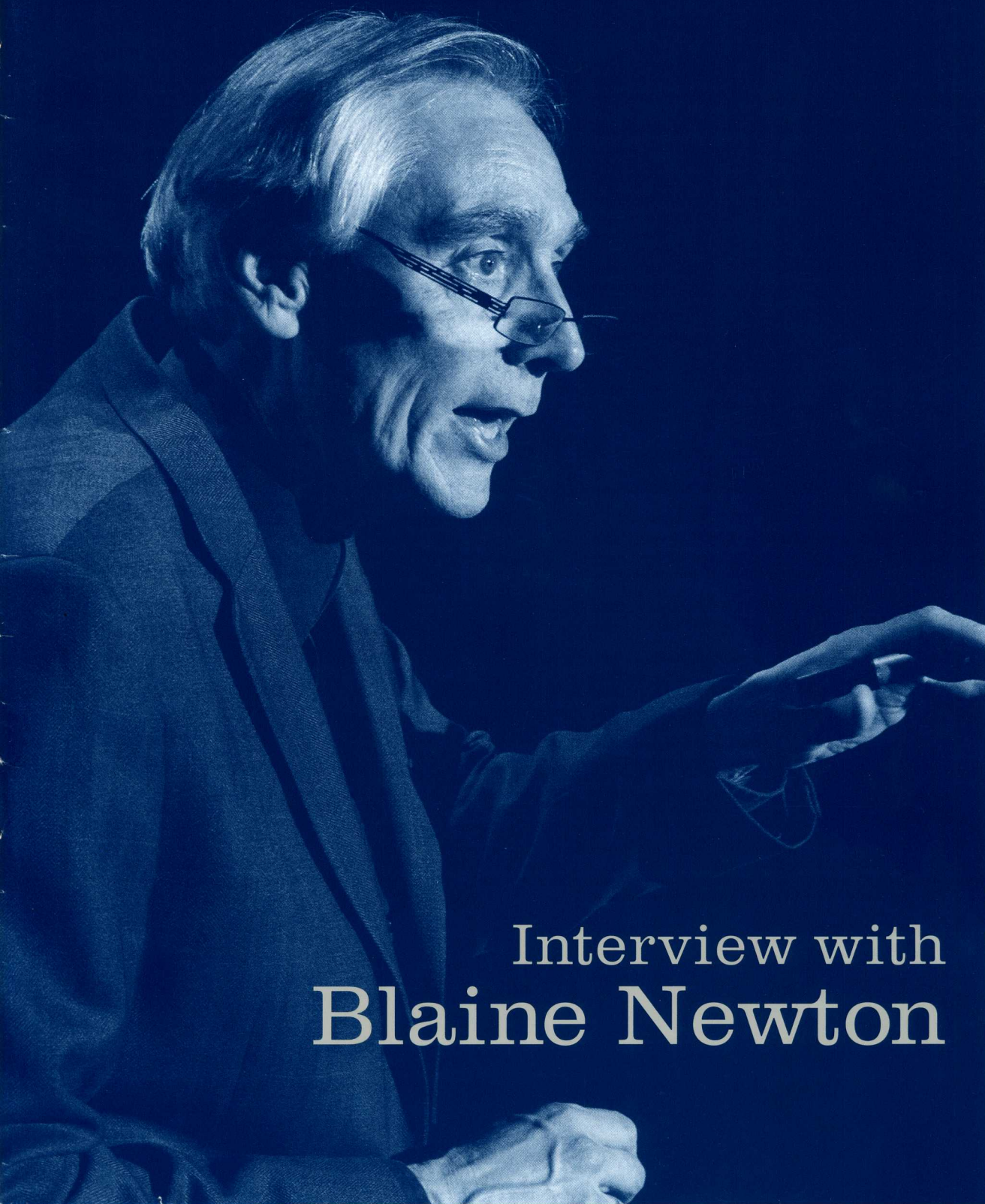
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## Interview with Blaine Newton

"The Writers' Guild of Alberta is a community of writers that exists to inspire, connect, support, encourage and promote writers and writing; to safeguard the freedom to write and to read; and to advocate for the well-being of writers."



# Basic Rights Under Threat in Canada

{ BY MICHELLE GREYSEN

Words of Excellence

As Canadians, we think our freedom of expression should be an assumed right. But, according to Tasleem Thawar, Executive Director of PEN Canada, "Fifty percent of the work of PEN Canada now reflects awareness needed on local issues and national changes given the government reaction to freedoms of expression."

PEN Canada hosts a national affairs committee of writers and lawyers who review issues in our country and create recommendations for national change. Last October, PEN Canada launched a national affairs campaign to focus awareness on a chilling reality in our own country. Non-Speak Week became the poster child for the freedom of expression they boldly declared as the freedom that makes

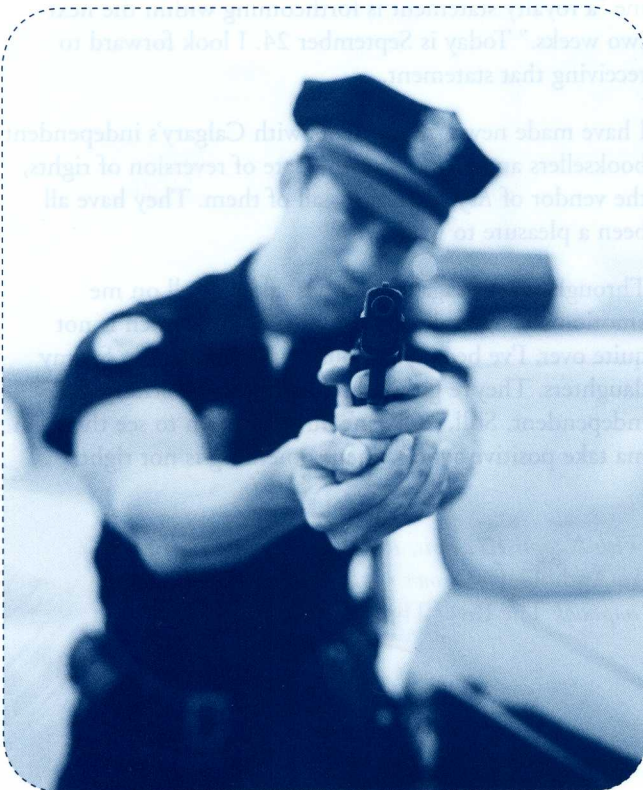
all others possible. At the root of this campaign was a subtle rippling of various levels of government perceiving to curb and even control the rights of Canadians in what PEN dubbed as a climate of "Non-Speak, Non-transparency, Non-Accountability."

Charlie Foran, President of PEN Canada wrote this in the *Huffington Post* last October during an awareness blogging week-long campaign to draw attention to Non-Speak Week:

*"PEN has become uneasy with how freedom of expression is faring at home. Like many other groups, we've monitored the current federal government, and noted a tendency towards excessive secrecy and a wish to control information, dalliances with censorship and internet surveillance, the intimidation of critics, and the kind of obsession with political gamesmanship, via spin and misdirection and the manipulation of parliament, that can easily cast a shadow, or create a chill, over political life."*

Through the PEN blog and the *Huffington Post*, a series of columns, essays and more, PEN delivered an alarming message and harsh reality check for Canadians in regard to freedom of expression issues. Creating an awareness that there are many layers of silence happening even in our free country from a government hold on access to information, to surveillance laws questioned, unfair monitoring and restricted access to media all pointing to a dangerous shift in freedoms and the perceived rights of those in power. Even charities have come into government question and face a fear of speaking out for social awareness on issues that may go against government policy or worse, point out a weakness and risk their charitable status.

On the global right-to-information legal scale, Canada now reportedly falls far behind, ranking lower than countries we perceive as less civilized. The system of procedural flow of request for information is burdened with heavy process delays and fees, making the right to



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information slow moving. On many levels of government, it is restricted. The surprising opposite to that muffled reality is that Canadians are unaware<sup>1</sup>.

In the most recent round of challenges, the PEN Canada website hit a viral nerve in June 2013 while reporting on the arrest of a *Toronto Star* photographer and his right to public photography and filming<sup>2</sup>. The paper's staff photographer had been asked to stop taking pictures and was arrested in Toronto's Union Station with physical force and ticketed for trespassing. It is reportedly not a crime for an individual to photograph or film a police officer in their duties in public places or a private place to which the public is admitted (publishing of these photos is a different issue). The violation in this case is that the owner of Union Station, the City of Toronto, supposedly allows the public to photograph openly but request members of the press to sign a waiver. In the opinion of PEN Canada, "this requirement for a waiver creates a stifling effect upon the ability of members of the press to do their work effectively, and the requirement should be rescinded by the owner of Union Station."

This is not a single incident. Recall the alarming story in Vancouver airport security in 2007 when a Polish traveler died after being tasered by RCMP officers. This incident was taped by an onlooker who surrendered the video to police under the understanding it would be returned in 48 hours. They eventually had to seek legal assistance to have the video returned and it became a useful tool in proving the truth of the tragic scenario. On the PEN

website one can read details on this and other such accounts of incidents of police confiscation and images deleted, police interference and more along with this statement from PEN, "... we are especially concerned about the way recent trends in enforcement of non-existent prohibitions on photography and filming are affecting members of the press." As PEN also points out in their statement in regard to this incident, law enforcement selectively restricts and represses public access to imagery which mirrors the reality of the moments it captures while using the valuable technology themselves to enforce and secure their position by the use of on dash cameras in law enforcement vehicles.

As Canadians and as global citizens, we all should feel a moral obligation to pay attention to our own homeland shift in the realities of our freedoms and to support organizations, such as PEN Canada, in ensuring human rights both at home and around the world. Foran sums it up well in the closing of his *Huffington Post* piece last fall, "In Canada, as everywhere else, freedom of expression isn't a given, something that is permanently there. It must always be re-examined, not so much defended as re-asserted, re-established as a core principle and a cherished value."

"PEN Canada ... fears that governments everywhere, emboldened by new technologies, may be flirting with levels of censorship and surveillance they wouldn't have dreamed of a quarter-century ago."

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*Michelle Greysen enjoys her writer's lifestyle from her unique Nanton antique store, Inktiques, where she shares a passion for all things collectible in the ink-world.*

<sup>1</sup>[www.huffingtonpost.ca/news/non-speak-week](http://www.huffingtonpost.ca/news/non-speak-week)

<sup>2</sup><http://pencanada.ca/blog/public-photography-is-not-a-crime/>