

Human Resources Legislative Update

Ontario Passes Legislation to Prevent Proceedings that Limit Freedom of Expression

Date: October 28, 2015

On October 28, 2015, Bill 52, [Protection of Public Participation Act, 2014](#), passed Third Reading. Bill 52 amends the *Courts of Justice Act* by adding a section regarding Prevention of Proceedings that Limit Freedom of Expression on Matters of Public Interest (Gag Proceedings). As stated in the Bill, the purpose of the provision is: (a) to encourage individuals to express themselves on matters of public interest; (b) to promote broad participation in debates on matters of public interest; (c) to discourage the use of litigation as a means of unduly limiting expression on matters of public interest; and (d) to reduce the risk that participation by the public in debates on matters of public interest will be hampered by fear of legal action.

A [news release issued by the Ontario government](#) states that this legislation will allow the public “to participate more freely in public discussions without fear of retribution by giving them a better way to defend themselves against strategic lawsuits, commonly known as SLAPPs (Strategic Litigation Against Public Participation).”

Corresponding amendments are made to the *Libel and Slander Act* and the *Statutory Powers Procedure Act*.

Bill 52 will come into force upon Royal Assent.