

CHECK AGAINST DELIVERY

Draft Remark on Seeking Leave to Appeal to SCC

Today, we are here to announce that we will continue to protect rights and freedoms through our challenge of Bill 21.

Today our lawyers have filed materials to ask Canada's highest court to play an important role in deciding whether rights and freedoms have any real meaning in our constitutional democracy.

We have made our case that this legal challenge to Bill 21 something that Supreme Court of Canada must weigh in on.

The very disappointing decision by the Quebec Court of Appeal SHOULD not and CANNOT be the last word on this issue.

The rights and freedom at stake are too significant to leave these issues unresolved.

We are hopeful that the Supreme Court of Canada will hear this appeal in order to weigh in and settle the significant and pressing national legal issues raised in this case.

What is at stake is whether the rights and freedoms we have in Canada can be so easily taken away without any judicial oversight.

The use of the notwithstanding clause does not legitimately prevent the court from deciding on the constitutionality of this legislation specifically on the issue of whether Bill 21 violates our constitutional structure and to resolve that.

We hope that the court agrees and will hear this case.

Bill 21 is a discriminatory piece of legislation that should not escape judicial scrutiny.

From the day that Bill 21 was first passed, almost five year ago, CCLA has spoken out about the detrimental impact this legislation will have on our democracy, on rights and freedoms.

For almost 5 years, we have been pursuing this legal battle, and this case is destined to be heard at the Supreme Court of Canada.

When the government of Quebec forced Bill 21 down the throats of Quebecers, many voices voiced strong opposition.

We heard from municipalities from across Quebec, in both large urban centres and smaller rural communities who were concerned about the message of exclusion that Bill 21 sent to its communities.

We heard from faith leaders from every single faith community about the fears their communities member faced about religious discrimination and intolerance.

We heard from young people who had to choose between entering careers in important public institutions or being able to faithfully practice and display their religious identity.

Since its inception, Bill 21 has faced widespread criticism.

Bill 21 discriminates against individuals based on their religious beliefs.

It has perpetuated systemic discrimination and hindered the fundamental rights and freedoms of countless religious minorities across the province of Quebec.

Unfortunately, the lower courts have said their hands are tied.

That is why we are seeking clarity from the highest court in Canada.

This is a case that this court – the Supreme Court of Canada should hear.

The issues raised in the case are so fundamentally important to democracy, they raise significant issues of national importance and concern.

We are also here to send a message to governments that seek to use the notwithstanding clause to infringe the rights of vulnerable and marginalized groups.

The Charter is not just a piece of paper that can be ripped apart without consequences.

The Charter is premised on foundational democratic and legal principles at the heart of what makes us a just, fair and equitable society.

That is why we are committed continuing this legal fight, along with our litigation partners, to the highest court of this country

And we need everyone who believes in our Charter, who believes that rights matter to our democracy, to continue to raise their voice in opposition to Bill 21.