



Abortion Rights
Coalition of Canada

Coalition pour le droit à
l'avortement au Canada

Your Voice for Choice

Canada's only national political pro-choice advocacy group

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For immediate release

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Anti-Abortion Bus Ads Nixed – Alberta City Wins Lawsuit

For safety reasons, City of Peterborough should now refuse same ad

NATIONAL — On December 22, the Court of Queen's Bench of Alberta ruled in favour of the City of Grande Prairie, Alberta, which had refused to run an offensive anti-abortion ad on the backs of its transit buses. The ruling is good news for several other jurisdictions in Canada that had refused the same ad, at least two of which are still fighting lawsuits.

The ad has three panels: two are of exaggerated, outsized images of fetuses claimed to be of 7 weeks and 16 weeks' gestation (without showing a pregnant woman), and the third panel is a large smear of blood. The slogan says "Growing, growing, gone" along with the claim "Abortion kills children. End the killing". ([View the ad here.](#))

Although the City of Peterborough had initially refused the same ad, it changed its mind after a lawsuit threat by the extremist anti-abortion group behind the ad – the "Canadian Centre for Bio-ethical Reform" (CCBR). The City later entered into an agreement with CCBR to publish the ad, and did not oppose the CCBR when the group had the agreement entered as a court order.

"The Grande Prairie ruling is significant. It means that if the City of Peterborough proceeds with putting these offensive ads on buses, it would jeopardize the safe and welcoming environment for transit users, and possibly cause harm to vulnerable people," said Joyce Arthur, Executive Director of the Abortion Rights Coalition of Canada (ARCC).

The Alberta court ruled that the CCBR's free speech rights are outweighed by the harm the ad would cause to Grande Prairie's ability to "maintain a safe and viable community". Further, the court said the ad would likely cause psychological harm to women who have had an abortion or may be considering one, as well as emotional distress to children and other transit and road users, many of whom would be a "captive audience" that can't escape the ads.

The Court also agreed with the City of Grande Prairie's argument that the ad contravened Section 14 of the *Canadian Code of Advertising Standards* against "Unacceptable Depictions and Portrayals," which says ads must not demean, denigrate, or disparage identifiable persons or groups of persons. The CCBR ad implied that people who have abortions are murderers (women, but also some transgender people). The judge was sympathetic to Grande Prairie's argument that the ad incited hatred against women, and found that the CCBR website vilified women. In fact, every argument made by the CCBR was refuted and dismissed by the court.

Advertising Standards Canada, which administers the advertising Code, had already said (as cited in a recent [preliminary decision](#) in BC about this same ad) that the ad “would likely raise an issue” under the Code’s Section 1, Accuracy and Clarity, since it implies that most abortions happen after 16 weeks. “In fact, about 90% of abortions happen before 12 weeks and less than 8% after 16 weeks,” said Arthur. “This means the ad likely violates TWO sections of the Code because it’s inaccurate as well as demeaning to women and transgender people.”

Arthur said that the Grande Prairie decision provides other cities with a very clear justification and incentive to refuse the CCBR bus ad. “We urge the City of Peterborough to act now to safeguard the rights and safety of its citizens by taking whatever legal means possible to ensure this ad does not appear. Further, we ask that the City issue a public statement within the next month to inform residents about the issue, and assure them that the ad has been rejected.”

Note: The Alberta court decision can be found here: <http://www.arcc-cdac.ca/Canadian-Centre-for-Bio-Ethical-Reform-v-Grande-Prairie-City-2016-ABQB-734.pdf>
(Or check court website after Jan 3: <http://www.canlii.org/en/ab/abqb/>)

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