



Abortion Rights
Coalition of Canada

Your Voice for Choice

Coalition pour le droit à
l'avortement au Canada

Canada's only national political pro-choice advocacy group

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David Johnston
Governor General of Canada
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Stephen Harper
Prime Minister of Canada
House of Commons
Centre Block, Suite 313S
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Dear Honourable David Johnston and Honourable Stephen Harper:

We strongly object to the awarding of Diamond Jubilee medals to two convicted criminals who are still in the middle of their crime spree and have no respect for the rule of law or the rights of others. We ask you to take immediate steps to retract the two medals. The awarding of these medals is a profound embarrassment to the Governor General's office and to the government of Canada, and puts an ugly stain on the entire Jubilee medal program, devaluing and tainting all the other medals.

Conservative Member of Parliament Maurice Vellacott, a hardline anti-abortion MP in the Conservative caucus, selected Linda Gibbons and Mary Wagner to receive medals. Both women are fanatical anti-abortion protesters who repeatedly and deliberately break the law because they think their religious beliefs put them above the law. These women violate court injunctions that ban protesters from harassing women as they enter an abortion clinic.

Please note that whatever your personal views on abortion, it has been deemed a medically required service by every province and territory under the *Canada Health Act*. It is a legal service that women have a fundamental right to, as courts have found that inequitable access compromises women's rights to bodily security, life, liberty, conscience, and equality under our *Charter of Rights and Freedoms*. Further, since women have the same right to access healthcare as men, and only women have abortions, interference outside abortion clinics is discriminatory.

It is completely unacceptable to award medals to criminals who have not been pardoned or vindicated. Further, Gibbons and Wagner show no remorse and continually reoffend. Gibbons has spent about 10 years out of the last 20 in prison and Wagner has been in and out of prison since 1999. She is currently in a Toronto jail charged with mischief and breaching court orders. Wagner has at least six convictions, including four from BC for similar crimes between 1999 and 2001.

Moreover, the protesters' cause is not just. Gibbons and Wagner have received these medals despite the harms their illegal actions inflict on women patients and staff at clinics. Court cases in both Ontario and BC have demonstrated that protesters outside of clinics violate the privacy and dignity of patients, and put the health and safety of patients and staff at risk. These

proven harms resulted in the 1994 Dieleman court injunction that Gibbons and Wagner now frequently violate in Toronto, as well as the upholding of the *Access to Abortion Services Act* in BC, via the 1996 Lewis case.¹

Dieleman: "An Ontario court granted an injunction against anti-abortion protest activity in the vicinity of free-standing clinics and doctors' offices. Although this injunction infringed the guarantee of freedom of expression, the physiological, psychological and privacy interests of women about to undergo an abortion constituted objectives of sufficient importance to allow the freedom to be overridden." (From: <http://publications.gc.ca/Collection-R/LoPBdP/CIR/8416-e.htm>)

Lewis: "In a decision released October 8, 1996, Madame Justice Saunders ... found that, while the legislation [Access to Abortion Services Act] violated the rights of anti-abortion protesters to freedom of religion and conscience and freedom of expression under the Charter, the Act was justified as a reasonable limit on those rights. ... Justice Saunders found that 'health care has a fundamental value in our society. A woman's right to access health care without unnecessary loss of privacy and dignity is no more than the right of every Canadian to access health.' The *Act* was found to strike an appropriate balance between the rights of anti-abortion protesters, and the rights of women and abortion service providers to equality, privacy and security of the person." (From: <http://leaf.ca/cases/r-v-lewis/>)

Not only are Wagner's and Gibbons' actions illegal and harmful, they commit a moral wrong by confronting people at a clinic and emotionally upsetting them as they are about to undergo a surgical procedure. This interference can cause distress that increases the medical and psychological health risks of the procedure. This is especially worrying in light of Mary Wagner's illegal invasions of clinics in both BC and Ontario, where she proceeds to frighten patients and staff and obstruct clinic operations. (For a description of her aggressive actions on one such occasion, see the Ontario Superior Court of Justice decision *R. v. Wagner*, 2012: <http://canlii.ca/t/fsx2r>, paragraphs 4,5,6)

Due to the compelling need to protect women's rights and health, and the inappropriate decision to award medals to convicted criminals, we ask that you please intervene immediately to retract these two medals. We also ask that you please censure MP Maurice Vellacott for his irresponsible selections.

Thank you very much.

Sincerely,



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¹ *Ontario (Attorney General) v. Dieleman* (1994), 117 D.L.R. (4th) 449 (Ont. Ct. (G.D.)).
R. v. Lewis, [1996] 1 S.C.R. 921. April 25, 1996. <http://www.westcoastleaf.org/userfiles/file/1996-SCC-Decision-R.-v.-Lewis.pdf>