



# Abortion Rights Coalition of Canada

*Your Voice for Choice*

*Canada's only national political pro-choice advocacy group*

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March 3, 2024

Dear Mayor Morgan and Councillors,

We are writing about the Motion from the Feb. 20 meeting of the Community and Protective Services Committee “that the staff report, dated February 20, 2024, be referred back to Civic Administrations be directed to bring forward a by-law with respect to the Regulation of the Display of Graphic Images to a future meeting of the Community and Protective Services Committee for consideration by the end of Q2, 2024.”

We strongly urge you to vote to refer this staff report back to City Staff, as this would allow them to draft a proposed by-law and give the public a chance to have a voice at a Public Participation Meeting.

Anti-choice groups (primarily the Canadian Centre for Bio-Ethical Reform) deliberately display these grisly images on signs to generate public shock and outrage, sometimes provoking people to vandalize the signs, or even assaulting those carrying them or those counter-protesting them. Here are a couple of examples:

- Brian Hamilton was charged with four counts of assault after dousing anti-choice protesters with chocolate milk (but later received an absolute discharge.)  
<https://www.tbnewswatch.com/local-news/pro-life-protest-leads-to-assault-charges-391467>
- A graphic sign belonging to UBC Lifeline was destroyed by an individual wielding a pocket knife. Later, another student pushed down the signs. <https://www.ubyssey.ca/news/ubc-lifeline-display-vandalized-by-knife-wielding-activist/>

I (Deanna) can personally attest to being physically assaulted by an anti-choice activist.

Is this the type of violence that city council wants to encourage on its streets?

The fight to restrict graphic images of alleged aborted fetuses began in September of 2020 and has been an ongoing battle. Item 4, 42 of the 12th Meeting of the Community and Protective Services Committee, **November 3, 2020** reads “Proposed Amendment to the Sign By-law - Petition - D. Ronson, Pro-choice London.” (A petition with approximately 4,500 signatures is on file in the City Clerk’s Office.) That petition called on the mayor and councillors to implement two separate “new or revised by-laws” that would address both the delivery of graphic flyers and the display of signs.

It’s distressing to know that each delay brings further grievous harm to Londoners exposed to these images.

A by-law against graphic anti-abortion signs **will** violate Section 2(b) of the Charter of Rights and Freedom. **However**, Section 1 of the Charter allows such limitations, especially if that free speech includes inaccurate, discriminatory, hateful, or demeaning messaging.

In a Section 1 analysis, the city must show that the by-law is in furtherance of a legitimate and substantial objective. This requirement is clearly met because of the harm and distress caused to residents by the display of these graphic images.

Recent cases regarding religious-gathering restrictions will bolster our position if the by-law is challenged. On March 1, 2022, a ruling in the Ontario v Trinity Bible Chapel case, found that the health restrictions did indeed violate Section 2(a) of the Charter of Rights and Freedoms, but ruled that the attendance restrictions were reasonable under Section 1.

(<https://www.canlii.org/en/on/onsc/doc2022/2022onsc1344/2022onsc1344.html>)

Council has already successfully passed a by-law that restricts the delivery of flyers with graphic images of alleged aborted fetuses. (Seven other municipalities across Canada have passed identical or similar by-laws.) The same can be done with a by-law that restricts the display of graphic images on handheld signs, A-frame posters, and temporality erected signs/posters.

During a PPM that preceded the flyer by-law, many Londoners spoke to the harm that was caused by viewing not only graphic flyers, but also graphic anti-abortion signs. We have no doubt when a second PPM is held on graphic anti-abortion images, the results will be the same.

If attempts to pass a specific by-law banning graphic images of alleged aborted fetuses were to fail, then we propose that the City enact a by-law similar to one that the City of Calgary passed in October 2020, which has **not** been challenged in court. The *Temporary Signs on Highways Bylaw* restricts advocacy messaging on public property within 150 metres of a school, if signs are if larger than 3.5" by 5".

Advocacy messaging is defined in the bylaw as **messaging that publicly expresses an opinion on an issue or cause**. An advocacy group is defined as any group that promotes this type of messaging whether it be an external group or student group. These bylaw restrictions do not impose a ban on advocacy messaging, but rather restrict the size of the sign within a 150 metre distance from the school, thereby mitigating the issue of unwanted messaging.

We do not endorse a zone restriction because graphic anti-abortion signs have been displayed **across the entire city**. We also do not want to restrict advocacy signs in general. Instead, we recommend restricting the size of **graphic signs** to 3.5"x 5", which will still allow the forced-birthers to display their images, while having minimal visual impact on passersby.

The time to act on the matter of a new by-law to place restrictions on the display of graphic images of alleged aborted fetuses is long overdue. You have already placed restrictions on the delivery of flyers containing these images, and a similar sign by-law could be easily enacted.

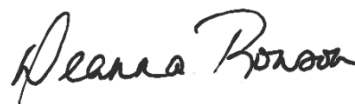
Please vote to **refer the staff report from the CPSC meeting of Feb. 20, 2024 back to City Staff**, to allow staff to draft a proposed by-law that will be followed by a Public Participation Meeting on the matter.

Thank you for your time and consideration.

Sincerely,



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