

**To:** Mayor Ed Holder, Members of the Community and Protective Services Committee and City Clerk  
**From:** Deanna Ronson  
**Re:** 13th Meeting, September 21, 2021, Item 4.1(a) Flyer Deliveries to Residential Properties.

Regarding your proposed flyer by-law (Schedule "A" Draft By-law), I am writing to ask you to:

1. vote against the proposed by-law
2. send the proposed by-law back, asking for a by-law that will meaningfully protect residents from harmful graphic images.
3. schedule a timely PPM on this matter that has been an issue since September 2020

Here's some background. In September 2020, as the Director of Pro-choice London, I approached the Committee with a request (supported by a petition with signatures of over 5k Londoners) to implement the following:

1. An amendment to an existing by-law or a new by-law that would ban the delivery of flyers to homes that have a "no flyer" sign. (Calgary, Winnipeg, Halifax and Ottawa already have these bylaws)
2. An amendment to an existing by-law that would state that the content of any signs, including temporary signs, must adhere to the Canadian Code of Advertising Standards. The city of Toronto is already working towards banning these images, which violate Section 14(c) and (d) of the Code. London could be a leader in this movement!
3. To investigate whether the distribution and display of these images violate Criminal Code (R.S.C., 1985, c. C-46), PART VIII, 319 (1) (a) (b) and (2) (a) (b). This Code refers to Hate Propaganda, Public incitement of hatred and Wilful promotion of hatred. The identifiable group being targeted with hatred being women. ([https://laws-lois.justice.gc.ca/eng/acts/c-46/page-68.html?fbclid=IwAR1dX9-aKMRMM0A\\_TUOCOLY9pkyF7g1xA7prgVzkkaAkgQJIYz7HtjQtNE8#h-121176](https://laws-lois.justice.gc.ca/eng/acts/c-46/page-68.html?fbclid=IwAR1dX9-aKMRMM0A_TUOCOLY9pkyF7g1xA7prgVzkkaAkgQJIYz7HtjQtNE8#h-121176))

My request was added to the November 3rd meeting of the CPSC, Item. 4.2 on the Agenda.

Councillor Lewis, with the support of Councillors, Pelosa, Kayabaga and Hopkins, added a motion (Item 4.2 a), "That Civic Administration be directed to investigate options to address community concerns around graphic unsolicited flyer deliveries to residential properties including but not limited to; steps taken by other municipalities and potential amendments to the existing municipal nuisance by-law or an introduction

of a new by-law, and report back with options for counsel's consideration."

While Pro-choice London and the ARCC were grateful that this Councillor Lewis' motion was passed on November 3rd, 2020, we'd like to remind council members and the public, that his motion completely ignored our request to address harm created from both the flyers and the large, graphic, billboard signs with images of alleged aborted fetuses that have been displayed around town. Aside from the personal harm that these signs have inflicted, they are a public nuisance.

We are still awaiting a motion that would include an amendment to an existing bylaw that states that the content of any signs, including temporary signs, must adhere to the Canadian Code of Advertising Standards.

All of this information brings us to the present when the CPSC will be reviewing a proposed by-law presented by City Staff at the September 21st meeting (Item 4.1 a) on the Agenda.

I am extremely disappointed in the proposed by-law. There is evidence that voluntary compliance with education does not work. I know for certain that there have been residents who already have a "no flyers" or "no junk mail" sign on their mailbox, and their signs are ignored by various individuals and organizations, including the CCBR. Please see my very informal poll created just a few days ago in one local neighbourhood Facebook group (<https://www.facebook.com/groups/oevca/permalink/4347180442033066/>). I'm certain that a broader poll would show that many more residents across London with "no flyers" or "no junk mail" signs have had their notices ignored by the CCBR.

I'm not the only one who is disappointed in this proposed by-law. In response to this proposed by-law, Assoc. Prof. at Western University (Faculty of Law and FIMS), Sam Trosow wrote on Facebook, *"this weak response is inadequate and it fails to account for the city's broad by-law powers. It also fails to account for the demonstrable harm that these flyers are causing. To add insult to injury, the council will not even level with Londoners, but will hide their discussion in a closed session. This is an important policy question, and the community should be given full information. Like in the case of the vaccine-mandate, there are very loud and well-funded groups, throwing threats around and it is unfortunate that our city does not have the fortitude, or the confidence in the law, to stand up for what needs to be done. Having said that, none of this surprises me in the least."* (Quoted with permission.)

The ARCC also has information from residents in the City of Calgary, that around July 19/20 of this year, while a flyer by-law was in effect, the CCBR still ignored some "no flyer" signs and left pamphlets in mailboxes. While the distribution of flyers by the CCBR was greatly reduced by the by-law, this is still evidence that the CCBR will ignore "no flyer" by-laws.

From the City Staff's report, I have the feeling that the City is concerned about potential

lawsuits. However, research conducted by the ARCC indicates that none of the cities that have flyer by-laws in place — Winnipeg, Ottawa, Calgary and Halifax — have had any lawsuits come forward in response to their by-laws. I think this is significant information, especially regarding Winnipeg, Calgary and Halifax, which have by-laws with penalties. Further, three of these by-laws have been in place for many years — Ottawa since 2003, Winnipeg since 2008 and Calgary since 2016 (Halifax since 2019).

It is entirely pointless to have a by-law that does not address the harm done by delivering harmful graphic images to homes across London.

Once again, I would urge members of the CPSC to vote against the proposed by-law and send it back asking for a by-law that will meaningfully protect residents from harmful graphic images. Please show Londoners that you are willing to address the harm and psychological distress that these flyers are causing to residents across the city.

I read of another concern to the “no junk mail/no flyers by-law from London Area Right to Life Association (LARLA). I do NOT believe that such a by-law with a penalty of some sort, would by any means “encourage additional attacks” to their members. Indeed, I believe that passing such a by-law would reduce harm to ALL of our community members (including residents who don’t want to see harmful flyers in their mailbox, and the volunteers who are delivering the harmful flyers).

If anything, I am more concerned about the harm done by militant members of the CCBR and the LARLA. And, I believe that I have a right to be concerned considering that I was physically assaulted by a member of the LARLA at one of their “Prayer Chain” events. These organizations will stop at nothing to get their viewpoint across. Their “rights” end where mine begin and I have the right to safety in my home and in public. My right to safety trumps their right to “freedom of expression.”

Thank you all for your time.

Submitted on Sept. 19th, 2021  
by Deanna Ronson  
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