



# Annual Report 2015/2016



CANADIAN  
CONSTITUTION  
FOUNDATION

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# Contents

Foreword .....4

About Us .....7

Litigation .....8

Education.....10

Communication.....12

Runnymede Society .....14

2014/2015 Revenue .....16

2015/2016 Revenue .....18

Contact Us.....20

# Foreword

The Canadian Constitution Foundation is altering the legal landscape. From a quiet start as a small group working on a single case, we have become the chief player in Canadian constitutional law; esteemed by lawyers, academics, and law students for our passionate defence of Canadians' rights, and admired by the general public for delivering real-life results that protect their freedom. For example, the Globe and Mail said the decision in the Canadian Constitution Foundation's New Brunswick beer case "could prove to be the beginning of the end of provincial trade barriers that hurt consumers and hamstring the country's makers of beer, wine and liquor."

That's just one way we are finding solutions to the problems caused by unconstitutional government interference. We fought to eliminate legislative barriers to health insurance and healthcare outside the government monopoly --barriers that violate Canadians' constitutional right to security of the person. We defended the property of a couple whose two rooming homes are being seized and sold by the provincial government, even though the couple has not been charged with -- or even suspected of -- committing a crime.

Will our efforts ultimately change Canada? Consider our annual Law and Freedom Conference, where Justice David Stratas used his keynote address to give an impassioned warning about the decline of legal doctrine in this country, and a call to action to reverse that decline to protect the rule of law. Consider our creation of the new Runnymede Society, a student membership organization dedicated to exploring the ideas and ideals of the rule of law, constitutionalism and individual liberty.

Through our Primary Documents project, we're making materials related to the Canadian Constitution accessible to everyone with a complete word-searchable electronic repository. All of these education initiatives are fundamentally about empowering Canadians to control their own destinies as free and responsible members of society.

That's why we are ever watchful for situations where government isn't being held accountable to our Constitution in making and applying laws, regulation and policy. The Canadian Constitution Foundation is ushering in a new era of freedom, awareness of rights, and healthy debate. With over 470 media hits last year, CCF has justly become known as the go-to spokesperson on the most pressing issues of the day, including inter-provincial free trade, civil forfeiture abuse, and the silencing of unpopular speech.

But regardless of changing trends, the Canadian Constitution Foundation always remains a principled force for freedom. We are very grateful to our big-hearted donors and supporters who make it possible for us to keep standing on guard for the liberties that make Canada the great country it is.

Yours truly,

A handwritten signature in black ink, reading "Marni Soupcoff". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marni Soupcoff

Executive Director  
Canadian Constitution Foundation

**About us**



# CANADIAN CONSTITUTION FOUNDATION

## **We are Freedom's Defence Team**

The Canadian Constitution Foundation protects the constitutional freedoms of Canadians through education, communication and litigation.

The Canadian Constitution Foundation is grateful for the help and support given by our donors (both big and small), volunteers, clients, board and advisory board members, and staff. We consider all of them members of Freedom's Defence Team.

## **Our Priorities:**

**Individual freedom** — the “fundamental freedoms” in section 2 of the Charter:

- Freedom of association;
- Freedom of peaceful assembly;
- Freedom of conscience and religion;
- Freedom of thought, belief, opinion and expression.

**Economic liberty:** the right to earn a living and to own and enjoy property.

**Equality before the law:** Section 15 of the Charter of Rights and Freedoms guarantees equal rights and equal opportunities for all Canadians, special privileges for none.

# Litigation

In 2015/2016, the CCF worked hard to defend private property rights, the rule of law and economic liberty in Canadian courts.

- The CCF supported Gerard Comeau and **won!** After nearly a century of following a politically tainted and wrongly decided precedent, Canada might finally get interprovincial free trade as our Constitution's framers intended. In other words, this is a **big victory** for the CCF.

“New Brunswick ruling a victory for fans of beer and free trade” - [Globe Editorial](#), May 1, 2016

- The federal government has added itself to the Cambie case and the wait for our patient plaintiffs' day in court has again been extended. The CCF stands by our patient plaintiffs and they will have their day in court.
- We took on another **civil forfeiture** case. The CCF is proudly supporting Margaret and Terry Reilly as they fight to keep two rooming houses they rented below the market rate to low-income people. Some of their tenants allegedly sold illegal drugs while renting from the Reillys and Ontario is now trying take these houses because the Reillys received rent payments from the tenants.



'Au Canada' by Samuel Auguste under CC 2.0

## **R. v. Comeau**

The Canadian Constitution Foundation is proud to support Gerard Comeau and his lawyers Ian Blue, Mikael Bernard and Arnold Schwisberg in their successful constitutional challenge to portions of the New Brunswick Liquor Control Act.

The challenged provisions prohibit New Brunswick residents from importing alcohol from another province or country in excess of a 12-pint limit for beer, or two bottles of spirits. New Brunswick's unconstitutional law helped the government monopoly, but hurt everyone else, including private businesses and citizens. This case shows that prohibition-era policies have no place in 2016.

The April 29, 2016 decision can be downloaded [here](#).

# Education

In 2015/2016, the CCF worked hard to improve Canadians' understanding and appreciation of their constitutional rights and freedoms by speaking at conferences and seminars across the country and by publishing journal articles and op-eds.

- The CCF released [Civil Forfeiture in Canada \(2015-2016\)](#). This in-depth report takes a critical look at Canada's civil forfeiture laws and the impact they have had in society.

*"The Canadian Constitution Foundation recently published a lucid report on the issue, setting out sound principles for bringing civil forfeiture laws and practices back into line with Canada's constitutional values."* - [Globe Editorial](#) March 16, 2016

- We held our annual Law and Freedom conference in January. We expanded on the success of the previous year with nearly 100 scholars, lawyers and students attending.
- In 2015, the CCF founded the [Runnymede Society](#), a student membership organization dedicated to exploring the ideas and ideals of the rule of law, constitutionalism and individual liberty. It seeks to foster intellectual diversity, rigour and dialogue in Canadian law school while providing outstanding support and opportunities for networking and professional development.



# Law Freedom 2016

Canada's premiere conference on law, liberty, and the Constitution

Justice David Stratas leads the discussion at a special break-out session during our **2016 Law and Freedom Conference**.

Stay tuned to our website and social media for news on next year's conference.

Pictures from past conferences can be found on our [Facebook page](#).

# Communication

In 2015/2016 the CCF spread the message of freedom and raised awareness on government infringement of rights, by publishing pieces in national newspapers, online blogs and by making frequent appearances on radio and television.

- We received record-breaking coverage on the Comeau case with over 150 articles in national print and online media covering the case in just July and August alone.
- CCF staff appeared on radio and television over 90 times.
- CCF staff wrote over 120 articles for outlets including National Post, Globe and Mail, Huffington Post and Troy Media.
- The CCF published *Law, Liberty and the Canadian Constitution: A Freedom-Centred View*, a collection of scholarly pieces based on topics covered at our annual conference.



The CCF was proud to put two big projects to print this year.

*Civil Forfeiture in Canada 2015-2016* brought a lot of attention to civil forfeiture practices in this country by reporting and grading each provincial jurisdiction. While supplies last, an exclusive hard copy of this report is available upon request with a donation of **\$100** and over.

*Law, Liberty And The Canadian Constitution: A Freedom-Centered View* is a collection of scholarly work on important constitutional law topics covered by the CCF in our annual conference. While supplies last, an exclusive hard copy of this book is available upon request with a donation of **\$500** and over.



The Runnymede Society is an exciting new initiative of the Canadian Constitution Foundation. Dovetailing with the CCF's mission to expand and defend constitutional freedoms of Canadians, Runnymede aims to infuse the Canadian legal academy and broader legal culture with liberty-oriented ideas and arguments. Runnymede will provide support and structure for enlightening debates and symposia on the ideas and ideals of liberty, the rule of law, and constitutionalism. Runnymede's goal is to create a network of conservative, libertarian, classical liberal and moderate law students, academics, and jurists.

Lawyers are freedom's first line of defence, and yet in speaking with members of the Canadian legal community it becomes abundantly clear that open, vigorous debate is lacking in Canadian law schools. What's more, liberty-oriented arguments and positions are given short shrift in classroom discussions. Runnymede aims to respectfully challenge the current status quo with the aim of fomenting a more rigorous and diverse intellectual atmosphere in the legal academy and the courts.

Joanna Baron began her full-time post as Runnymede Society Director on February 1, 2016. Joanna is a graduate of McGill University's Faculty of Law, where she graduated on the Dean's Honour List. She clerked for the Justices of the Court of Appeal for Ontario and spent a year training with barristers of the Inns of Court as a Fox Scholar. Prior to beginning her position with the CCF, Joanna practiced criminal law at Greenspan Partners LLP, appearing at all levels of court in Ontario including the Supreme Court of Canada.

Runnymede benefits from the assistance and input of faculty advisors from leading law schools across Canada, who are eager to assist in the creation of a forum where liberty-oriented legal arguments and ideas can flourish.

In March 2016, the following Runnymede Society events were held across Canada:

- March 2<sup>nd</sup>: Queen's: Debate on Social and Economic Rights with Profs. Bruce Pardy, Tsvi Kahana, and Chris Essert.
- March 17<sup>th</sup>: Calgary: Panel Discussion on Keystone XL with Profs. James Coleman, Jennifer Winter (Calgary School of Public Policy), Kenneth Green (Fraser Institute).
- March 18<sup>th</sup>: U of Alberta: Debate on Freedom of Association and the Right to Strike with Profs. Malcolm Lavoie, Eric Adams, Tom Flanagan.
- March 21<sup>st</sup>: U of Toronto: Debate on Market v. State Regulation with Profs Jason MacLean and Bruce Pardy.
- March 29<sup>th</sup>: Panel on Freedom of Conscience and the Citizenship Act with Leonid Sirota (JSD candidate, NYU School of Law) and Brian Bird (DCL candidate, McGill).

In August 2016, a select group of Runnymede Society Student Chapter Leaders will gather in Blue Mountain, Ontario for the 2016 Student Leadership Conference. There, they will deepen their understanding of the bedrock principles of liberty, the rule of law, and constitutionalism, which animate Runnymede. They will also learn the basics of running campus chapters effectively, and network and socialize with each other as well as jurists and academics.

These student leaders will then launch chapters of the Runnymede Society at their respective law schools in fall 2016.

# 2014/2015 Revenue

Revenue	
Charitable Donations	\$813,994
Deferred Contributions	\$126,790
Grants	\$125,000
Events	\$1,350
Interest Income	\$726
Other	\$609
<b>Total Revenue</b>	<b>\$1,068,469</b>

These are the audited totals for our 2014/2015 fiscal year ending March 31, 2015.

# 2014/2015 Expenses

Expenses	
Salaries & Wages	\$562,475
Charitable Programs	\$336,306
Education	\$31,849
Communication	\$35,753
Litigation	\$268,704
Administrative	\$82,166
<b>Total Expenses</b>	<b>\$980,947</b>

These are the audited totals for our 2014/2015 fiscal year ending March 31, 2015.

# 2015/2016 Revenue

Revenue	
Charitable Donations	\$638,950
Deferred	\$157,970
Grants	\$301,443
Events	\$2,075
Interest Income	\$5,831
Other	-
<b>Total Revenue</b>	<b>\$1,106,269</b>

These are the unaudited totals for fiscal year 2015/2016. Audited totals will be available in July.

# 2015/2016 Expenses

Expenses	
Salaries & Wages	\$616,371
Charitable Programs	\$595,125
Education	\$83,790
Communication	\$50,565
Litigation	\$460,770
Administrative	\$92,673
<b>Total Expenses</b>	<b>\$1,304,169</b>

These are the unaudited totals for fiscal year 2015/2016. Audited totals will be available in July.



# CANADIAN CONSTITUTION FOUNDATION

## Contact us

The Canadian Constitution Foundation (CCF) is a registered charity, independent and non-partisan. We defend the constitutional rights and freedoms of Canadians in the courts of law and public opinion.

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Charitable Number: 86617 6654 RR0001

The CCF is also a 501(c)(3) public charity in the U.S.

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