

For Immediate Release

Ford government wants to block review of controversial Kemptville prison plan, saying too much has already been spent

6 December 2022 (Kemptville, Ontario) –The Ford government has now moved to dismiss a Judicial Review contesting their decision to place a prison in Kemptville, saying that too much provincial money has already been spent on the controversial prison plan. Two Kemptville residents applied for the Judicial Review in August 2020 and have raised money to pay for associated legal fees because the prison plan was announced without consulting the municipality or its residents, ignored the town’s Official Plan and violated the Planning Act.

The Ford government announced in August 2020 that they planned to build a new provincial prison on farmland of the former Kemptville Agricultural College, catching the town’s council and its residents by surprise, and generating an outcry and significant opposition from many who live in and around Kemptville. The judicial review is seeking a legal decision of the actions of the province and a prohibition order to stop the project, based on the fact that according to Stéphane Émard-Chabot, the lawyer for the two applicants, the province “broke the law by not abiding by its own *Provincial Policy Statement* and the town’s local Official Plan, as it is obliged to do under the *Planning Act*”.

Rather than responding to the questions raised in the judicial review application, the provincial government instead filed a motion to dismiss the application claiming that the case filed by Lachance and Albert would cause undue hardship in the form of project delays and that too much has already been spent on the planned prison for it to be stopped now. “The province is side-stepping the main issue. Was the decision to select the Kemptville site for the proposed prison illegal or not?” says Émard-Chabot.

“The real undue hardship on display during this whole escapade is the hardship experienced by Kemptville residents who are seeking answers to their questions, who have been met with spin and silence for more than two years, and who now have to raise thousands more in funds just to get an answer on the legality of the proposed prison from the courts” says Lachance. “The Ford government clearly doesn’t want the legality questioned answered because, like the failed attempt to use Elections Ontario to silence dissent in Kemptville, they know they’ve erred.”

“The Ford government has claimed project costs to date that are in the millions of dollars however, closer analysis reveals that the claims are inflated. As an example, the province originally highlighted the benefit of selecting the Kemptville site based on it being a pre-existing asset of the province, and therefore no acquisition cost. However they now list it as an acquisition cost of \$2.5 million. It’s critical that expenditure figures provided by the province are accurate and it’s also critical that we get to the intent of the Judicial Review, which their *motion to dismiss* attempts to avoid.” says Kirk Albert.

“The Ford government should abandon this diversionary tactic that aims to drown us in costly legalistic red tape, and allow the court to get to the crux of the matter – was the decision to select the site for the prison illegal or not? What are they afraid of?” adds Lachance. “If they continue with this tactic, we will need all the support we can get and encourage our fellow Ontarians who believe in fairness and fair play to help fund our David-and-Goliath battle because if we can fight another day, we’re confident we have a very strong case to provide to the court. Why else is the Ford government trying to bully us and add costs to us at this stage?”

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