

FOR IMMEDIATE RELEASE

Ontario Superior Court to hold online hearing tomorrow on a motion to compel the provincial government to release records relevant to the judicial review to stop Ford's Kemptville prison

14 November 2023 (Ottawa) – On Wednesday, November 15 at 10:00am, the Superior Court of Ontario will hold an online hearing to hear a motion by Victor Lachance and Kirk Albert to compel the provincial government to disclose key records concerning its decision to build the Eastern Ontario Correctional Complex (EOCC) on the grounds of the former Kemptville Agricultural College farm, which is situated on unceded and unsurrendered Algonquin Anishinaabe Territory. This decision was announced on 27 August 2020 by Premier Doug Ford, then Solicitor General and now Deputy Premier Sylvia Jones, and then cabinet minister and now disgraced MPP Steve Clark without having consulted the municipality or its residents. The motion is part of the on-going judicial review into the legality of the site selection process associated with the EOCC as the province continues to refuse to release records concerning how it decided to pave over farmland to build a prison.

The applicants' lawyer, Stéphane Émard-Chabot, explains the need for this motion:

“More than three years after the decision to build the Kemptville prison was announced, and more than a year after my clients brought forward their judicial review application, we're no closer to knowing whether the province fulfilled its obligations under the *Planning Act* regarding development on agricultural land. The Ford government hasn't provided key records to the Court. The government has submitted no records on how the project emerged, nor any records on how they decided to select the Kemptville site”.

Judicial review co-applicant and Jail Opposition Group (JOG) member, Kirk Albert, adds:

“We've been repeatedly promised transparency and honesty about the province's decision to select the prison site in Kemptville, but it hasn't happened. Now we're forced to file an expensive and time-consuming court motion to secure records for both the court and the public to get the full picture as to how and why the Ford government decided to build a prison on this agricultural land in Kemptville that's officially designated and protected as such by the municipality within which it resides. This is farmland with agricultural buildings, a Rideau River watershed creek, a floodplain, all in a rural town with inadequate infrastructure, social services and transit to support such a facility. The decision to select Kemptville has never made sense in the opinions of many, but if a site selection process was in place and followed by the province, the question on everyone's mind is, why take three years, a judicial review, and a court order to produce records to prove it?”

With the Ford government continuing to erect information blockades concerning the Kemptville prison, the judicial review has become more expensive, both for the province and the residents who initiated the legal proceedings. Judicial review co-applicant and Coalition Against the Proposed Prison (CAPP) member, Victor Lachance states:

“At every turn since we launched our legal action, bullying and secrecy has been the name of the game for the province rather than defend its decision. They've made what should've been a straightforward legal process into a complex, costly one for us and our supporters, as well as for the taxpayers of Ontario. First, they frivolously tried to get the case dismissed. Now, they've failed to turn over relevant records to the court. It's not right that we have to fight for information that rightfully belongs to the public. That's why we've just partnered with the Small Change Fund for those who support our efforts to send the government a message – reverse the decision to build a prison on farmland, just like you reversed the Greenbelt decision and the expansion of the urban boundaries in several cities. We agree with the new Minister of Housing and Municipal Affairs that it's time to maintain and reinforce the public's trust in this government. It's time to free the Kemptville prison records in full”.

ONTARIO SUPERIOR COURT HEARING LINK

<https://ca01web.zoom.us/j/63615504721?pwd=aGRCbjkxalBJcXpYbm9OdmNmZkhTQT09>

NEW SMALL CHANGE FUND CAMPAIGN – SAVE THE KEMPTVILLE FARMLAND

<https://smallchangefund.ca/project/save-the-kemptville-farmland/>

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