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News Conservative convention



Clockwise from left: MP Maxime Bernier, pictured in 2016, says he's working on Elections Canada documents to launch a new party, meanwhile anti-supply management proponent Clint Desveaux, above, is organizing for Mr. Bernier, and Conservative convention delegate Nathan Weber, below, has left the party and was asked to join Mr. Bernier's camp. The Hill Times file photograph, photograph courtesy of Twitter, The Hill Times photograph by Charelle Evelyn

Convention supply-management tumult 'opened the floodgates' for Bernier supporters, says organizer

One anti-supply management proponent who attended the Conservative convention says he's received interest in a Bernier party from almost two-dozen current and former MPs.

BY JOLSON LIM, CHARELLE EVELYN & BEATRICE PAEZ

A Conservative Party member and proponent of ending Canada's supply manage-

ment system said he's received plenty of interest from current and former MPs and business-people in support of maverick MP Maxime Bernier's future party. This follows a tense scene

at the party convention that saw a policy resolution on phasing out the system dropped before reaching a vote.

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News Conservative convention

Tories look to party outsiders to quench voters' thirst for change

On the road to 2019, the Conservative campaign team is boosting its tech game, but urges patience on policy rollout.

BY CHARELLE EVELYN

Looking to replicate their success in the recent Chicoutimi-Le Fjord, Que., byelection on a national scale, the Conservatives' 2019 campaign chief is encouraging party faithful to think outside the box and recruit outside traditional party circles.

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News Veterans

Judge to rule on throwing out advocate's defamation case against veterans minister

Both Sean Bruyey and federal lawyers defending Minister Seamus O'Regan say if they don't get their way, freedom of expression could be at risk.

BY EMILY HAWS

An Ontario judge is expected to rule in the next week or so on whether outspoken veterans'

advocate Sean Bruyey's defamation lawsuit against Veterans Affairs Minister Seamus O'Regan will go ahead.

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Judge to rule on tossing lawsuit

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The two sides argued for five hours in small claims court on Aug. 24 at the Ontario Superior Court of Justice in Ottawa about whether Deputy Judge David Dwoskin should accept the government’s motion to have the case dismissed. Mr. Bruyeya, who served in the Gulf War before being medically discharged due to post-traumatic stress disorder and other conditions, represented himself. Mr. O’Regan was represented by federal lawyers Alexandre Kaufman and Sanam Goudarzi. Several veterans affairs advocates were in the courtroom supporting Mr. Bruyeya.

In response to Mr. Bruyeya’s May 11 lawsuit, which asks for \$25,000 in damages, government lawyers filed a motion to dismiss the case under provincial legislation meant to protect freedom of speech in public-interest matters against lawsuits intended to silence critics, the so-called anti-SLAPP (strategic lawsuit against public participation) law.

The government lawyers argued that having the suit proceed would stifle public debate and limit Mr. O’Regan’s (St. John’s South-Mount Pearl, N.L.) freedom of expression, while Mr. Bruyeya argued it should move forward because the case has merit, and the provincial legislation was not intended to allow the government to go after small advocates, but instead to protect the little guy against well-resourced corporations or interest groups.

Mr. Bruyeya, who has for years been advocating for proper compensation for veterans, said he was intimidated by the government lawyers’ two-hour presentation, but is hopeful the case will proceed. If not, it could have a “chilling effect” on veterans criticizing the government, he said.

“I’m exhausted, that was a very difficult day, and I think really unfair for the little guy to try to fight the big guy against such odds,” Mr. Bruyeya said in an interview immediately after the hearing adjourned. “I’m saddened that this is what the system does to people, that big guys can ruin credibility and not suffer any consequences, or at least use a huge legal machine to go after the little guy.”

Marc Lescoutre, a spokesperson for the Department of Veterans Affairs, said in an emailed statement that the government is committed to supporting veterans and their families, and that during consultations Mr. O’Regan is open to different viewpoints.

“It is important to note that we do not take veterans to court,” he wrote, adding that he couldn’t comment on this specific case because it’s before the courts.

Deputy Judge Dwoskin said he would rule on whether to toss the case in seven to 10 days.

The lawsuit stems from Mr. Bruyeya’s Feb. 12 op-ed in *The Hill Times*, in which Mr. Bruyeya critiqued the Liberal government’s new Pension for Life program meant to support veterans injured on the job. Mr. O’Regan wrote a rebuttal to it on Feb. 26, pointing to what he called “mistruths” in Mr. Bruyeya’s article, which Mr. Bruyeya denies. Both op-eds were also published by the *Ottawa Citizen* through its online *Defence Watch* column.

The lawsuit alleges Mr. O’Regan’s article was defamatory because it said Mr. Bruyeya was a “liar” and was “deliberately untruthful to serve a dishonest personal agenda,” according to court documents. It attacks his credibility as a journalist, Mr. Bruyeya said, adding his reputation is the only thing he has.

To have the motion accepted and the case dismissed, the government lawyers must prove the statements alleged to be defamatory relate to a matter of public interest. If public interest is proven, the legislation says the case must be dismissed unless Mr. Bruyeya demonstrates substantial merit, that the defendant has no valid

defence, and that the harm allegedly suffered justifies restricting the defendant’s freedom of expression.

Both sides seemed to agree veterans issues were in the public’s interest, however Mr. Bruyeya said the specific comments directed at him were not. The court must consider this, said Mr. Bruyeya, otherwise people could publish anything they want inside an article deemed to be a topic of public interest.

Mr. Kaufman said Mr. Bruyeya’s case lacks the requirements to allow the lawsuit to continue, as Mr. O’Regan’s article doesn’t have the alleged defamatory meaning.

Saying a person is “incorrect” or “has an agenda” isn’t the same as calling a person a liar, Mr. Kaufman told the court, and Mr. Bruyeya hasn’t suffered serious harm. The case lacks merit, he added, while Mr. O’Regan has several defences.

“Many people have agendas, and to have an agenda simply means to have a reason for doing something,” Mr. Kaufman said, adding it’s not defamatory, and that even the Pope probably has an agenda.



Outspoken veterans advocate Sean Bruyeya argued with federal lawyers for five hours Friday over a motion to dismiss his defamation case. *The Hill Times* photograph by Sam Garcia

At several points during the hearing, the veterans advocates spoke quietly to each other, or to Mr. Bruyeya, which eventually prompted Deputy Judge Dwoskin to tell them they either had to be quiet or be asked to leave.

Although Mr. Bruyeya addressed all the criteria for continuing the case, he focused mostly on the case’s merit. The points Mr. O’Regan refuted from his piece were factual, he argued, as demonstrated by a Library of Parliament study commissioned by Liberal Senator Percy Downe (Charlottetown, P.E.I.).

Additionally, he pointed to a sentence difference between *The Hill Times* and the *Ottawa Citizen* articles. The sentence, “but let me be very clear: individuals like Sean Bruyeya, who are stating mistruths about Pension for Life and are leaving out parts of our programs, are doing so to suit their own agenda,” was taken out of *The Citizen* article because it was too defamatory, argued Mr. Bruyeya.

Mr. Bruyeya also argued he had suffered significantly due to the attack on his credibility, which was supported by a letter from his psychologist. The attack reopens trauma inflicted due to government officials putting his personal medical information in ministerial briefing notes. He got an official government apology for the incident in 2010.

The letter also said that Mr. Bruyeya didn’t have any kind of hidden agenda. Mr. Kaufman said the letter was biased towards Mr. Bruyeya.

“I think [the psychologist] knows me a bit more than the minister; he knows that I don’t have a hidden agenda,” Mr. Bruyeya told the judge. “My agenda is very forthright. It’s to help veterans and their families.”

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