

GLENN BLACKETT LAW

Barrister

June 13, 2024

Via Email: [REDACTED]

Attention: Rebecca Burbank
Powell River Public Library
6975 Alberni St #100
Powell River, British Columbia
V8A 2B8

Dear Ms. Burbank:

Re: Powell River Public Library and Possible Rescinding of Space

I have been retained on behalf of Diane Sparks and Frances Widdowson.

I understand from my clients that:

- In connection with the Tla'amin First Nation's proposal to change the City of Powell River's name, Vancouver Island University invited academic Sean Carleton to speak at the Powell River Public Library (the "**Library**") on the topic of "Who was Israel Wood Powell."^[1] In the presentation on February 10, 2024, and on social media Mr. Carleton expressed agreement with the name change^[2]. On social media Mr. Carleton advertised the event as being about Powell's "complicity in colonial schooling" and the "origins of settler colonial rule in British Columbia." Notwithstanding the controversial topic, including overt hostility to white Canadians, including my clients and most residents of Powell River, the Library permitted the use of its space for this expressive purpose.
- On about June 10, 2024, Ms. Sparks contacted the Library to rent space on Monday, July 8, 2024, from 1:00-3:00 p.m. for a panel discussion on the same topic (the "**Event**"). The space was confirmed and, in reliance on the confirmation, Ms. Sparks and invited speakers (Arthur Richards (local amateur historian who has done research on Israel Wood Powell), Ted Vizzutti (local advocate) and Frances Widdowson (Canadian political scientist with a specialization in indigenous politics and economy)) began preparations.

^[1] <https://x.com/SeanCarleton/status/1753922317770502285>

^[2] <https://x.com/SeanCarleton/status/1758218171683848569>

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- You have since required further information from Ms. Sparks, including the panel topic, speaker names, and summaries of all proposed presentations and has indicated that Library Council consent would be required before the space could be “confirmed,” which, of course, amounts to the Library contemplating the cancellation of the Event.

As a municipal library established under section 3 of the *Library Act* [RSBC1996] c. 264, you are subject to the Canadian Charter of Rights and Freedoms in all your operations.

Section 2(b) of the *Charter* protects the fundamental freedoms of speech and conscience. Section 2(b) applies to the Event because: it has expressive content; the method and location of the expression does not remove that protection. The Library may not interfere with the content of expressive activity, as evidenced by your request for the presentation summaries. Nor, under s. 15 of the *Charter*, may the Library racially discriminate - whether in attempts to censor speech or otherwise (*Canadian Federation of Students v. Greater Vancouver Transportation Authority*, 2009 SCC 31).

I would therefore encourage you and the Council to comply with your constitutional duty towards my clients and Powell River residents generally to maintain the Event booking.

Quite apart from your constitutional duties and your Library’s mission, vision and values (which include exploration, connection, curiosity, and community “for all”), it would be a sad failure for a library, of all places, to suppress public access to information.

Sincerely,



Glenn Blackett
Barrister