

Friday, April 22, 2025

## **Summary of Response to the Integrity Commissioner's Report**

Below is a summary of the response that was sent to the Integrity Commissioner (IC) after receiving her [report](#). Below, I outline my points of disagreement with her report.

### **1. The report does not give sufficient consideration to freedom of expression.**

Freedom of expression is a fundamental right protected by section 2(b) of the Canadian Charter of Rights and Freedoms. Courts across Canada have consistently ruled that this right is essential to a functioning democracy, especially when it comes to political speech.<sup>1</sup> That's because political expression allows elected officials like myself to advocate on behalf of our communities and engage the public on important issues.

The Supreme Court has been clear: political expression should only be limited in rare and extreme cases, like hate speech, threats, or inciting violence. It's not enough for someone to feel uncomfortable or offended by a comment. In fact, even speech that others find intimidating may still be protected under the Charter if it relates to political issues.<sup>2</sup>

This standard was reinforced in *Harper v. Canada*, where the Court said that any limit on free speech must be backed by clear and convincing demonstration that the limit is necessary, does not go too far, and ultimately helps, rather than harms, democracy.<sup>3</sup>

The IC's report acknowledges the right to free expression but does not apply these legal principles. My post did not include hate, discrimination, threats, or false statements.

The report cites a previous legal case involving a City Councillor's posts on social media, *Robinson v Pickering* where the Councillor involved targeted residents over a personal issue. Unlike in *Robinson*, my post was on the matter of a citywide public policy debate. I commented on political actors who voluntarily entered the public space to influence decisions on shelter and housing. This kind of speech, debating who influences public policy and why, is exactly what our freedom of expression is meant to protect.

### **2. The matter that I was discussing on social media was a matter of municipal significance that was crucially important to my community.**

There is no question that the post I made on social media was political in nature and directly related to an ongoing public debate. In fact, the Integrity Commissioner's own report acknowledges several key points that confirm this:

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<sup>1</sup> BC Freedom of Information and Privacy Association v British Columbia (Attorney General), 2017 SCC 6 at para 16.

<sup>2</sup> Bracken v Fort Erie (Town), 2017 ONCA 669

<sup>3</sup> Harper v Canada (Attorney General), 2004 SCC 33 at para 21. Cited in BC Freedom of Information and Privacy Association v British Columbia (Attorney General), 2017 SCC 6 at para 16.

1. The people I referenced in my posts were actively organizing and participating in the debate over sprung structures
2. My goal in posting was to explain the political connections and motivations behind some of the opposition
3. The report agrees that highlighting these connections could help residents better understand what was really driving the conversation
4. The report also recognizes that I had no intention of harassing anyone

These admissions make it clear my posts were not personal attacks. They were fair, informed contributions to an important policy discussion and because they were political in nature, they deserve strong protection under the law.

I represent a diverse community with many low-income residents who have been disproportionately affected by changes to city services, particularly due to the urgent need to house asylum seekers. Sprung structures were proposed to help fix that by restoring access to key services, namely returning access to a community centre.

The group in opposition to the sprung structures came largely from more affluent neighborhoods, and many of those opposing the plan had political, social, or financial connections to each other, and in at least one case, clear personal interests in blocking the project. I believe the public had a right to know who was involved and why, especially when their position could have prolonged disadvantage in communities like Rideau-Vanier.

**3. The section of the Code of Conduct that the IC finds me in contravention of was not properly applied in the context of modern political debate that occurs on social media.**

The IC's report criticizes the tone of my posts, specifically the use of emojis, memes, and direct language. But these are common and accepted forms of political communication today, especially on social media.

For example, the report takes issue with my use of the 🤨 emoji, calling it sarcastic. In reality, this emoji is used by politicians across the country, including our own Mayor, to express that someone is thinking. It is not disrespectful.

Political debate in 2025 doesn't happen only through long speeches. It happens online, where posts are shorter and more expressive. Emojis are part of how people, including elected officials, engage in important public conversations.

The report also claims I made "innuendo" or "disparaging" remarks but fails to explain how. My posts highlighted political connections and motivations of public figures involved in opposing sprung structures. This is completely legitimate in political debate, especially when those individuals voluntarily entered the public conversation.

I did not use hate speech, profanity, or personal threats. I did not lie or share private information. I showed accurate, public information about people involved in a major city issue. This is part of

my job. And as other integrity commissioners have said, their role is not to police the tone of political speech, but uphold the rules within a democratic system.<sup>4</sup>

We must protect space for honest, sometimes critical, public debate, especially when it concerns the needs of vulnerable residents.

**4. The report stated that my comments on social media silenced the complainants. This is false.**

The report claims that my posts made some individuals hesitant to engage in public debate about Sprung Structures. This is not supported by the facts. All four complainants continued to be actively involved in the conversation after my posts. Many continued on to be involved in the subsequent federal and provincial elections working for candidates aligned with their positions on sprung structures. In fact, the IC's report offers no evidence to solidify the claim that the complainant felt silenced. Rather, the IC accepted this claim without investigating whether it was accurate.

One complainant, for example, claimed to withdraw from online engagement after one of my posts. But in the months that followed, they continued organizing protests, gave media interviews, promoted opposition campaigns on social media through their business, and appeared on a podcast to criticize the project, well into 2025.

This pattern of ongoing activism shows that my comments did not silence anyone. It is normal and appropriate in political debate to question someone's position or motivations, especially when they are publicly organizing around a city issue. Suggesting that this kind of fair comment amounts to intimidation or bullying, when the person remains a highly active advocate, is simply not credible.

**5. The conclusions as to harassment are not substantiated in the report, but rather based on a “balance of probabilities”**

Harassment usually means repeated and unwelcome behaviour that someone knows, or should reasonably know, is unwanted. But when it comes to political speech, this definition must be applied very carefully, Political debate should almost never be considered harassment. There are two main reasons for this.

First, political comments on important public issues, such as the Sprung Structure matter, are not meant to be “vexatious” or intended to annoy. If political speech were treated as harassment, it would limit free and open debate, which is essential to our democracy. All of my posts were about legitimate political issues.

Second, online political discussions naturally involve disagreement and criticism. Simply finding comments “unwelcome” is not enough to call them harassment. If it were, political opponents could silence elected officials just by saying they don’t like what’s being said. That would go against the protections we have for free expression.

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<sup>4</sup> *Burton v Inch*, 2023 ONMIC 6 at paras 90-94.

I have always been willing to discuss these matters with those involved. I even reached out personally to one complainant to talk about the content of their post, but they did not want to engage. Given the timing and coordination of these complaints, it appears the goal was not to address any real harassment, but to silence me as a political opponent. If the report supports these complaints, it risks endorsing a tactic that undermines fair political debate.

Sincerely,

A handwritten signature in black ink, appearing to read "Stéphanie Plante".

Stéphanie Plante  
Councillor – Conseillère  
Rideau – Vanier