

Watchdog Committee On Liberties Formed

Toronto lawyers and laymen are forming a watchdog group on civil liberties.

Two of the organizers of the Canadian Civil Liberties Association, Professors Mark MacGuigan and Edward McWhinney of the University of Toronto Law School, said they will try to bridge a widening gap between the policeman and the public.

J. Keiller Mackay, former Lieutenant-Governor of Ontario, who as a judge wrote a precedent setting decision outlawing restrictive covenants in the sale of real estate in 1945, has agreed to be president of the organization.

The Canadian Civil Liberties Association, to be modeled partly on the 45-year old American Civil Liberties Union, will concern itself especially with the rights of New

Canadians who are not familiar with English law, and with censorship.

In an interview, the two professors cited the recent ban on the novel *Fanny Hill*, since rescinded, as an example of what they regard as the kind of unconstitutional act the association will protest and possibly test in the courts.

Julian Porter, a young lawyer and son of Chief Justice Dana Porter of Ontario, is the association's part-time counsel. He has started investigating cases of possible abuse of civil liberties.

"There is a Canadian smugness about civil liberties, a feeling that we do not have the same problems here as in the United States," Prof. MacGuigan said. "The main purpose of this group is to overcome this."

Prof. McWhinney declared: "There is a complete lack of communication and sympathy between police officers and our new citizens. We think the lack of communication is tragic."

The Police Amendment Act of 1964, which before it was redrawn, would have given the Ontario Police Commission power to jail indefinitely a person who refused to answer questions, spurred the organizers of the Canadian Civil Liberties Association into action.

The group will replace the Association for Civil Liberties (Toronto), which was formed in 1949 with the aim of giving effect to the United Nations Declaration on Human Rights. Irving Himel, Toronto lawyer who was executive secretary of the old group, will be chairman of the new organization's executive committee.

Besides Mr. Mackay, Mr. Himel, Mr. Porter and Professors MacGuigan and McWhinney, members will include Professor Harry Arthurs of Osgoode Hall Law School; June Callwood, magazine writer; Abraham Feinberg, rabbi emeritus of Holy Blossom Temple; Rev. Donald Gillies, Bloor Street United Church; Ron Haggart, Toronto Star columnist; Glen How, Toronto lawyer who has represented Jehovah's Witnesses in court cases; Professor Bora Laskin of the U of T Law School; and Sidney Midanik, Toronto lawyer. Doris Dodds will be executive secretary.

The association hopes to have 300 members initially and plans to hold its first meeting Feb. 11. It will operate at first in Toronto but plans to become a province-wide and eventually a nationwide organization. There is a Quebec Civil Liberties Union.