

**CANADIAN HUMAN RIGHTS TRIBUNAL**

**B E T W E E N:**

**RICHARD WARMAN**

**Complainant**

**- and -**

**CANADIAN HUMAN RIGHTS COMMISSION**

**Commission**

**- and -**

**MARC LEMIRE**

**Respondent**

**- and -**

**ATTORNEY GENERAL OF CANADA,  
CANADIAN ASSOCIATION FOR FREE EXPRESSION,  
CANADIAN FREE SPEECH LEAGUE,  
CANADIAN JEWISH CONGRESS,  
FRIENDS OF SIMON WIESENTHAL CENTRE FOR HOLOCAUST STUDIES  
and LEAGUE OF HUMAN RIGHTS OF B'NAI BRITH**

**Interested Parties**

**AFFIDAVIT OF KENNETH CHARLES GILLIS**

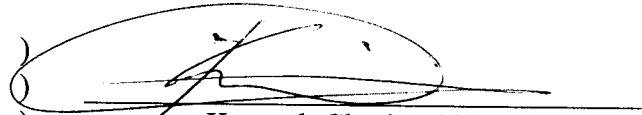
**I, KENNETH CHARLES GILLIS, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:**

1. I have been a national correspondent with Maclean's Magazine since August, 2003 and I cover national affairs. I was with the National Post from 1998 until August, 2003 and I worked at the Edmonton Journal from 1996 to 1998.

2. I have been assigned by the Editor of Maclean's Magazine, Mark Stevenson, the task of writing a story on the March 25, 2008 Canadian Human Rights Tribunal hearing in this proceeding.
3. It is my understanding from my review of the transcripts of prior hearings in this matter that on or about May 9, 2007 the Tribunal made an Order, referred to at page 4392 of the transcript, excluding the public from the hearing room while the witnesses are testifying.
4. On or about March 12, 2008 I sent a letter to the Canadian Human Rights Tribunal formally requesting access to the March 25, 2008 hearing. Annexed hereto and marked as Exhibit "A" to this my Affidavit is a true copy of that letter.
5. I believe it is in the public interest for Canadians to be made aware of evidence dealing with the conduct of employees or agents of the Canadian Human Rights Commission in the pursuit of their duties and responsibilities.
6. In order to properly inform Canadians, it is necessary for me and/or other reporters from Maclean's Magazine to attend the hearing so that we are able to report on the evidence to be given by Dean Steacy and perhaps others, as to the performance of their duties on behalf of the Canadian Human Rights Commission.
7. I will require counsel to be present to argue for the right of Maclean's Magazine to have access to the workings of this major Canadian institution, the Canadian Human Rights Commission.
8. For the public to be properly informed of the administration of justice, reporters from Maclean's Magazine should be entitled to be present at the hearing on March 25, 2008 in order to provide to the readers of Maclean's Magazine with the complete atmosphere of the hearings and the Commission's *modus operandi*.

9. This affidavit is made in support of a motion by Rogers Publishing Limited, A Division of Rogers Media Inc. on behalf of Maclean's Magazine to attend the March 25, 2008 hearing in this matter and for no other or improper purpose.


SWORN BEFORE ME, at the City of Toronto, this 14<sup>th</sup> day of March, 2008.

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) \_\_\_\_\_  
Kenneth Charles Gillis



A Commissioner, etc.  
Natalie Talsky, LLB

Canadian Human Rights Tribunal  
Attn: Ghislaine Cyr, Greg Smith  
160 Elgin Street, 11<sup>th</sup> Floor  
Ottawa, Ont. K1A 1J4

Exhibit "A" to the  
Affidavit of Kenneth Charles Gillis  
Sworn to before me, this 14<sup>th</sup>  
day of March, 2008  
  
Natalie Talsky, A Commissioner etc.

March 12, 2008

Dear Ms. Cyr and Mr. Smith:

Please accept this letter as a formal request on behalf of Maclean's for access to the March 25, 2008 hearing in which the tribunal is to consider arguments in the case of Warman v. Lemire.

We understand there is some question as to whether the proceeding will be heard in-camera, or whether restrictions might be placed on coverage of the proceeding. We request that the Tribunal allow our journalists access, as the matters in question are of interest to our readership and importance to the Canadian public.

In the event the question of media and/or public access arises before or during the proceeding, we further ask that the Tribunal provide us with opportunity make representations on that question.

The names of the journalists Maclean's wishes to send are Mark Steyn and (myself).

Sincerely,

Charlie Gillis  
National correspondent  
Maclean's Magazine  
One Mount Pleasant Road, 11<sup>th</sup> Floor  
Toronto, Ont.  
416-764-1368

Cc: Mark Stevenson, Editor, Maclean's  
Julian Porter QC, legal counsel

**RICHARD WARMAN**  
Complainant

v.

**CANADIAN HUMAN RIGHTS COMMISSION**  
Commission

Tribunal File No. 1073/5405

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**CANADIAN HUMAN RIGHTS  
TRIBUNAL**

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**AFFIDAVIT OF KENNETH  
CHARLES GILLIS**

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**JULIAN PORTER, Q.C.**

1 First Canadian Place  
Suite 1600, 100 King Street West  
Toronto, Ontario  
M5X 1G5

LSUC #10104E

Telephone: 416-862-4297

Facsimile: 416-862-7661

Solicitor for Rogers Publishing Limited, A  
Division of Rogers Media Inc. on behalf of  
Maclean's Magazine