

Our File: 2405

November 22, 2021

BY FACSIMILE & EMAIL - premier@gov.ab.ca

The Honourable Jason Kenney
Office of the Premier
307 Legislature Building
10800-97 Avenue
Edmonton, AB T5K 2B6

Dear Premier Kenney:

Re: Defamation re Public Inquiry into anti-Alberta Energy Campaigns

We represent the following groups and organizations, all of whom are named in the Report of the Public Inquiry into anti-Alberta Energy Campaigns (“the Alberta Inquiry”) and in your government’s “Key Findings” publication concerning the Inquiry: Dogwood Initiative; Environmental Defence Canada; Greenpeace Canada; Raincoast Conservation Foundation; Sierra Club Canada Foundation; Sierra Club of British Columbia Foundation; West Coast Environmental Law and Research Foundation; and Western Canada Wilderness Committee (together, “the Groups”).

We have reviewed the statements published by the Alberta government in its “Key Findings” document and subsequently repeated and amplified by you on social media platforms Facebook and Twitter, including the patently false claim that the Inquiry’s “report confirms the existence of well-funded foreign interests that have been waging a decade-long campaign of misinformation”.¹ The Alberta government’s new Inquiry website also repeats the false claim that Commissioner Allan confirmed the existence of “campaigns based on misinformation” that have “impacted the lives and livelihoods of Albertans and “cost Albertans and Canadians thousands of jobs.”²

¹ Government of Alberta, “Public inquiry into anti-Alberta energy campaigns final report: key findings” online at: <https://open.alberta.ca/dataset/public-inquiry-into-anti-alberta-energy-campaigns-report-overview/resource/abac6864-af4a-462d-a25c-2903f04a0476>; Facebook post by Jason Kenney, October 21, 2021 at 1:32PM; Tweet by @jkenney, October 21, 2021 at 1:46PM online at: <https://twitter.com/jkenney/status/1451243483637764098>.

² Government of Alberta, “Public inquiry into anti-Alberta energy campaigns”, online at: <https://www.alberta.ca/public-inquiry-into-anti-alberta-energy-campaigns.aspx>

These statements are defamatory as they assert that our clients have spread “misinformation”. Implying or stating that a person is deliberately untruthful has been found by many courts to be defamatory. Your statements were designed to undermine the Groups’ reputations and credibility in the eyes of the public by falsely asserting that the Alberta Inquiry found that the Groups were spreading misinformation.

Premier Kenney, you are doubtless fully aware that the Alberta Inquiry makes no such finding. In fact, Commissioner Allan is clear throughout his report that he could not make any finding or suggestion that “any information disseminated by any organization is false or misleading”.³ Notwithstanding the Commissioner’s unequivocal statements, you and your government falsely proclaim the Inquiry found that the Groups were involved in a “decade-long campaign of misinformation”.

Our clients’ work depends significantly on the credibility of the reports and information they disseminate. The defamatory statements on your social media and on the Alberta Government website have impugned our clients, and they are presently weighing whether to pursue a defamation action in the Alberta Court of Queen’s Bench. In the interim, and to minimize further harm to the Groups, we demand that you immediately:

1. Amend the “Key Findings” document and other materials published on the government of Alberta’s website to remove the defamatory statements, namely by deleting all references to “misinformation”, and publishing a correction;
2. Retract and remove your earlier defamatory statements from your Facebook and Twitter accounts; and
3. Publish an apology to the Groups on your Facebook and Twitter accounts, expressly confirming that the Alberta Inquiry states in its final report that it did not make any finding or suggestion that any information disseminated by any organization is false or misleading.

Premier Kenney, the cut and thrust of political debate may sometimes be sharp. But I trust we can agree that it is vitally important in a democratic society that political leaders avoid misrepresenting the findings of a court or quasi-judicial body such as an independent and arms length commission of inquiry.

We look forward to your response by no later than Tuesday, November 30, 2021.

Yours truly,



Paul Champ

³ Final Report of the Public Inquiry into anti-Alberta Energy Campaigns at paras 14, 395 [for quote], 407(c), 919(c), 1236