



THE STUDENT PRESS FREEDOM ACT, EXPLAINED

FAQ about the campaign and legislation

WHAT IS THE SPFA?

The SPFA, short for Student Press Freedom Act, is Canada's first student journalism protection legislation!

WHAT DOES THE SPFA DO?

We would say the SPFA does four things:

- (1) clarifies that student journalists enjoy freedom of expression and freedom of the press under the section 2(b) *Canadian Charter of Rights and Freedoms* in public schools;
- (2) prohibits the unnecessary disclosure of confidential journalistic sources;
- (3) shields students, teachers, and school officials from retribution for exercising their rights, or refusing to infringe the rights of others; and
- (4) provides a forum for access to justice through an appeal process.

WHY IS THE SPFA NEEDED?

BC needs the SPFA to protect students journalists from censorship and interference from school administration and school board officials. Student journalists cover topics relevant and important to their community, often shedding light on unique experiences and issues.

Unfortunately, though, student journalists' freedom of expression and freedom of the press is regularly at risk. Censorship of student media, including newspapers, yearbooks, and other publications is common, and generally for reasons that are arbitrary and unexplainable. That is fundamentally wrong. We believe student journalism, like all journalism, deserves nothing less than the full protection of provincial law. Journalism should be freely practiced and accessible in secondary schools to the same calibre as the rest of society, subject to only specific, narrow, and articulable exceptions.

As for the question of why people should care, the answer is simple. Freedom of expression and freedom of the press inseparable from a healthy democracy. To disenfranchise the over 200,000 public secondary school students in British Columbia on account of their age and preclude them from accessing *Charter* rights, including the express criticism of their own school system, is unjust. When we allow student journalism to flourish, we make our public education system better and offer tangible appreciation for democracy to our students.

ISN'T STUDENTS' FREEDOM OF EXPRESSION AND OF THE PRESS PROTECTED BY *THE CHARTER*?

Yes, but we don't know to what extent. Section 2(b) of the *Canadian Charter of Rights and Freedoms*, part of Canada's constitution, says everyone in Canada has the "freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication." We know the *Charter* applies to school board and the discretionary decisions of administrators, but unlike the United States, Canada does not have any case law coming from the Supreme Court guiding our understanding of how students' freedom of expression and freedom of the press work in the context of a school. The SPFA will help clear it up.

Find more in-depth discussion about free expression in schools here.

WHO DRAFTED THE SPFA?

Two, now former, secondary school student journalist who were frustrated with the state of press freedom in their school and school district and decided to do something. Then-Grade 11 students Spencer Izen and Jessica Kim in June 2021, and the two have continued their efforts to pass their legislation ever since, with growing national support.

Along the way, dozens of generous lawyers, advocates, and organizations have poured time in for free to aid Spencer and Jessica in bring the Act to where it is now.

WHO SUPPORTS THE SPFA?

We're happy to say, a lot of people do! See the SPFA's growing list of **endorsements** on our website.

Got a question not answered here? Send us an email at spfacampaign@gmail.com and be sure to check out our website, Twitter, and Instagram for more!