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***FILM BOARD CHARGES LESBIAN AND GAY BOOKSTORE  
FOR SELLING ADULT VIDEOS***

The Theatres section of the Ministry of Consumer and Commercial Relations has charged a bookstore and its owner for the sale of a gay adult video under the *Theatres Act*. On April 27, 2000 three undercover *Theatres Act* inspectors came to Glad Day Bookshop and purchased the video "Descent" directed by the renowned American director Steven Scarborough. This purchase was apparently the climax of an investigation of Glad Day that began several years earlier. Glad Day has been charged with one count of Distributing an Unapproved Film, contrary to Section 37(1) of the *Theatres Act*.

A press conference will be held next week. We will contact you with the exact time and place.

Glad Day Bookshop, Canada's first lesbian and gay bookstore, has been attacked in the past over representations of lesbian and gay sexuality. In 1987, it took Canada Customs to court for seizing *The Joy of Gay Sex*. In 1992, Toronto Police charged Glad Day for its sale of *Bad Attitude*, an adult lesbian magazine made by women for women.

Glad Day intends to fight the new charges and the law under which they were laid. We are launching a constitutional challenge to the Ontario Film Review Board's system of regulation and censorship. Under the *Theatres Act*, the Board is empowered to regulate the distribution, rental and sale of all videos in the province. Remarkably, it can ban or censor videos that are not criminally obscene.

"There has not been a challenge to the *Theatres Act* since the Supreme Court's decision in *Butler* in 1992", said Glad Day's lawyer, Frank Addario. "This statute allows the province to regulate films and videos in an area that belongs to the Federal Government, it puts the risk of incorrect decisions on the seller of the film or video, and it reverses the burden of

showing that a film shouldn't be sold. It also allows the government to control what Canadians can watch in the privacy of their own homes. All of these things are inconsistent with the *Charter of Rights and Freedoms*." Mr. Addario also pointed out: "What's worse, the province is treating films like a cash cow. They charge sellers and distributors for the privilege of having their films reviewed. If you strip away all of the fancy language in the law, this is just a tax on the freedom of expression."

Glad Day's next appearance in court is May 29, 2001 for trial.

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