

## Crown proceeds with case against ODA | WaterlooChronicle.ca

---

<http://www.waterloochronicle.ca/news/crown-proceeds-with-case-against-oda/>

July 13, 2011

**By Bob Vrbanac, Chronicle Staff**

Provincial prosecutors are proceeding with a charge that the Ontario Dental Association breached the Ontario Municipal Elections Act during last year's fluoridation referendum.

The Crown is looking to confirm the trial dates in Kitchener's Provincial Offences Court on Aug. 11, after a series of pre-trial motions. "The matters are in the process of being set down for trial," said prosecutor Ralph Cotter.

The charges were originally sworn out against the ODA Sept. 20, 2010, under Section 94 of the Municipal Elections Act by Robert J. Fleming, executive director of WaterlooWatch and current president-elect of Canadians Opposed to Flouridation. He argued that the group, representing 8,000 Ontario dentists, was contravening the act by proposing to incur expenses with respect to a question on the municipal ballot.

The Region of Waterloo held a plebiscite on water fluoridation during the Oct. 25 municipal election. Waterloo voters narrowly rejected continuing with the practice that has been in place in the city since 1967.

Fleming claimed that the ODA failed to file a notice of registration June 17, before campaigning as a candidate to the upcoming fluoride question.

He was pleased to hear that the crown was proceeding to trial with the case.

"The Ontario Municipal Elections Act governs what can and can't be done when campaigning for office or a ballot question," said Fleming. "Those who don't comply with the act brought themselves into question."

Fleming said he hopes it sets an important precedent in preserving openness, transparency, equality and fairness for everyone during the democratic process of an election campaign.

"This trial is focused on ensuring that participants to the municipal democratic process will adhere to the law when campaigning," he said. "Democracy is something most of us hold dear, so most people understand the inappropriateness of allowing a large lobby group to simply do as they please during a municipal election or referendum."

The Ontario Dental Association was contacted by the Chronicle but was unable to comment before deadline.