

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

CANWEST MEDIAWORKS INC.

Applicant

- and -

ATTORNEY GENERAL OF CANADA

Respondent

**AFFIDAVIT OF ANNE ROCHON FORD
(sworn July 31, 2006)**

I, ANNE ROCHON FORD, of the City of Toronto, in the Province of Ontario, AFFIRM THAT:

1. I have been the coordinator of Women and Health Protection (hereafter "WHP") since the group was founded in 1998 and, as such, have personal knowledge of the facts herein deposed to.
2. WHP is a coalition of community groups, researchers, journalists and activists concerned with the safety of pharmaceutical drugs and in particular with the effectiveness of Canada's drug regulatory system in protecting women's health. It is also committed to ensuring a voice for women in decision-making and policy development in this sphere.
3. The WHP steering committee is comprised of several of Canada's leading experts on the health impacts of pharmaceutical products and the efficacy of the approvals and monitoring regimes established to regulate such products. Attached as Exhibit "A" to this affidavit is a current list of the members of the WHP steering committee.

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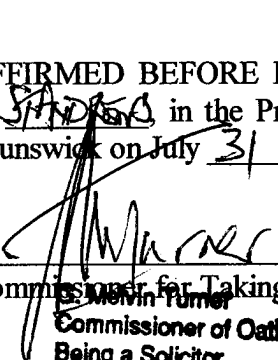
4. Since its creation, WHP has focused on issues relating to direct-to-consumer advertising (hereinafter "DTCA"), post-marketing surveillance, risk management versus the precautionary principle, the regulation of natural health products, and clinical trials. Our work includes studies on: the international harmonization of drug regulation; problems with Canada's Adverse Drug Reaction program; the growing shift towards "pills for prevention" in health care; specific products such as silicone gel breast implants, Diane-35 and Depo Provera; and, women's needs regarding drug information. A list of current WHP publications is attached as Exhibit "B" to this affidavit.
5. WHP has also produced educational brochures for the general public about DTCA. Attached as Exhibit "C" to this affidavit is a copy of WHP's paper about the impacts of DTCA on women's health, and another describing how the lack of enforcement of the *Food and Drug Act* has resulted in misuse of one drug in particular, Diane-35.
6. In 2001, WHP undertook a cross-Canada education campaign to raise awareness about the impact of DTCA on prescription drugs. Public panels and workshops about DTCA were organized in major Canadian cities, culminating in a panel discussion with several parliamentarians. In that same year, we participated in a health policy forum on DTCA organized by Health Canada for staff.
7. This WPH work, consultation and analysis shows that DTCA drives up prescription drug costs, strains public health care budgets, and fails to provide reliable and objective information about pharmaceutical products. It also documents the adverse impacts associated with the misuse and overuse of prescription drugs. These concerns are particularly problematic for women as many of the major DTCA campaigns in Canada to date (e.g. Diane-35 treatment for acne, Depo Provera injectible contraception, and the "Julie" campaign for the diet drug, Xenical) have focused on products that are used by women, often with questionable safety records. While both women and men suffer the ill effects of pharmaceutical products that are advertised before being adequately tested or

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properly monitored post release, women are greater consumers of prescription drugs and are most often the gatekeepers around medication control in the home.

8. Arising from these concerns, WHP continues to advocate for better enforcement and the strengthening of current health protection legislation in general, and DTCA in particular. In this regard, we have written letters of concern to several Ministers of Health about various DTCA campaigns that have targeted women. For the most part, our complaints have not prompted a satisfactory response from government. Attached to this affidavit as Exhibit "D" is an example of such correspondence.
9. WHP has a genuine and substantial interest in the outcome of this case and seeks to intervene in order to assist the Court in deciding questions relating to our expertise in women's health care issues.
10. I make this affidavit in support of our application for intervener status in the matter of CANWEST MEDIAWORKS v. Canada and for no other improper purpose.

AFFIRMED BEFORE ME at the City of ^{Town} ~~SANDS~~ in the Province of New Brunswick on July 31, 2006.



Commissioner for Taking Affidavits
Commissioner of Oaths
Being a Solicitor



ANNE ROCHON FORD