



Provinces challenged over lockdown harms



Aaron Ogden
2001 - 2020

We have released four comprehensive *Charter* analyses of the lockdown measures in Ontario, Alberta, Saskatchewan and BC and will release more papers in the months ahead. In Saskatchewan, the government locked down the economy and society based on models predicting that, even with lockdown measures in place, more than 8,000 people could die of COVID-19. But as of late September, 24 Saskatchewanians had died, not 8,000. The cancellation of medical procedures has resulted in predictable consequences, such as the death of Yorkton resident Aaron Ogden. His CT scan, scheduled for June of 2020, was cancelled by the lockdowns. On August 15 he died from a blood clot, which could have been detected by the scan.

In Alberta, the government cancelled 22,000 medically necessary surgeries, many of them urgent, yet hospitals remained nearly empty in March and April. The BC government postponed over 30,000 surgeries and now estimates this lockdown-created backlog will take up to two years to be cleared.

Families of seniors in care homes sue the Ontario government



With the Ontario government failing to act decisively to end the suffering of seniors in nursing homes, the Justice Centre filed a court action in August. This followed months of lobbying, heartbreaking stories in the media of declining physical and mental health, and even deaths of elderly residents without this care and companionship. The Justice Centre represents two elderly residents of long-term care homes, and their daughters, who are their essential family caregivers. The daughters were locked out from seeing and caring for their mothers for over five months. Further, numerous reports from medical and nursing experts had demonstrated that the benefits of reintroducing family caregivers far outweighed any harms.

Shortly after the court action was filed, the Ontario government changed its policies to allow long-term care residents to see their family caregivers. However, our court action will continue because the Ford government has created only unenforceable guidelines, rather than using a binding Directive that would force long-term care homes to comply. This court action also seeks a Declaration that the *Charter* rights of the elderly applicants and their daughters were unjustifiably breached.

Grabher license plate case going to the Court of Appeal



The case of Lorne Grabher and the Nova Scotia government's censorship of his Austrian-German family name on a personalized licence plate has been set for a full day appeal hearing on January 19, 2021. Mr. Grabher and other family members had been using the GRABHER personalized plate for 27 years, until the government decided his last name could be "misinterpreted as a socially unacceptable slogan." We are appealing a lower court ruling that said the license plate could incite violence against women.

Protecting Free Speech on Campus



The Justice Centre represented a very courageous Ontario Veterinary College student, Derek Van de Walle, who incurred the wrath of his College over his participation in a Facebook discussion on systemic racism in police forces. The College had ordered Derek to take supplementary courses to demonstrate his "cultural competence" and "communication skills." Although Derek engaged in measured, rational discourse and asked fair questions, he was subjected to considerable vitriol and anger from other students, who then reported him to the Dean for allegedly causing them "harm" by exposing them to an opinion with which they did not agree. Over the course of two uncomfortable meetings, the administration conceded that Derek had said nothing racist, but that his right to "free speech" ended when someone else was offended by it. Upon receiving a strongly-worded legal warning letter from the Justice Centre, the College dropped its demand that Derek take additional ideological training.

Time for federal government's rules on quarantines to comply with *Charter*



The Justice Centre plans to sue the federal government if it does not relax some aspects of the current mandatory quarantine restrictions for persons travelling internationally. The Canadian government has imposed a mandatory 14-day quarantine on all international travelers arriving in Canada, both citizens and visitors alike, without the option of arrivals getting tested for COVID-19. There are no allowances made for healthy people with no symptoms, or for people who test negative for COVID-19. Even walking alone outside for exercise and fresh air is prohibited and subject to extraordinary fines under the Quarantine Act.

The Justice Centre has warned Prime Minister Justin Trudeau that quarantine is the functional equivalent of house arrest, and legal action will follow if the government does not back down.

Fighting the government's confiscation of legally owned firearms



In May, the Trudeau cabinet suddenly issued an Order-in-Council which arbitrarily prohibited over 1,500 kinds of previously legal firearms, making it instantly illegal to own them. This Order amounts to a massive and arbitrary confiscation of legally owned private property from law-abiding citizens who have complied with all the rules to own their property. The Justice Centre is intervening in

a Federal Court action against the Trudeau government's confiscation of legally acquired property of Canadians.

Federal Government resumes passport services after lawsuit filed



The Federal Government has finally resumed processing passport applications by mail, after more than four months of refusing to accept passport applications not arbitrarily deemed "urgent" by bureaucrats. The government announced this change a few days after the Justice Centre filed a court action, in July, on behalf of three Canadians who had applied to renew their passports and were denied.

The normal processing of passports, even those sent by mail, had not occurred since March 19, 2020, when all Service Canada Centres and Passport Offices closed. Citizens who required new passports or passport renewals were unable to obtain them, unless they were able to prove to bureaucrats that their reason for travel was "validly urgent".

Victory for freedom as prosecutors drop \$1,200 tickets



Three tickets that were given to individuals peacefully protesting against lockdown measures at the Edmonton Legislature grounds in May have been withdrawn by prosecutors. Each of the three men was targeted by Alberta Sheriffs for detention and removal from the Legislature grounds, and issued a \$1,200 ticket under the Public Health Act.

The Justice Centre has filed complaints against these Sheriffs for having violated the *Charter* freedoms to associate, to assemble peacefully, and to express opinions in a public place.

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Edmonton bridge-lighting case: Justice Centre in court



The Justice Centre represents the Alberta March for Life Association (AMLA) in its court action against Edmonton, over the City's decision to cancel a scheduled lighting of the High Level Bridge in colours chosen by AMLA. Edmonton allows various political, religious and community groups to choose colours which are used to light up the High Level Bridge. But Edmonton banned AMLA's lighting as "polarizing".

The Justice Centre was in court on September 17, seeking to compel Edmonton to turn over the list of causes and events that the High Level Bridge's 60,000 lights have been lit up for, to prove the City acted in a biased manner when it cancelled the scheduled lighting for AMLA.

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