

Clerk's Stamp:

COURT FILE NO.

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANTS

GRACELIFE CHURCH OF EDMONTON, JAMES
COATES, DONNA KLAY, ALLAN NEILL, and
ACHNES SMITH

RESPONDENTS

THE PROVINCE OF ALBERTA AS REPRESENTED BY
THE MINISTER OF HEALTH, THE CHIEF MEDICAL
OFFICER OF HEALTH, and ALBERTA HEALTH
SERVICES

DOCUMENT

AFFIDAVIT OF JAMES COATES

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

Justice Centre for Constitutional Freedoms
#253, 7620 Elbow Drive SW
Calgary, AB T2V 1K2
Attention: Leighton B. U. Grey, Q.C.
James S. M. Kitchen

Phone:

Email:

AFFIDAVIT OF JAMES COATES

SWORN ON JUNE 4, 2021

I, James Coates, of the City of Leduc, in the Province of Alberta, have personal knowledge of the following or I am informed and do verily believe that:

1. I have been the lead pastor of the Applicant, GraceLife Church of Edmonton ("GraceLife") for the past ten years. I have a Bachelor of Arts (Honours) in Kinesiology, a Master of Divinity, and a Doctor of Ministry. GraceLife's leadership also includes two

other individuals with Master of Divinity degrees and one with a Master in Biblical Counseling.

2. Broadly speaking, GraceLife is a Protestant Christian church. It is independent and nondenominational. Theologically and doctrinally, it most closely resembles the Reformed Baptist tradition.
3. GraceLife owns the property on which our church building sits, located at 51529a Range Rd 262, Spruce Grove, AB T7Y 1B3. This property was seized and barricaded by Alberta Health Services (“AHS”) on April 7, 2021. Since that time, the GraceLife congregation has continued to gather in accordance with our religious beliefs, but have been compelled to do so at undisclosed locations.

GraceLife’s Initial Response to the Advent of COVID-19 and Government Restrictions

4. When the COVID-19 pandemic was first declared in March of last year, GraceLife shifted to livestream and abided by most of the new government guidelines and restrictions. We did this due to our ignorance of COVID-19 risks and their severity. However, the theological conflict between the necessity of the corporate gathering and the Scriptural command to typically be subject to the governing authorities was immediately felt.

GraceLife’s Decision to Reopen

5. GraceLife lifted the restrictions on our gathering and allowed our congregation to return at their discretion on 21 June 2020. We recognized both that COVID-19 was much less severe than the government had initially projected and that long-term lockdowns were likely to be ineffective and far more harmful than the virus itself.
6. Out of concern for the overall health and well-being of our congregation, and to make wise decisions, the leadership of GraceLife conducted research regarding COVID-19. We engaged doctors, listened to experts, and interacted personally with frontline health workers. Our research convinced us that the restrictions in the CMOH Orders are

unnecessary, ineffective, and do devastating harm to our overall health that far outweighs any risk caused by COVID-19 infection.

7. These views were shared by Premier Jason Kenney at the time. Attached as **Exhibit "A"** to this affidavit is a copy of the Hansard from May 27, 2020, in which Premier Kenney stated:

...we all understand, even as laypeople, about the epidemiology of an influenza of this nature is that it is virtually impossible to completely eradicate the spread or its potential spread...

...

The average age of death from COVID in Alberta is 83, and I remind the House that the average life expectancy in the province is age 82. In Canada 95 per cent of fatalities from COVID are those over the age of 60, eighty per cent are in care facilities, and the risk of death from COVID for people under the age of 65 is 0.0006 per cent. We are learning more about this disease as we go through it, and what we are learning is that younger people, while not completely immune, have a rate of mortality related to COVID that is no higher than their general mortality rate for other illnesses. For most Albertans the risk of death from other pathogens, accidents, and traffic fatalities is actually higher than it is from COVID.

There will be more infections. There will be more outbreaks. There will be clusters. There will be more hospitalizations. Sadly, there will be more COVID-related deaths. But as we learn more about this, Mr. Speaker, I challenge our public health experts and our officials to ensure that our policy response is predicated on protecting the most vulnerable in the strongest and most discrete ways possible because we cannot continue indefinitely to impair the social and economic as well as the mental health and physiological health of the broader population for potentially a year through measures for an influenza that does not generally threaten life apart from the most elderly, the immunocompromised, and those with comorbidities.

8. Attached as **Exhibit "B"** is a notification email sent to our congregation on 19 June 2020 announcing a return to nearly normal services. To mitigate the spread of COVID-19, we ceased passing the offering plate and modified our distribution of the Lord's Supper. We encouraged our people to stay home when experiencing any cold/flu symptoms. We made hand sanitizer available. We also purchased masks and made them available near the entrance of our building. In addition, we encouraged our people to refrain from hugs and handshakes.

9. Most congregants have returned to gather and worship in-person. Those who have one or more of the recognized comorbidities, rendering them more at risk of infection make their own informed decision about attending worship services. These are personal choices that GraceLife leaves to individual consideration and conscience. However, the severe restrictions imposed on otherwise healthy persons that prevent them from freely participating in worship and fellowship prioritizes the remote risk of infection over the more severe harm to their spiritual and emotional well-being caused by the prohibition from religious gatherings fundamental to our faith. We have observed these past many months that our congregants are healthy people who are very happy when they attend church.

The Religious Beliefs of GraceLife Church Regarding Authority

10. As members of GraceLife, we believe that the Holy Bible is the authoritative, inerrant, infallible, and supremely sufficient Word of God (2 Tim 3:16–17). It is the ultimate and final authority over all of the affairs of human life (Gen 1:1–Rev 22:20) including all matters of faith and practice (2 Pet 1:3). We not only recognize and affirm this without reservation, but we also joyously submit our lives to it. To transgress the Word of God through disobedience is to violate our conscience and to sin against God. We believe that all authority in heaven and on earth belong to the resurrected Lord Jesus Christ (Matt 28:18).
11. We believe that authority on earth has been delegated by Jesus, the King of kings and Lord of lords (John 19:11; Rev 17:14; 19:16) and that all who are in positions of earthly authority will be held accountable by Him who will judge both the living and the dead (John 19:11; 2 Tim 4:1).
12. We believe that the Lord has established distinct spheres of authority. Broadly speaking, these spheres of authority are the home (Gen 2:24; Ex 20:12; Eph 5:22–33; 6:1–4; Col 3:18–21), the Church (1 Thess 5:12–13; 1 Tim 3:1–7; 5:17; Heb 13:17; 1 Pet 5:1–5) and the government (Rom 13:1–7; 1 Pet 2:13–17). Though these spheres of authority will inevitably overlap to some degree, there are clear lines of distinction.

13. We believe that Jesus Christ is the supreme authority and head of the Church (Eph 1:22; Col 1:18). As such, only He can set the terms of its worship. These terms are outlined in His Word (1 Tim 3:15; 2 Tim 3:16–17). It is the sole responsibility of a plurality of elders to ensure His Word is unobstructed in governing a local church’s ministries and worship (1 Thess 5:12–13; Tit 1:9; Heb 13:17).
14. We believe that the Alberta Government and its delegates lack the theological or spiritual authority (not to mention theological expertise) to mandate how worship will proceed at GraceLife. This authority resides exclusively with the head of the Church, the Lord Jesus Christ. His headship is exercised over the Church, including GraceLife, through the implementation and application of His Word. The CMOH Orders directly contravene the authority of the local church, and the supreme authority of the Lord Jesus Christ.
15. Attached to this affidavit as **Exhibit “C”** is a copy of the beliefs, values, and convictions of GraceLife. Attached as **Exhibit “D”** are reproductions of all the Scripture references cited below (except where impractical due to the length of the citation).

Religious Beliefs and Convictions of Conscience Regarding Worship Gatherings and Distancing

16. We believe that a local church is to gather physically for corporate worship on Sunday (Acts 2; 20:7; 1 Cor 16:2; Rev 1:10). We also believe that this physical gathering is distinct from and pre-eminent among every other gathering in the life of a church. In addition, we believe that this physical gathering should consist of the full body of Christ belonging to that local assembly (Rom 15:6; 1 Tim 5:20).
17. We believe that there are essential elements of this in-person gathering:
 - a. The public proclamation of God’s word (Eph 4:11–12; 2 Tim 4:2; Tit 2:15);
 - b. The public reading of Scripture (1 Tim 4:13);
 - c. Corporate prayer (Rom 15:5–6; Eph 6:18; 1 Tim 2:1–8);
 - d. Corporate singing (Eph 5:18–21; Col 3:16);
 - e. Fellowship through mutual edification and the practice of the “one another” commands (Rom 12:1–13; 1 Cor 12:4–26; Heb 10:24–25);

- f. Participation in the ordinances (Matt 28:19; 1 Cor 11:17–34); and
- g. Church discipline (Matt 18:15–20; 1 Cor 5; 2 Thess 3:14–15; 1 Tim 5:19–21; Tit 3:10).

18. As Dietrich Bonhoeffer explained in his 1937 book *The Cost of Discipleship*:

The Body of Christ takes up space on earth. That is a consequence of the Incarnation. ...the Incarnation does involve a claim to a space of its own on earth. Anything which claims space is visible. Hence the Body of Christ can only be a visible Body, or else it is not a Body at all.

...

A truth, a doctrine, or a religion need no space for themselves. They are disembodied entities. They are heard, learnt and apprehended, and that is all. But the incarnate Son of God needs not only ears and hearts, but living men who will follow him. That is why he called his disciples into a literal, bodily following, and thus made his fellowship with them a visible reality.

...

No law of the world can interfere with this fellowship. The realm of Christian love is subject to Christ, not to the world. The Church can never tolerate any limits set to the love and service of the brethren. For where the brother is, there is the Body of Christ, and there is his Church. ... The member of the Body of Christ has been delivered from the world and called out of it. He must give the world a visible proof of his calling, not only by sharing in the Church's worship and discipline, but also through the new fellowship of brotherly living. If the world despises one of the brethren, the Christian will love and serve him. If the world does him violence, the Christian will succour and comfort him. If the world dishonours and insults him, the Christian will sacrifice his own honour to cover his brother's shame. Where the world seeks gain, the Christian will renounce it. Where the world exploits, he will dispossess himself, and where the world oppresses, he will stoop down and raise up the oppressed. If the world refuses justice, the Christian will pursue mercy, and if the world takes refuge in lies, he will open his mouth for the dumb, and bear testimony to the truth.

(Pages 248 and 258 – Touchtone 2018 Edition, Forward by Eric Metaxas, Exhibit “E”)

19. Capacity limits prevent us from being who we are. Gathering as a body of believers for in-person worship is fundamental to what it means to be the church of Christ. By definition, the church is an assembly. Even the Greek word for church means “called out ones”. If government can tell us when we can and cannot be the church, then the government is assuming a role that obliterates the separation of church and state; a

separation that protects the church from the government, not the government from the church.

20. The capacity restriction would require me, as GraceLife's shepherd, to deny most of the members from worship and fellowship with the rest of the body (whether the limit is 15 people, 15% or 30%). Livestreamed services are no substitute for personal attendance. Gathering on the Lord's Day involves relationship, mutual edification, and service. The Bible uses the analogy of a body. Each member of the body has a spiritual gift. The purpose of that gift is to edify the other members of the body. It is in connection with the corporate gathering, both its structured (i.e. the formal service) and unstructured (i.e. the fellowship) elements, that these gifts are at work. To tell the arm, or leg, or feet, or hands that they are not permitted to come is to cut those portions of the body off from the rest of its working members. This both hinders and harms the spiritual growth and development of the body.
21. Adhering to and enforcing capacity limits therefore violates my conscience, since they force me to act in a manner that conflicts with the Word of God and with my calling as a shepherd. These orders compel me to carry out religious duties in a manner that usurps the authority of God; an authority to which the government is also subject. Furthermore, these orders force me to disregard the conscience and freedom of those who are voluntarily assuming the risk of gathering. This too is a violation of my conscience since I have a responsibility to honor and respect the free choice of each congregant.
22. Social distancing restrictions compound the negative effects of capacity limits. Social distancing is an obvious hindrance to socializing. It restricts our religious practice by stifling fellowship critical to our spiritual growth and development. It makes ministering to one another difficult. It forces us to treat each other as though we are unclean. It impedes effective communication. It binds expressions of compassion and brotherly/sisterly affection. It effectively makes gathering as a body impossible, since there is no way for us to all be together and also maintain social distance.
23. Social distancing is also a violation of my conscience because AHS expects me to enforce its restrictions. I am required to police the distance that is kept between

individuals. This violates their freedom and conscience as they determine whether or not they are willing to assume the risks of not being socially distanced. I am a pastor not a police officer or health official. It is astounding that the government meddles to such an extent in the lives of Albertans that it seeks to control how close people are to each other.

24. The capacity restriction penalizes us for manifesting many of the religious beliefs detailed herein, such as meeting as the full body of Christ in a single gathering. The distancing restriction also prohibits us from manifesting many of our religious beliefs, such as engaging in meaningful fellowship. Every element of the corporate worship assembly is restricted, since each one is to take place within the context of a single gathering.

Religious Beliefs and Convictions of Conscience Regarding Masking

25. Christians are called to “worship in spirit and truth” (John 4:23). Wearing masks violates this principle since nearly all of our people are well-informed and reject government propaganda that masks effectively mitigate the spread of COVID-19. Our people are informed that masks produce numerous harmful health effects. Wearing a mask is to be complicit with the deception that masks are scientifically efficacious. The masking requirement is therefore a matter of conscience—GraceLife congregants refuse to live by lies, including the lies about masks. To violate conscience is nothing short of sin (Rom 14:23).
26. The masking restriction also hinders effective communication between individuals. Such communication is critical to the sharing of fellowship. It not only makes talking and hearing more difficult (especially if people are maintaining two meters of separation while being surrounded by others who are conversing), it shuts us off from facial expressions that are as fundamental as the spoken word. Being merciful is identified as a spiritual gift in Romans 12:8 and facial expression is essential to manifestations of mercy. Therefore, masking hinders an essential element of the corporate gathering and this harms the spiritual growth and development of each person.

27. Masking also restricts singing by muffling sound and making it more difficult to breathe. Singing is a matter of obedience in the corporate gathering. We are commanded to sing praises to God. The Psalms alone are filled with exhortations to sing. Not only are we commanded to sing, it is our joy and blessing to do so. God is supremely worthy of our praise, affection, and adoration.
28. Masking is also a hindrance to preaching. Though the preacher is the only one speaking, critical feedback is generated as the faces and facial expressions of the congregation are seen. Preaching to a congregation that is either absent due to social distancing and capacity limits or whose faces are covered hinders effective preaching. This is intensely significant since preaching is the most essential part of the corporate gathering and ordinarily accomplishes the greatest impact.
29. Masking is a matter of conscience for me. I cannot force people to wear something on their face against their will. Nor can I restrict their participation in any gathering, by requiring them to wear a mask. I cannot in good conscience force people to leave the gathering when refusing to wear a mask. I know that masks are both ineffective and hazardous to our health. As a Pastor, one of my chief responsibilities is to steward the conscience of God's people. Compelled masking is outside of our jurisdiction, it forces us to sin by forcing others to sin. To violate conscience is to sin (Rom 14:23).

Events Leading up to the Seizure of the GraceLife Building

30. Near the end of November 2020, AHS inspectors began weekly attendances to GraceLife on Sunday mornings, demanding to enter the church building. These weekly inspections eventually involved RCMP escorts. I preached on most, but not all of these Sundays. I personally interacted with the AHS inspector Janine Hanrahan and various RCMP officers at times.
31. On 17 December 2020, Janine Hanrahan, Executive Officer, Alberta Health Services, issued an "Order of an Executive Officer" ("December 17 Executive Order", attached to this Affidavit as **Exhibit "F"**). Ms. Hanrahan ordered and directed:

- 1) That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that all persons, including but not limited to church attendees, staff, volunteers and performers, wear a face mask or other face covering that covers their nose, mouth and chin ("face mask"), at all times while inside the premises.
 - b. Ensure that physical distancing of at least 2 meters between households is strictly adhered to at all times.
 - c. Ensure individuals greeting people at the entrance of the premises are wearing a face mask and maintaining 2 meters physical distancing from others not in their household.
 - d. Ensure that performers are wearing a face mask and are spaced apart to allow for physical distancing (2 meters) between performers and the attendees ...
 - f. Do not allow the building capacity to exceed 15% of the total operational occupancy load as per the Alberta Fire Code.

32. On 20 December 2020, GraceLife congregants gathered for their regular Sunday morning worship service. I delivered a sermon addressing the essential nature of the corporate gathering from a theological perspective. I established from Scripture that the government has no authority to dictate to the church the terms of worship. I also highlighted that based on the government's own statistics, their handling of COVID was either the manifestation of incompetence or a malicious deception. The sermon also highlighted the *Charter* as the supreme law of the land and that the government had not demonstrated that the breach of our charter rights was justified (Attached to this Affidavit at **Exhibit "G"** is an audio recording of my December 20, 2020 sermon).

33. Following that service, I was issued a violation ticket for allegedly breaching section 73(1) of the *Public Health Act* by failing to comply with the 15% Capacity Restriction. This was the only ticket I was ever given, though not the only time we were over the capacity limit (attached to this Affidavit at **Exhibit "H"**).

34. On 21 January 2021, AHS applied for an Order in the Court of Queen's Bench enforcing the 17 December 2020 Executive Order. This contested application was granted in the form sought by AHS and included direction that anyone in breach of the Order could be brought before a Justice to show cause why they should not be held in contempt of court

(attached to this Affidavit as **Exhibit “I”** is a copy of the Order). I was named as a Respondent in that Application, in addition to the GraceLife.

35. No contempt proceedings have been initiated by AHS against myself, GraceLife, or any GraceLife congregants.
36. AHS and RCMP continued to regularly attend at GraceLife on Sunday mornings, demanding entry each time, throughout January 2021.
37. On 29 January 2021, Janine Hanrahan issued Executive Officer Notice of Public Access Closure to GraceLife and myself (Attached to this Affidavit as **Exhibit “J”**). The Order stated:

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the owner IMMEDIATELY CLOSE the above noted premises to public access, including congregants, members or attendees.
 2. The above noted premises shall remain closed to the public until such time as the premises comes into compliance with active CMOH Orders, the Executive Officers Order issued on December 17, 2020, and the Court of Queen's Bench Order granted January 21, 2021.
38. On 7 February 2021, I was arrested at GraceLife following the Sunday morning worship service. The RCMP officers told me that I was being released on an undertaking. I explained to the officers that I could not in good conscience agree to or abide by the undertaking and therefore would not be agreeing to its terms or signing it. The officers wrote “refused to sign” on the undertaking (Attached to this affidavit as **Exhibit “K”**). The undertaking required me to cease holding worship services if not in accordance with the 15% capacity restriction, the distancing restriction, and the masking restriction.
 39. On 14 February 2021, GraceLife congregants gathered for their regular Sunday morning worship service. I delivered a sermon that again discussed and criticized the Alberta Government’s reaction to COVID and its public health restrictions, and also detailed the theology underlying GraceLife’s continued non-compliance with the restrictions. I demonstrated from Scripture that protecting the public from a virus by limiting their

constitutional rights was outside of government's God-ordained purpose. The primary function of political leaders and state officials is to protect the inalienable rights of the people they serve. The government is not culpable for loss of life that results directly from the virus itself. However, government leaders are morally responsible for loss of life resulting from their lockdowns. It is estimated that the long-term loss of life, years lived and quality of life resulting from the lockdowns will dwarf the harm attributable to COVID-19 (Attached to this Affidavit at **Exhibit "L"** is an audio recording of my 14 February 2021 sermon).

40. On 15 February 2021, the RCMP required me to surrender to the Parkland RCMP for arrest. I arrived at the Parkland RCMP station on the morning of 16 February 2021. Prior to a show cause hearing later that day, I was charged with breaching section 73(1) of the *Public Health Act* by failing to comply with the 15% Capacity Restriction, breaching section 73(1) of the *Public Health Act* by failing to comply with the Distancing Restriction, and breaching an undertaking contrary to section 145(4)(a) of the *Criminal Code* (attached to this affidavit as **Exhibit "M"**)
41. At the show cause hearing, the Crown sought my continued detention (attached to this affidavit as **Exhibit "N"** is a transcript of the show cause hearing). Justice of the Peace L. Morris ordered my release, but on the condition that I:

...not attend or conduct services at Grace Life Church... unless [he has] complied with any existing orders of the Chief Medical Officer of Health, Alberta Health Services Executive Officers or Orders of the Court of Queen's Bench.

(Attached to this affidavit as **Exhibit "O"** is a copy of the Release Condition)

42. I could not agree to the release condition. In order to secure my liberty, I would have had to forsake my religious beliefs and violate my conscience. I was therefore remanded to the Edmonton Remand Centre.
43. Once in Remand, I was placed in quarantine for 16 days. During that time, I was permitted exercise twice a day for 15 minutes. I recall being in my cell for nearly 24 hours between exercises at one point. The food was not enough to sustain myself and I

lost approximately ten pounds in the first week. The options available to me for canteen were limited due to my dietary restrictions. As such, it was difficult to make up the calories I needed without it taking a toll on my body in other ways. There was a Friday in March when I was in bed all day due to dizziness resulting from my body's response to the food offered there.

44. Once out of quarantine and in general population I was able to interact with more of the inmates. Due to the media attention I was receiving and the way word spreads in prison, most of the inmates knew who I was. They would come to me for counsel, and I would minister the saving message of Jesus Christ to their hearts. I would also pray with them and for them. I even started an evening Bible Study with a handful of men and took them through important passages in the Gospel of John. Most of my interaction with the inmates was positive. My interaction with the guards was mostly positive also. I found them to be very supportive of me.
45. On 3 March 2021, GraceLife was issued a summons for contravening the Capacity Restriction (attached to this affidavit as **Exhibit "P"**).
46. On 22 March 2021, I was released from the Edmonton Remand Centre following execution of a plea agreement with the Crown. The Crown withdrew all but one *Public Health Act* charge against me. I spent 35 days in the Edmonton Remand Centre, which is valued at 53 total days.
47. I am informed that during the 5 GraceLife Sunday worship services conducted while I was in jail, AHS and RCMP did not demand entry to GraceLife. They instead observed the Sunday morning worship gatherings from a distance. However, AHS and RCMP demanded entry to GraceLife on my first Sunday back at GraceLife following my imprisonment on 28 March 2021.

The Seizure and Barricading of the GraceLife Building

48. The GraceLife property was raided, seized, and barricaded at dawn on 7 April 2021. This took place without any notice. We believe this action is shockingly extreme, unnecessary,

and disproportionate. We are dismayed at the international disgrace such government oppression has brought upon Alberta.

49. Seizing and barricading our building has increased the difficulty of caring for our congregation's needs. This is in addition to the difficulties arising from weekly harassment received from AHS and the RCMP in the months leading up to the seizure. AHS has made it nearly impossible to carry out our God-given responsibilities. The negative impact on our congregation resulting from all of this is palpable.
50. Our congregation continues to gather each Sunday. These gatherings continue to be a sweet time of worship and fellowship. However, the time and energy invested to administer these gatherings is a distraction from the work of the ministry. In addition, our physical health is now being compromised in ways it was not in our own facility. Deprived by AHS of our building, we have been forced to gather in structures that do not provide for effective air circulation or else to gather outdoors in single-digit temperatures.

Conclusion

51. We believe that our overall well-being must take into account much more than merely avoiding COVID-19. Mental health, emotional and relational health, spiritual health, and physical health (such as avoiding poverty and too much stress and maintaining the ability to exercise) are all critical.
52. AHS is obsessed with reducing COVID-19 cases at all costs, even at the expense of all other aspects of health. Premier Kenney is exclusively concerned with not overwhelming a health care system that is no more threatened now than it ever is, even at the expense of indefinitely sacrificing nearly all of the constitutionally-protected rights of Albertans to worship. Attached as **Exhibit "Q"** to this affidavit is a document that shows ICU admissions were less in 2020 than in prior years.
53. We believe the mandates of Scripture, which represent the Divine command of the Lord we serve, to be in direct conflict with the mandates of the government, as represented by the CMOH Orders and AHS officers' orders. When faced with such a conflict, we are compelled by our beliefs to obey our Lord and adhere to Scripture, even if that means not

complying with government orders. We believe to fail to do so in an effort to avoid earthly punishment from government would be sinful and would amount to acting out of the fear of man, instead of the fear of God (Ex 2:15–22; Dan 3:8–18; 6:6–13; Matt 10:28; Acts 4:19–20; 5:29).

54. Scripture teaches that people are not only biological units, but that we are spiritual beings created in the image of God, with dignity and worth to live free, love one another, worship together, grow families, break bread together, laugh and cry together, embrace one another, and build things together and for each other. Christian meetings include fellowship, which entails togetherness, sharing of goods and food, showing hospitality and presence of person, much like the family unit (Acts 4:32–37). The New Testament upholds the church as a spiritual family, so much so that the bonds within the church are stronger than blood relations (Matthew 10:37; 13:53–58; Luke 14:26). For this reason, Christians often refer to each other as “brother” and “sister.” To operate as a church, Christians are expected to experience fellowship regularly with one another like a family that lives under the same roof.
55. Indeed, I have observed and experienced that the fellowship among congregants at GraceLife during and following Sunday morning worship services is sweet, beautiful, and familial. It is an antidote to the government-imposed lockdown harms of loneliness, hopelessness, fear, poverty, division, anger, anxiety, and the deterioration of vital relationships.
56. Through prayer, praise, and free fellowship during and after the Sunday morning service, congregants of GraceLife experience kindness, love, companionship, compassion, encouragement, healing, generosity, forgiveness, purpose, and direction. Much of these spiritual, emotional, and relational benefits are impossible if congregants have their faces covered, cannot show physical affection or physical closeness with one another, and cannot even be in the same space at the same time with most of their fellow congregants.
57. We do not desire conflict with government. In fact, we seek to avoid it and to live at peace with all people (Rom 12:18; 1 Tim 2:1; Heb 12:14). We maintain that our actions are lawful

in so far as they are protected by the *Charter* and the government cannot demonstrate the infringement of our rights is justified in a free and democratic society.

58. I swear this affidavit *bona fide*, for no improper purpose and in support of the application for injunctive relief.

SWORN BEFORE ME at Edmonton)

Alberta, this 4 day of June 2021.)



Commissioner for Oaths in and for the
Province of Alberta



JAMES COATES

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

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THIS IS EXHIBIT " A "

referred to in the Affidavit of

James CoatesSworn before me this 4day of June A.D. 20 21

A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday morning, May 27, 2020

Day 21

The Honourable Nathan M. Cooper, Speaker

The Speaker: Hon. members, Government Motion 19 is a debatable motion according to Standing Order 18(1)(f). Is there anyone wishing to join in the debate?

Speaker's Ruling Amendments

The Speaker: Prior to doing so, I see the hon. Opposition House Leader. It looks like she is intending to join the debate, and if the hon. Government House Leader is correct, perhaps she even has an amendment. With respect to how amendments will be handled for the remainder of the session, I was going to provide some comments prior to the daily Routine, but given it seems likely that an amendment will be moved, we will be changing the process regarding amendments that are moved here in the Assembly to minimize the number of individuals who need to be moving around the Assembly.

Regarding amendments moved in Committee of the Whole, at second and third readings, and in any other instance, an LASS member will continue to retrieve the original and copies from the member who is moving the amendment and deliver the amendment to the Speaker and to the table as required. They will also distribute an amendment to the Government House Leader or the Opposition House Leader, as it may be.

A modified process to distribute copies of the amendment will now be followed. The details of the process will be that any members wishing to receive a copy of the amendment should do so by a show of hands, and the LASS will distribute that to you. Additional copies will be placed on the tabling tables, which can be found at either side of the Chamber, and members are welcome to retrieve one by themselves.

Debate Continued

The Speaker: The hon. the Official Opposition House Leader has the call.

Ms Sweet: Thank you, Mr. Speaker. As the Government House Leader and you have already indicated, I do have an amendment to the motion, so I have put it on the desk beside me with the originals and copies to be picked up.

Would you like me to read it into the record, Mr. Speaker? Yes. Okay.

The Member for Edmonton-Manning to move that Government Motion 19 be amended as follows: (a) in clause (d) by striking out "any other member of the Executive Council may" and substituting "the Minister of Health, the President of Treasury Board and Minister of Finance, the Minister of Labour and Immigration, and the Minister of Education may each then"; (b) in clause (e), one, by adding "under clause (d)" immediately after "member of the Executive Council" and, two, striking out "15 minutes" and substituting "50 minutes"; (c) by adding the following immediately after clause (e):

- (e.1) immediately after the statements and related periods for questions referred to in clauses (d) and (e) have concluded, any other member of the Executive Council may make a statement not exceeding 10 minutes;
- (e.2) immediately following each statement made by a member of the Executive Council under clause (e.1) and for a period not exceeding 15 minutes,
 - (i) members who are not a member of the Executive Council may ask questions on matters relevant to the statement, and
 - (ii) the member of the Executive Council who made the statement may respond to those questions.

And (d) in clause (f) by striking out "clause (c) or (e)" and substituting "clause (c), (e), or (e.2)"; (e) by adding the following after clause (g):

- (h) government officials may be seated in the Assembly during the debate to assist members of the Executive Council;
- (i) if the debate is not concluded at the ordinary hour of adjournment during a morning or afternoon sitting, the debate shall resume as the first item of business under Orders of the Day at the Assembly's next sitting.

Mr. Speaker, I'll be very quick with regard to the amendment. I appreciate that the government has put forward the motion to allow the opposition and private members of the House to ask questions of the ministers in regard to COVID. As we all know, it's an extremely important issue that's impacting all Albertans. We identified four ministries that have definitely been taking a lead in regard to addressing the pandemic, so we wanted to give an opportunity for those ministers to be able to have a little bit more time to respond, of course, and recognize, just as we do in estimates and other structures, that sometimes having an official beside you to be able to help out is always a benefit.

I appreciate and I hope that the government will support this. We have discussed this, and of course the Government House Leader has indicated that the government is willing to amend the motion to allow that to happen. I would just like to move the amendment and thank the government for working in collaboration with us.

The Speaker: Thank you, hon. member.

For clarity's sake, if there's anyone else that does require additional copies of the amendment, you can so indicate by raising your hand, and one will be delivered. Or they are now on the tabling tables for you, and you can collect one on your own.

It looks like the hon. Government House Leader has a comment to make.

Mr. Jason Nixon: Thank you, Mr. Speaker. Very briefly, as I already indicated, we will likely support the amendment. Through you to my hon. government colleagues, this certainly is the amendment that was discussed, that I anticipated, and I would encourage them to support the amendment.

The Speaker: Hon. members, we will refer to the amendment as A1. It is a debatable amendment. Is there anyone else wishing to join in the debate?

Seeing none, I am prepared to call the question on amendment A1.

[Motion on amendment A1 carried]

The Speaker: I see the hon. Government House Leader rising.

Mr. Jason Nixon: Can we get the officials in?

The Speaker: As soon as we get to the debate.

Is there anyone else wishing to join in the debate on Government Motion 19 as moved and amended?

Seeing none, I'm prepared to call the question on Government Motion 19.

[Government Motion 19 carried]

The Speaker: We will allow approximately one minute for officials to join us here in the Chamber, and we will proceed with the COVID debate.

Hon. members, the hon. Premier has the call.

Legislative Assembly Debate on COVID-19

Mr. Kenney: Thank you very much, Mr. Speaker, and let me thank the Official Opposition and all members for having returned to do the work of the people, the business of Alberta, here in this Legislative Assembly. I believe we'll be the first Legislature in Canada and one of the first in North America to return to doing the people's business in a way that is fully compliant with public health orders during this peculiar time. I want to thank in particular the Official Opposition for their constructiveness in working with the Government House Leader in arranging for this session and particularly today's very important update and opportunity for questions on the response of Alberta to the COVID-19 pandemic, both the public health and the economic crisis that is a consequence of it.

10:10

Mr. Speaker, let me begin by expressing my condolences and, I know, that of all members to the families and friends of those who have passed away in Alberta as a result of this pandemic, some 139 Albertans that we know of whose lives have been taken by this virus as of yesterday afternoon.

I will offer a report on Alberta's response, which has been remarkably strong. For that I credit the people of Alberta and their ethic of personal responsibility and compassion for others. We as a province have managed to implement some of the least restrictive public health orders in the western world, certainly amongst the least restrictive in Canada, yet we have had far stronger results than other large population jurisdictions in combatting the spread of COVID-19.

As of yesterday, we have tested over the past 11 weeks some 6,900 COVID positive cases on 243,000 tests. That is to say that about 2.8 per cent of those who have been tested for COVID-19 have tested positive. To date 6,048 of those 6,900 cases have since recovered, so about 88 per cent of those who tested positive have happily recovered.

I should note that in more recent days, Mr. Speaker, as we see the number of new cases continue to come down and the number of recoveries continue to go up, we continue to maintain high levels of testing, and the percentage of those testing positive has come down as well, which is a very encouraging metric. I see that in recent days we've been averaging about 0.6 per cent of COVID tests in Alberta coming back positive. These are all important indicators that we have succeeded in flattening the curve and reducing the spread. Congratulations to Albertans for this important achievement.

There are currently about 669 active cases, with 45 Albertans in acute-care beds with COVID-19 and five in intensive care. That, of course, is a very important metric because what we all understand, even as laypeople, about the epidemiology of an influenza of this nature is that it is virtually impossible to completely eradicate the spread or its potential spread, but what is critical is that it not be permitted to overwhelm the health care system. I commend our administrators and health care personnel for having worked with alacrity to expand the total capacity of the health care system over the past months to a point where at its peak we had nearly 2,800 acute-care hospital beds set aside for COVID-19 patients. That has since come down to a thousand acute-care beds set aside for COVID-19 patients as we have begun through the relaunch to reallocate some of the dormant beds back to conventional acute care for non COVID-related maladies.

The first reported case in Alberta was on March 5. Of course, positive cases rose steadily until peaking at nearly 350 on April 23, which turns out to have been the peak in Alberta at least to date. It has been declining steadily ever since, and yesterday total new positive cases were only 22 on about 3,000 tests. These numbers,

as I say, highlight one of the most successful fights against the pandemic in the western world. We set out to flatten the curve, and Albertans did it. This is also a tribute to civil society groups and individuals who stepped up to help and protect the most vulnerable, to donate goods and services and, of course, to front-line health care workers and all who keep working to provide essential supplies and services.

Happily, Mr. Speaker, through much of the last 10 weeks, as I've said, on average we've been operating with about 2,300 COVID-19 designated acute-care beds, and I think we peaked at just over 100 of those that were occupied by COVID patients. Through most of this period we have seen well over 2,000 empty acute-care beds in our hospitals and 200 empty ICU beds that have been set aside for COVID-19 patients. That's what I call a good problem to have.

I think that currently we have three COVID-19 patients using ventilators. Of course, many of us were most concerned two months ago, looking at the situation in northern Italy, in New York, in Madrid, about the potential of running out of ventilator capacity. Again, credit to our officials both for having surged orders for ventilators as early as late 2019 and for having repurposed ventilators in the system here from charter surgical facilities, from SAIT and NAIT, for example, so we were averaging about 250 extra-capacity ventilators over much of the past several weeks.

I would also like once again to pay tribute to Alberta Health Services, in particular Jatinder Prasad, the director of procurement for AHS, who did a brilliant job of beginning large-scale ordering of relevant PPE, personal protective equipment, on the first rumours of an influenzalike flu emanating from Hubei, China, in December of last year. Partly as a result of that and the long-term relationships with suppliers established by Alberta, we have done better than any Canadian province and better than, I think, virtually any jurisdiction in the world in terms of being prepared with medical equipment.

Currently I can report to the Assembly that we have 462,000 N95 masks available, which constitutes 78 days of inventory. We have 31.7 million procedural masks, constituting 117 days at the current burn rate; 33.6 million surgical gloves, representing a 44-day inventory at the current burn rate; 3.7 million face shields for 624 days of burn rate; 4.6 million gowns, representing 234 days of inventory; 327,000 goggles, representing 148 days of inventory.

I should add that for all of those categories of PPE we have enormous orders that are waiting to be filled, so in fact we expect that those inventories will only increase, which I believe validates our decision last month to have shared some of our surplus equipment with our fellow Canadians, particularly in British Columbia, Northwest Territories, Quebec, and Ontario as well as, I believe, Nova Scotia, because they were facing a much steeper curve, higher infections, hospitalizations and were less well equipped. I am happy to inform the Assembly that the government also has ordered 40 million nonsurgical masks for our program to make those available to members of the general public as we move into relaunch, and we have already received 20 million of those. Next week we will be announcing the distribution program.

As I've said, Mr. Speaker, one of the best measures of our preparedness and the efficacy of our pandemic response is the utilization rates of COVID beds and ICUs. As I've said, we now have, as of May 26, 1,000 dedicated beds in acute care – the current utilization rate is 4 per cent – and 200 dedicated ICU beds at current utilization of 2.5 per cent.

We continue to lead the world in testing, Mr. Speaker. Our current per capita testing rate is 536 tests per 10,000 people. That's over twice as high as our neighbours in British Columbia and 25 per cent higher than the next highest province, Quebec. Quite consistently amongst large-population jurisdictions we have led the world – we've certainly led North America – in terms of the

incidence of testing. We have since the very beginning, which is one of the reasons for Alberta containing the spread, because when the first cases arrived, we were able to do surge testing, in part because of preordering of reagent swabs and the preparedness of Alberta Precision Laboratories. As a result, that facilitated our aggressive tracing and tracking protocols very early on, so we were able to contain the initial cases in a way that many other jurisdictions could not.

10:20

In terms of hospitalization rates I'm pleased to report that through most of the past 10 weeks Alberta has had the lowest per capita rates of hospitalization and ICU admissions as well as mortalities amongst the large-population provinces. In Canada right now we're tied essentially with British Columbia in that respect, but we are far lower in terms of our rates of hospitalization, ICU admissions, and deaths than, for example, virtually every large-population jurisdiction across the western world. To put that in perspective, Alberta COVID-19 related fatalities per 100,000 are just over three compared to 10 in Germany; 30 in the United States; 39 in Sweden – and I pause to say to some members of the public who say that we should simply emulate Sweden that they must be prepared to defend a death rate 12 times higher per capita than what we've experienced in Alberta – 40 per 100,000 deaths in France; 55 in the United Kingdom, which for the first stage in this crisis followed effectively the Swedish model; 57 deaths per 100,000 in Spain; 54 in Italy; and 81 in Belgium.

Mr. Speaker, I just offer those troubling statistics to set some context for how well Albertans have done but also for how deadly this virus can be, because I know that some of our fellow Albertans are saying: "Well, you've just overreacted with your public health measures. Why did you bother doing this? We hardly have anybody in hospital." The truth is that we just need to look at other very advanced, sophisticated, developed countries with first-rate medical systems to see how hard they have been hit and the extent of the loss of life.

Mr. Speaker, we did this, as I've said, with far less stringent public health measures. You know, for example, Economic Development, Trade and Tourism estimates that 85 per cent of Alberta businesses were able to continue to operate, obviously, within our hygiene protocols over the past 10 weeks. The public health orders required the suspension of about 15 per cent of businesses, representing 12 per cent of the workforce and 4 per cent of our provincial GDP. Now, that is not for a moment to minimize the terrible impact on those business operators and their employees. Our heart goes out to them, and we thank them for the sacrifices that were made, and we understand and empathize with their profound frustration.

But I simply offer Albertans this context, Mr. Speaker. Other jurisdictions – you know, we did not have a lockdown in Alberta; we have not had. We are not locked down; we have not locked down. The only people that we required to stay at home voluntarily – some jurisdictions in Asia, if you get sick, literally lock you up in a total quarantine situation. Here we've asked people to stay home if they're sick, if they've tested positive, or if they've recently returned from travel. That's well less than 5 per cent of the population. Yes, we recommended that people work from home if they could and, obviously, follow the social distancing recommendations and so on. By way of comparison, the provinces of Quebec and Ontario, for example, completely suspended their manufacturing and construction sectors yet have had much higher levels of infection and fatalities than Alberta, which allowed those sectors to continue operating.

I simply say this. In this very challenging time, where every jurisdiction around the world has been trying on the best scientific advice to find the right balance to flatten the curve, to limit the spread, to save lives without unduly affecting the social and economic health of our societies – and I know that every one of those jurisdictions will look back when this is over and see that in some areas they went perhaps too far and in other areas perhaps they did not go far enough. Every jurisdiction in the whole world collectively will have many lessons to learn. But I believe fundamentally that here in Alberta what we have achieved to date is something to be proud of as Albertans in how they've conducted themselves.

Here's the point. The limited spread here, with lighter restrictions, is evidence fundamentally of one important thing, that Albertans did this voluntarily through their personal responsibility. They did not need in every aspect of their social and economic lives to be micromanaged by government. They did this by listening to the advice of our chief medical officer, by employing good old-fashioned Alberta common sense, by caring for the vulnerable. I think that is remarkable and commendable.

Within the western countries – Asian jurisdictions are a different category, really, because many of them immediately imposed border lockdowns from hot spots like Hubei in December and January. They avoided those, and they've taken much more aggressive, targeted measures, which I think in many ways we must emulate, and I'll get to that later. But in the western countries – and I should also say that the developing world: again, a very different situation because very low levels of testing are not indicative of what the real spread has been in many developing countries. In addition, many of them are in a summer season, where influenzas spread with less virulence. Amongst, let's say, the northern developed countries, I believe, Mr. Speaker, with the exception of Sweden, which has had strict public health orders in place, a limit of 50 people that could gather, shutting down bars, high schools, colleges, and so forth – with the exception of Sweden and perhaps some midwest U.S. states, we have had the least restrictive public health measures in place.

Mr. Speaker, Alberta is now amongst the first provinces to move into relaunch. Our strategy began at the beginning of May with the reopening of parks and golf courses, resumption of some scheduled surgeries and services provided by health professionals. The Minister of Health announced other measures in this respect last Friday. On May 14 retail businesses and hospitality businesses, farmers' markets, museums, art galleries, more surgeries and health services, places of worship, daycares, out of school care, day camps, more flexibility for postsecondary education began.

On May 25 stage 1 was implemented fully in Calgary and Brooks, which had become epicentres of the pandemic in Alberta. I regret for the citizens of Calgary and Brooks that things were delayed. I regret that that confirmation was given at the last minute, but that is when we received the advice from our public health officials – we were not going to ignore the advice, Mr. Speaker, that we received; 85 per cent of confirmed cases at that point were and continue to be in Calgary and Brooks – and our public health officials quite rightly wanted a few more days to monitor new cases and identify their sources. I'm pleased to see that their numbers have continued to move in the right direction.

As of May 15, Mr. Speaker, 77,000 Albertans are waiting for surgery, because obviously this has had an impact on non COVID-related health issues; 46,000 are waiting longer than clinically recommended. That is why it's important that we move forward with rescheduling surgeries, as we are doing.

Mr. Speaker, it is critical, as we move forward, that we focus our efforts on the most vulnerable, on the elderly, and the

immunocompromised. The average age of death from COVID in Alberta is 83, and I remind the House that the average life expectancy in the province is age 82. In Canada 95 per cent of fatalities from COVID are those over the age of 60, eighty per cent are in care facilities, and the risk of death from COVID for people under the age of 65 is 0.0006 per cent. We are learning more about this disease as we go through it, and what we are learning is that younger people, while not completely immune, have a rate of mortality related to COVID that is no higher than their general mortality rate for other illnesses. For most Albertans the risk of death from other pathogens, accidents, and traffic fatalities is actually higher than it is from COVID.

There will be more infections. There will be more outbreaks. There will be clusters. There will be more hospitalizations. Sadly, there will be more COVID-related deaths. But as we learn more about this, Mr. Speaker, I challenge our public health experts and our officials to ensure that our policy response is predicated on protecting the most vulnerable in the strongest and most discrete ways possible because we cannot continue indefinitely to impair the social and economic as well as the mental health and physiological health of the broader population for potentially a year through measures for an influenza that does not generally threaten life apart from the most elderly, the immunocompromised, and those with comorbidities.

10:30

Mr. Speaker, we can now proceed to the next stages of the relaunch with strong confidence and bold action to ensure a rapid and robust economic recovery. As the C.D. Howe report this week by leading economists and banks, including David Dodge, former governor of the Bank of Canada, said, "If there is a second wave, a second economy wide shutdown should be avoided in favor of more targeted approaches that are effective and avoid further erosion of public finances and the risk of hitting debt walls and loss of borrowing capacity."

Let me shift, then, to the economic front. Alberta's deficit, we estimate, this year will be \$20 billion. The hon. the Finance minister will be providing a more detailed update to the Assembly and Albertans in August. We understand that the national debt is now exceeding a trillion dollars. We must acknowledge that there are very significant social and economic costs to all of this, and that is why we must take, as I say, more focused responses such as, for example, continuing to step up our testing. And I'm pleased to say that thanks to the good work of people at Alberta Precision Laboratories, Alberta Health, Alberta Health Services, we now have the capacity to process about 9,000 COVID tests a day, and that is moving in early June to 16,000. If we get the participation, with requisite equipment, from private laboratories like, for example, DynaLife, we believe that Alberta would be able, actually, to process perhaps as many as 20,000 tests a day.

However, we are, on average, over the past week only processing 3,000 a day. I say "only," but that's still the highest per capita in Canada. That's partly because we are having difficulty getting enough subjects to come forward for asymptomatic testing. Albertans need to understand that, so we're refining our strategy to focus on periodic testing in congregate seniors' facilities, including long-term care facilities. The Minister of Health can provide additional updates on that.

We also encourage Albertans to download the ABTraceTogether app, which was initially modelled in Singapore. Apple and Google will be making revisions to the app to make it more user friendly. I'm speaking with all of the other Premiers about them potentially replicating this to become the platform for a national tracing app, which can help save lives. My message to people is: I know that

some people, understandably, don't want some government thing tracking where they are. That's not what this is. This is only information that's relevant if you come into contact with somebody who's tested positive for COVID, and it allows for instantaneous automated contact tracing, which allows us to step on outbreaks before they threaten the broader community. If we want to reopen, as we do, Mr. Speaker, then we must do things like this. This is how they've kept the spread so low in jurisdictions like Singapore while keeping their schools and their economies largely unaffected.

It's also critically important that we have rigorous border screening measures, which is why last week I announced that Alberta has the strongest measures for border screening, including infrared temperature scanners at ports of entry, at the Edmonton and Calgary airports for international arrivals as well as at the Coutts border crossing. We are requiring individuals to submit their self-isolation plan for 14 days upon arrival. If they do not have a credible plan or support for it, we will provide them with shelter for those 14 days. And we continue to work with the federal government to strengthen those measures.

At the same time, I'm challenging our officials and the Prime Minister and other Premiers to develop a strategy for ensuring a future for travel, including our tourism industry, in a pandemic environment like other jurisdictions – Australia, New Zealand, Austria, and Iceland, for example – are implementing.

Mr. Speaker, perhaps the most important strategy as we move forward is building a wall of defence around the most vulnerable, seniors in particular. As you know, the government of Alberta has taken extraordinary measures in that respect, including requiring that health care aides working in continuing care settings may only work in one facility to prevent prospective transmission, of course using PPE, and a number of other protocols which are supported concretely by Alberta's government with the \$170 million package of comprehensive supports announced by the Minister of Health last week for congregate seniors' care facilities.

Mr. Speaker, we can learn how to manage outbreaks from countries like Germany. Despite high overall infection and death rates, most of that country moved quickly out of their lockdown, which was more like a lockdown than in Alberta, and ahead of Alberta. As I've said from the beginning, we must protect both lives and livelihoods. This includes being increasingly cognizant of the mental and psychological health impacts of lockdowns. I'd like to inform the Assembly that the government has been tracking non COVID-related health statistics, including for suicides and other morbidities, and at least based on the last data set I saw, we have not seen – we have not seen – an increase in the trends of deaths related to non-COVID health challenges. But we are concerned about the mental health impact of all of this, which is why Alberta's government has provided an additional \$53 million in support for COVID-related mental health interventions, much of it delivered by community organizations. That is in addition to the \$150 million mental health and addictions action plan that this government is implementing.

Just to put this in context, Alberta's funding for COVID-related mental health support is greater than the packages of all other nine provinces combined times two. We are taking the mental health challenge very seriously, and I wanted to commend the associate minister for his work and that of his officials in this respect. We from the very beginning focused on homeless shelters, Mr. Speaker. I can tell the House that the Emergency Management Cabinet Committee at every meeting has a specific update led by the hon. the Minister of Community and Social Services. We provided \$50 million right out of the gate in mid-March to support nonprofit and civil society organizations, with, I think, \$25 million set aside for homeless shelters. We have provided robust testing support, PPE,

funding for overflow capacity, isolation capacity, and I'm pleased to see that we have not seen a single fatality from our homeless population. One thing I think we're learning epidemiologically is that that population has a very high level of immune resistance, of immunity and resilience against an influenza of this nature.

Mr. Speaker, I'm running out of time, and I regret that I won't have time to go through in detail the scale of Alberta's enormous fiscal and economic response to the crisis. I will be happy to take questions in this respect, and my colleague the hon. the Minister of Finance will be detailing the elements of the \$13 billion in pandemic relief and economic stimulus provided by the government of Alberta through deferrals, liquidity measures, and cash.

We want Albertans to know that we will do everything within our means to protect both lives and livelihoods, families and job creators during this time in partnership with other orders of government. The government is developing its economic recovery strategy, which will include truly extraordinary measures to ensure that we come out of this crisis stronger than ever. Let me conclude with that, Mr. Speaker. I have confidence in the resilience of the people of Alberta. They have demonstrated that in remarkable ways in recent weeks. I am proud of the people of Alberta for taking on this challenge, for so far defeating this pandemic, and for showing great strength of character and optimism about the future, an optimism that has always characterized the people in the province of Alberta.

Thank you.

10:40

The Speaker: Hon. members, the Leader of the Opposition will now have 15 minutes to make a statement, and that statement will be followed by a period of 30 minutes, where the Leader of the Official Opposition and the Premier will engage in a debate.

The hon. the Leader of the Official Opposition.

Ms Notley: Thank you very much, Mr. Speaker. There's little doubt that the COVID-19 pandemic marks the biggest public health crisis that Alberta has faced in a generation, a massive challenge for our health system and indeed our entire economy. I want to start by offering, again, my deepest sympathy to the families of those who have lost loved ones to COVID-19 and indeed our support and sympathy for all those who have been impacted in one way or the other by this virus.

But I have to say that I, too, am very proud of the way that Albertans have pulled together to wrestle this pandemic to the ground, at least for the moment, by listening to the advice of the chief medical officer and maintaining physical distancing. I'm hugely proud of our front-line health workers – the nurses, the nursing aides, the care workers, the doctors, the specialists – all of whom have done so much to make sure that we are cared for.

This also goes for our essential workers across Alberta, who kept things running and made sure we had some sense of normal throughout much of this. Of course, we know that thanks are owed to direct public servants, who, frankly, probably haven't stopped working since, well, you know, early January in terms of putting together a response to this.

Amongst Albertans let me say that the stories of kindness have been heartwarming. People offering to pick up groceries, people dropping off food, people leaving messages of hope and support for one another in different ways: this is what it means to be Albertan, to be resilient, compassionate, and hopeful. It has led our province to see a positive change in case numbers and a sharp rise in recoveries. Albertans did the hard work, and we all deserve to be proud of our province and its citizens.

But this is also, Mr. Speaker, not the time to rest easy or to let our guard down. Now is actually the time when we must look at how the government responded to the pandemic and how to do better. The reason for this is because even though the waters have calmed for the moment, we must, if we are cautious and prudent, actually see the time that we are in as the eye of the hurricane, and we must use this time wisely to prepare for what most scientists tell us will be a second wave in the fall. So that's what I want to do today. It is the job of the Official Opposition to take a very thorough and exhaustive look at where we can do things better and push the government to do more, and we must do that for the benefit of all Albertans.

Let me start where families were hurt the most. We lost 139 Albertans to COVID-19, the majority of whom were residents of long-term care homes, where the outbreaks moved fast and struck hard. These Albertans were parents, grandparents, uncles, aunts, friends. We know now that these long-term care homes were not prepared for the dramatic impact the virus had on residents and staff in these facilities. The issue is that when confronted with these challenges, the government didn't move faster when it mattered most. While other provinces were stepping in to manage staffing levels, co-ordinate PPE supplies, and provide surge funding, Alberta waited. We called for these interventions and additional support in late March. We called for a 20 per cent increase to continuing care operators because administrators had concerns about their ability to protect seniors. Yet we didn't see announcements until a month later, and then it took till May 19 before that funding started to go out. We still don't know who has received funding or how much, and the promised \$2-per-hour wage top-up is still not universally in place.

We've heard from many of the families who lost loved ones, some of whose stories we shared here, and we owe it to them to move faster in the future. We need to know now: does every operator have enough staff? Have they been prohibited from working in more than one facility? Have the staff been compensated for that change? Do all the facilities actually have PPE now that is the right PPE? Has all the surge funding been delivered and tracked, and will it remain in place? All of this must be publicly reported and tracked. Why? Just to ensure that we are better prepared to fight the spread of COVID-19 in these high-risk populations should the second wave occur. If we don't, the result will be more pressure on our hospitals and our health care system as a whole.

Speaking of that, this pandemic is going to have a long-term impact on our health care system. We know we will be grappling with a backlog of thousands and thousands of surgeries that were either cancelled or postponed. It was unavoidable. It's nobody's fault, but it is real, and it is a problem that is there. We know that there is massive pressure to come and a tremendous amount of pent-up demand above and beyond the second wave, for which we should be planning.

We have to insist yet again that this government back off on its attack on our health care system. Our needs are great now, and they will only grow, yet these folks continue to wage war with doctors – doctors, Mr. Speaker – in a pandemic. They are driving medical professionals out of the province and especially out of rural Alberta. You think the backlog is bad now? Just wait till more and more rural Albertans start pulling into the city to seek health care. Costs and wait times will be pressured even further.

The Albertans with the least access to health care will begin to be the ones who suffer the most. There are 18 rural communities so far where doctors are either leaving or reducing service. Meanwhile, overall, instead of being left to focus on saving lives, doctors are going to court and suing the Premier to protect their constitutional rights.

Subject: GraceLife Update - June 19, 2020

From: [REDACTED]

Date: 2020-06-19 1:39 PM

To: [REDACTED]

THIS IS EXHIBIT " B "
referred to in the Affidavit of
James Coates
Sworn before me this 4
day of June A.D. 20 21
[Signature]
A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta



Update - June 19, 2020

Hello GraceLife family!

After consideration, discussion, and prayer, it is with joy and anticipation that we announce a return to nearly normal services beginning this Sunday June 21st. We are also excited to announce that we will be celebrating the Lord's Supper!

1. As we open our services, it is vitally important that we exercise all diligence in preserving the unity that we have in Christ (Eph. 4:3). For some this is too soon, for others it isn't soon enough. As such, we must extend charity and grace to one another as we navigate the weeks ahead. We must also understand that there are compelling reasons to hold off on returning. Whether it's job related, due to being at high risk, or due to being in regular contact with someone who is, returning to the gathering warrants careful consideration.

2. For those who are returning, it is important that we remain responsible and take reasonable measures to limit the spread of the virus. As such, we're encouraging everyone to hold off on hugs and handshakes for at least the next few weeks. We know this will be difficult, especially given the love and affection we have for each other. But these are prudent steps to take in order to limit any infections. In addition, we must be mindful that some need to exercise greater diligence to socially distance for the reasons noted above and support them in that.

3. Though our prayer is that the Lord would honor this decision to open up our gathering by not allowing any infections, and though infections have the potential to draw negative public attention to GraceLife, we understand that they are nevertheless possible. The Premier of Alberta has acknowledged that in opening up the province, there will likely be both infections and death. But we also understand this risk to have always been present with influenza and various other viruses. Furthermore, the risk is present every time we leave our home for any reason. Thus, each person must take this risk into consideration in deciding whether or not to return to the gathering. Of course, if you have symptoms, please stay home.

4. In opening up our service, there isn't likely to be sufficient room in the auditorium for social distancing during the structured portion of our gathering (i.e. the service itself). If you would like to return and require sufficient space for social distancing, please register here. The balcony will be designated for this purpose. In addition, the kitchen entrance will be set apart for those accessing the balcony. It provides easy access to the stairs that lead to it. It also facilitates an easy exit as well. Depending on the number of people who register for this option, there may be a weekly rotation similar to what we've been doing for the last few months.

5. As it relates to the current guidelines, it is our understanding that social distancing isn't legally required or enforceable. It is merely recommended. So while we are encouraging everyone to take reasonable steps to limit the spread of the virus, this is coming less from a governmental requirement perspective and more from a place of wisdom and prudence. As we open up our gatherings, we do so anticipating that both COVID-19 and the recommendation to socially distance could be with us for the foreseeable future. This, in part, has contributed to our decision to open up our services. The reasons that could be put forth for not opening them may be with us for the remainder of 2020 and not gathering for that length of time wouldn't be God-honoring in light of His command to assemble and a trust in His sovereign care for His people.

6. Though we're anticipating that some in the body will opt to wait a little longer before returning, we have decided to celebrate the Lord's Supper this Sunday. We are doing so because we recognize that even under normal circumstances, less than the entire body is present for the Lord's Supper. Given that our services are opening up and that we are no longer restricting the number of attendees, we believe celebrating the Lord's Supper is warranted. The temporary cessation of this most wonderful ordinance has been difficult. And so, we intend to remember our Lord in this way this Lord's day. We are taking precautionary measures to ensure that doing so is done as safely as possible.

7. The nursery will remain closed this Sunday June 21st. We will update you of any changes in this regard in the weeks to come.

Regardless of your stance on this decision, please pray that the Lord would honor and bless our gathering. We have largely complied with the government's requests for the last three months. We did this in obedience to Him (Rom. 13:1–7). It is now in obedience to Him that we're opening up our gatherings (Heb 10:24–25). May God be glorified! May His people be edified! And may love for one another guide and govern all that we do: "Let all that you do be done in love" (1 Cor 16:14).


If you have any questions please don't hesitate to contact us!



GraceLife Church
51529A Rge Rd 262 Spruce Grove, AB T7Y 1B3

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THIS IS EXHIBIT " C "
referred to in the Affidavit of
James Coates
Sworn before me this 7
day of June A.D. 20 21

A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

The Doctrinal Statement of GraceLife Church

Effective November 6, 2005

WHAT WE TEACH

THE HOLY SCRIPTURES

We teach that the Bible is God's written revelation to man, and thus the 66 books of the Bible given to us by the Holy Spirit constitute the plenary (inspired equally in all parts) Word of God (1 Corinthians 2:7-14; 2 Peter 1:20-21).

We teach that the Word of God is an objective, propositional revelation (1 Thessalonians 2:13; 1 Corinthians 2:13), verbally inspired in every word (2 Timothy 3:16), absolutely inerrant in the original documents, infallible, and God-breathed.

We teach the literal, grammatical-historical interpretation of Scripture which affirms the belief that the opening chapters of Genesis present creation in six literal days (Genesis 1:31; Exodus 31:17).

We teach that the Bible constitutes the only infallible rule of faith and practice (Matthew 5:18; 24:35; John 10:35; 16:12-13; 17:17; 1 Corinthians 2:13; 2 Timothy 3:15-17; Hebrews 4:12; 2 Peter 1:20-21).

We teach that God spoke in His written Word by a process of dual authorship. The Holy Spirit so superintended the human authors that, through their individual personalities and different styles of writing, they composed and recorded God's Word to man (2 Peter 1:20-21) without error in the whole or in the part (Matthew 5:18; 2 Timothy 3:16).

We teach that, whereas there may be several applications of any given passage of Scripture, there is but one true interpretation. The meaning of Scripture is to be found as one diligently applies the literal grammatical-historical method of interpretation under the enlightenment of the Holy Spirit (John 7:17; 16:12-15; 1 Corinthians 2:7-15; 1 John 2:20). It is the responsibility of believers to ascertain carefully the true intent and meaning of Scripture, recognizing that proper application is binding on all generations. Yet the truth of Scripture stands in judgment of men; never do men stand in judgment of it.

GOD

We teach that there is but one living and true God (Deuteronomy 6:4; Isaiah 45:5-7; 1 Corinthians 8:4), an infinite, all-knowing Spirit (John 4:24), perfect in all His attributes, one in essence, eternally existing in three Persons—Father, Son, and Holy Spirit (Matthew 28:19; 2 Corinthians 13:14)—each equally deserving worship and obedience.

God the Father.

We teach that God the Father, the first Person of the Trinity, orders and disposes all things according to His own purpose and grace (Psalm 145:8-9; 1 Corinthians 8:6). He is the Creator of all things (Genesis 1:1-31; Ephesians 3:9). As the only absolute and omnipotent Ruler in the universe, He is sovereign in creation, providence, and redemption (Psalm 103:19;

Romans 11:36). His fatherhood involves both His designation within the Trinity and His relationship with mankind. As Creator He is Father to all men (Ephesians 4:6), but He is spiritual Father only to believers (Romans 8:14; 2 Corinthians 6:18). He has decreed for His own glory all things that come to pass (Ephesians 1:11). He continually upholds, directs, and governs all creatures and events (1 Chronicles 29:11). In His sovereignty He is neither the author nor approver of sin (Habakkuk 1:13; John 8:38-47), nor does He abridge the accountability of moral, intelligent creatures (1 Peter 1:17). He has graciously chosen from eternity past those whom He would have as His own (Ephesians 1:4-6); He saves from sin all who come to Him through Jesus Christ; He adopts as His own all those who come to Him; and He becomes, upon adoption, Father to His own (John 1:12; Romans 8:15; Galatians 4:5; Hebrews 12:5-9).

God the Son.

We teach that Jesus Christ, the second Person of the Trinity, possesses all the divine excellencies, and in these He is coequal, consubstantial, and coeternal with the Father (John 10:30; 14:9).

We teach that God the Father created "the heavens, and the earth, and all that is in them" according to His own will, through His Son, Jesus Christ, by whom all things continue in existence and in operation (John 1:3; Colossians 1:15-17; Hebrews 1:2).

We teach that in the incarnation (God becoming man) Christ surrendered only the prerogatives of deity but nothing of the divine essence, either in degree or kind. In His incarnation, the eternally existing second Person of the Trinity accepted all the essential characteristics of humanity and so became the God-Man (Philippians 2:5-8; Colossians 2:9).

We teach that Jesus Christ represents humanity and deity in indivisible oneness (Micah 5:2; John 5:23; 14:9-10; Colossians 2:9).

We teach that our Lord Jesus Christ was virgin born (Isaiah 7:14; Matthew 1:23, 25; Luke 1:26-35); that He was God incarnate (John 1:1, 14); and that the purpose of the incarnation was to reveal God, redeem men, and rule over God's kingdom (Psalm 2:7-9; Isaiah 9:6; John 1:29; Philippians 2:9-11; Hebrews 7:25-26; 1 Peter 1:18-19).

We teach that, in the incarnation, the second Person of the Trinity laid aside His right to the full prerogatives of coexistence with God and took on an existence appropriate to a servant while never divesting Himself of His divine attributes (Philippians 2:5-8).

We teach that our Lord Jesus Christ accomplished our redemption through the shedding of His blood and sacrificial death on the cross and that His death was voluntary, vicarious, substitutionary, propitiatory, and redemptive (John 10:15; Romans 3:24-25; 5:8; 1 Peter 2:24).

We teach that on the basis of the efficacy of the death of our Lord Jesus Christ, the believing sinner is freed from the punishment, the penalty, the power, and one day the very presence of sin; and that he is declared righteous, given eternal life, and adopted into the family of God (Romans 3:25; 5:8-9; 2 Corinthians 5:14-15; 1 Peter 2:24; 3:18).

We teach that our justification is made sure by His literal, physical resurrection from the dead and that He is now ascended to the right hand of the Father, where He now mediates as our Advocate and High Priest (Matthew 28:6; Luke 24:38-39; Acts 2:30-31; Romans 4:25; 8:34; Hebrews 7:25; 9:24; 1 John 2:1).

We teach that in the resurrection of Jesus Christ from the grave, God confirmed the deity of His Son and gave proof that God has accepted the atoning work of Christ on the cross. Jesus' bodily resurrection is also the guarantee of a future resurrection life for all believers (John 5:26-29; 14:19; Romans 1:4; 4:25; 6:5-10; 1 Corinthians 15:20, 23).

We teach that Jesus Christ will return to receive the church, which is His Body, unto Himself at the rapture, and returning with His church in glory, will establish His millennial kingdom on earth (Acts 1:9-11; 1 Thessalonians 4:13-18; Revelation 20).

We teach that the Lord Jesus Christ is the One through whom God will judge all mankind (John 5:22-23):

- Believers (1 Corinthians 3:10-15; 2 Corinthians 5:10)
- Living inhabitants of the earth at His glorious return (Matthew 25:31-46)
- Unbelieving dead at the Great White Throne (Revelation 20:11-15)

As the Mediator between God and man (1 Timothy 2:5), the Head of His Body the church (Ephesians 1:22; 5:23; Colossians 1:18), and the coming universal King, who will reign on the throne of David (Isaiah 9:6; Luke 1:31-33), He is the final Judge of all who fail to place their trust in Him as Lord and Savior (Matthew 25:14-46; Acts 17:30-31).

God the Holy Spirit.

We teach that the Holy Spirit is a divine Person, eternal, underived, possessing all the attributes of personality and deity, including intellect (1 Corinthians 2:10-13), emotions (Ephesians 4:30), will (1 Corinthians 12:11), eternality (Hebrews 9:14), omnipresence (Psalm 139:7-10), omniscience (Isaiah 40:13-14), omnipotence (Romans 15:13), and truthfulness (John 16:13). In all the divine attributes He is coequal and consubstantial with the Father and the Son (Matthew 28:19; Acts 5:3-4; 28:25-26; 1 Corinthians 12:4-6; 2 Corinthians 13:14; Jeremiah 31:31-34 with Hebrews 10:15-17).

We teach that it is the work of the Holy Spirit to execute the divine will with relation to all mankind. We recognize His sovereign activity in creation (Genesis 1:2), the incarnation

(Matthew 1:18), the written revelation (2 Peter 1:20-21), and the work of salvation (John 3:5-7).

We teach that the work of the Holy Spirit in this age began at Pentecost, when He came from the Father as promised by Christ (John 14:16-17; 15:26) to initiate and complete the building of the Body of Christ, which is His church (1 Corinthians 12:13). The broad scope of His divine activity includes convicting the world of sin, of righteousness, and of judgment; glorifying the Lord Jesus Christ and transforming believers into the image of Christ (John 16:7-9; Acts 1:5; 2:4; Romans 8:29; 2 Corinthians 3:18; Ephesians 2:22).

We teach that the Holy Spirit is the supernatural and sovereign Agent in regeneration, baptizing all believers into the Body of Christ (1 Corinthians 12:13). The Holy Spirit also indwells, sanctifies, instructs, empowers them for service, and seals them unto the day of redemption (Romans 8:9; 2 Corinthians 3:6; Ephesians 1:13).

We teach that the Holy Spirit is the divine Teacher, who guided the apostles and prophets into all truth as they committed to writing God's revelation, the Bible (2 Peter 1:19-21). Every believer possesses the indwelling presence of the Holy Spirit from the moment of salvation, and it is the duty of all those born of the Spirit to be filled with (controlled by) the Spirit (John 16:13; Romans 8:9; Ephesians 5:18; 1 John 2:20, 27).

We teach that the Holy Spirit administers spiritual gifts to the church. The Holy Spirit glorifies neither Himself nor His gifts by ostentatious displays, but He does glorify Christ by implementing His work of redeeming the lost and building up believers in the most holy faith (John 16:13-14; Acts 1:8; 1 Corinthians 12:4-11; 2 Corinthians 3:18).

We teach, in this respect, that God the Holy Spirit is sovereign in the bestowing of all His gifts for the perfecting of the saints today, and that speaking in tongues and the working of sign miracles in the beginning days of the church were for the purpose of pointing to and authenticating the apostles as revealers of divine truth, and were never intended to be characteristic of the lives of believers (1 Corinthians 12:4-11; 13:8-10; 2 Corinthians 12:12; Ephesians 4:7-12; Hebrews 2:1-4).

MAN

We teach that man was directly and immediately created by God in His image and likeness. Man was created free of sin with a rational nature, intelligence, volition, self-determination, and moral responsibility to God (Genesis 2:7, 15-25; James 3:9).

We teach that God's intention in the creation of man was that man should glorify God, enjoy God's fellowship, live his life in the will of God, and by this accomplish God's purpose for man in the world (Isaiah 43:7; Colossians 1:16; Revelation 4:11).

We teach that in Adam's sin of disobedience to the revealed will and Word of God, man lost his innocence, incurred the penalty of spiritual and physical death, became subject to the wrath of God, and became inherently corrupt and utterly incapable of choosing or doing that which is acceptable to God apart from divine grace. With no recuperative powers to enable him to recover himself, man is hopelessly lost. Man's salvation is thereby wholly of God's grace through the redemptive work of our Lord Jesus Christ (Genesis 2:16-17; 3:1-19; John 3:36; Romans 3:23; 6:23; 1 Corinthians 2:14; Ephesians 2:1-3; 1 Timothy 2:13-14; 1 John 1:8).

We teach that, because all men were in Adam, a nature corrupted by Adam's sin has been transmitted to all men of all ages, Jesus Christ being the only exception. All men are thus sinners by nature, by choice, and by divine declaration (Psalm 14:1-3; Jeremiah 17:9; Romans 3:9-18, 23; 5:10-12).

SALVATION

We teach that salvation is wholly of God by grace on the basis of the redemption of Jesus Christ, the merit of His shed blood, and not on the basis of human merit or works (John 1:12; Ephesians 1:7; 2:8-10; 1 Peter 1:18-19).

Election.

We teach that election is the act of God by which, before the foundation of the world, He chose in Christ those whom He graciously regenerates, saves, and sanctifies (Romans 8:28-30; Ephesians 1:4-11; 2 Thessalonians 2:13; 2 Timothy 2:10; 1 Peter 1:1-2).

We teach that sovereign election does not contradict or negate the responsibility of man to repent and trust Christ as Savior and Lord (Ezekiel 18:23, 32; 33:11; John 3:18-19, 36; 5:40; Romans 9:22-23; 2 Thessalonians 2:10-12; Revelation 22:17). Nevertheless, since sovereign grace includes the means of receiving the gift of salvation as well as the gift itself, sovereign election will result in what God determines. All whom the Father calls to Himself will come in faith, and all who come in faith the Father will receive (John 6:37-40, 44; Acts 13:48; James 4:8).

We teach that the unmerited favor that God grants to totally depraved sinners is not related to any initiative of their own part or to God's anticipation of what they might do by their own will, but is solely of His sovereign grace and mercy (Ephesians 1:4-7; Titus 3:4-7; 1 Peter 1:2).

We teach that election should not be looked upon as based merely on abstract sovereignty. God is truly sovereign, but He exercises this sovereignty in harmony with His other attributes, especially His omniscience, justice, holiness, wisdom, grace, and love (Romans 9:11-16). This sovereignty will always exalt the will of God in a manner totally consistent with His character as revealed in the life of our Lord Jesus Christ (Matthew 11:25-28; 2 Timothy 1:9).

Regeneration.

We teach that regeneration is a supernatural work of the Holy Spirit by which the divine nature and divine life are given (John 3:3-7; Titus 3:5). It is instantaneous and is accomplished solely by the power of the Holy Spirit through the instrumentality of the Word of God (John 5:24) when the repentant sinner, as enabled by the Holy Spirit, responds in faith to the divine provision of salvation. Genuine regeneration is manifested by fruits worthy of repentance as demonstrated in righteous attitudes and conduct. Good works are the proper evidence and fruit of regeneration (1 Corinthians 6:19-20; Ephesians 2:10), and will be experienced to the extent that the believer submits to the control of the Holy Spirit in his life through faithful obedience to the Word of God (Ephesians 5:17-21; Philippians 2:12b; Colossians 3:16; 2 Peter 1:4-10). This obedience causes the believer to be increasingly conformed to the image of our Lord Jesus Christ (2 Corinthians 3:18). Such conformity is climaxed in the believer's glorification at Christ's coming (Romans 8:17; 2 Peter 1:4; 1 John 3:2-3).

Justification.

We teach that justification before God is an act of God (Romans 8:33) by which He declares righteous those who, through faith in Christ, repent of their sins (Luke 13:3; Acts 2:38; 3:19; 11:18; Romans 2:4; 2 Corinthians 7:10; Isaiah 55:6-7) and confess Him as sovereign Lord (Romans 10:9-10; 1 Corinthians 12:3; 2 Corinthians 4:5; Philippians 2:11). This righteousness is apart from any virtue or work of man (Romans 3:20; 4:6) and involves the imputation of our sins to Christ (Colossians 2:14; 1 Peter 2:24) and the imputation of Christ's righteousness to us (1 Corinthians 1:30; 2 Corinthians 5:21). By this means God is enabled to "be just and the justifier of the one who has faith in Jesus" (Romans 3:26).

Sanctification.

We teach that every believer is sanctified (set apart) unto God by justification and is therefore declared to be holy and is therefore identified as a saint. This sanctification is positional and instantaneous and should not be confused with progressive sanctification. This sanctification has to do with the believer's standing, not his present walk or condition (Acts 20:32; 1 Corinthians 1:2, 30; 6:11; 2 Thessalonians 2:13; Hebrews 2:11; 3:1; 10:10, 14; 13:12; 1 Peter 1:2).

We teach that there is also, by the work of the Holy Spirit, a progressive sanctification by which the state of the believer is brought closer to the standing the believer positionally enjoys through justification. Through obedience to the Word of God and the empowering of the Holy Spirit, the believer is able to live a life of increasing holiness in conformity to the will of God, becoming more and more like our Lord Jesus Christ (John 17:17, 19; Romans 6:1-22; 2 Corinthians 3:18; 1 Thessalonians 4:3-4; 5:23). In this respect, we teach that every saved person is involved in a daily conflict—the new creation in Christ doing battle against the

flesh—but adequate provision is made for victory through the power of the indwelling Holy Spirit. The struggle nevertheless stays with the believer all through this earthly life and is never completely ended. All claims to the eradication of sin in this life are unscriptural. Eradication of sin is not possible, but the Holy Spirit does provide for victory over sin (Galatians 5:16-25; Ephesians 4:22-24; Philippians 3:12; Colossians 3:9-10; 1 Peter 1:14-16; 1 John 3:5-9).

Security.

We teach that all the redeemed, once saved, are kept by God's power and are thus secure in Christ forever (John 5:24; 6:37-40; 10:27-30; Romans 5:9-10; 8:1, 31-39; 1 Corinthians 1:4-8; Ephesians 4:30; Hebrews 7:25; 13:5; 1 Peter 1:5; Jude 24).

We teach that it is the privilege of believers to rejoice in the assurance of their salvation through the testimony of God's Word, which, however, clearly forbids the use of Christian liberty as an occasion for sinful living and carnality (Romans 6:15-22; 13:13-14; Galatians 5:13, 25-26; Titus 2:11-14).

Separation.

We teach that separation from sin is clearly called for throughout the Old and New Testaments, and that the Scriptures clearly indicate that in the last days apostasy and worldliness shall increase (2 Corinthians 6:14-7:1; 2 Timothy 3:1-5).

We teach that, out of deep gratitude for the undeserved grace of God granted to us, and because our glorious God is so worthy of our total consecration, all the saved should live in such a manner as to demonstrate our adoring love to God and so as not to bring reproach upon our Lord and Savior. We also teach that separation from all religious apostasy and worldly and sinful practices is commanded of us by God (Romans 12:1-2; 1 Corinthians 5:9-13; 2 Corinthians 6:14-7:1; 1 John 2:15-17; 2 John 9-11).

We teach that believers should be separated unto our Lord Jesus Christ (2 Thessalonians 1:11-12; Hebrews 12:1-2) and affirm that the Christian life is a life of obedient righteousness that reflects the teaching of the Beatitudes (Matthew 5:2-12) and a continual pursuit of holiness (Romans 12:1-2; 2 Corinthians 7:1; Hebrews 12:14; Titus 2:11-14; 1 John 3:1-10).

THE CHURCH

We teach that all who place their faith in Jesus Christ are immediately placed by the Holy Spirit into one united spiritual Body, the church (1 Corinthians 12:12-13), the bride of Christ

(2 Corinthians 11:2; Ephesians 5:23-32; Revelation 19:7-8), of which Christ is the Head (Ephesians 1:22; 4:15; Colossians 1:18).

We teach that the formation of the church, the Body of Christ, began on the Day of Pentecost (Acts 2:1-21, 38-47) and will be completed at the coming of Christ for His own at the rapture (1 Corinthians 15:51-52; 1 Thessalonians 4:13-18).

We teach that the church is thus a unique spiritual organism designed by Christ, made up of all born-again believers in this present age (Ephesians 2:11-3:6). The church is distinct from Israel (1 Corinthians 10:32), a mystery not revealed until this age (Ephesians 3:1-6; 5:32).

We teach that the establishment and continuity of local churches is clearly taught and defined in the New Testament Scriptures (Acts 14:23, 27; 20:17, 28; Galatians 1:2; Philippians 1:1; 1 Thessalonians 1:1; 2 Thessalonians 1:1) and that the members of the one spiritual Body are directed to associate themselves together in local assemblies (1 Corinthians 11:18-20; Hebrews 10:25).

We teach that the one supreme authority for the church is Christ (1 Corinthians 11:3; Ephesians 1:22; Colossians 1:18) and that church leadership, gifts, order, discipline, and worship are all appointed through His sovereignty as found in the Scriptures. The biblically designated officers serving under Christ and over the assembly are elders (also called bishops, pastors, and pastor teachers; Acts 20:28; Ephesians 4:11) and deacons, both of whom must meet biblical qualifications (1 Timothy 3:1-13; Titus 1:5-9; 1 Peter 5:1-5).

We teach that these leaders lead or rule as servants of Christ (1 Timothy 5:17-22) and have His authority in directing the church. The congregation is to submit to their leadership (Hebrews 13:7, 17).

We teach the importance of discipleship (Matthew 28:19-20; 2 Timothy 2:2), mutual accountability of all believers to each other (Matthew 18:5-14), as well as the need for discipline of sinning members of the congregation in accord with the standards of Scripture (Matthew 18:15-22; Acts 5:1-11; 1 Corinthians 5:1-13; 2 Thessalonians 3:6-15; 1 Timothy 1:19-20; Titus 1:10-16).

We teach the autonomy of the local church, free from any external authority or control, with the right of self-government and freedom from the interference of any hierarchy of individuals or organizations (Titus 1:5).

We teach that it is scriptural for true churches to cooperate with each other for the presentation and propagation of the faith. Each local church, however, through its elders and their interpretation and application of Scripture, should be the sole judge of the measure and method of its cooperation. The elders should determine all other matters of membership,

policy, discipline, benevolence, and government as well (Acts 15:19-31; 20:28; 1 Corinthians 5:4-7, 13; 1 Peter 5:1-4).

We teach that the purpose of the church is to glorify God (Ephesians 3:21) by building itself up in the faith (Ephesians 4:13-16), by instruction of the Word (2 Timothy 2:2, 15; 3:16-17), by fellowship (Acts 2:47; 1 John 1:3), by keeping the ordinances (Luke 22:19; Acts 2:38-42) and by advancing and communicating the gospel to the entire world (Matthew 28:19; Acts 1:8; 2:42).

We teach the calling of all saints to the work of service (1 Corinthians 15:58; Ephesians 4:12; Revelation 22:12).

We teach the need of the church to cooperate with God as He accomplishes His purpose in the world. To that end, He gives the church spiritual gifts. He gives men chosen for the purpose of equipping the saints for the work of the ministry (Ephesians 4:7-12), and He also gives unique and special spiritual abilities to each member of the Body of Christ (Romans 12:5-8; 1 Corinthians 12:4-31; 1 Peter 4:10-11).

We teach that there were two kinds of gifts given the early church: *miraculous gifts* of divine revelation and healing, given temporarily in the apostolic era for the purpose of confirming the authenticity of the apostles' message (Hebrews 2:3-4; 2 Corinthians 12:12); and *ministering gifts*, given to equip believers for edifying one another. With the New Testament revelation now complete, Scripture becomes the sole test of the authenticity of a man's message, and confirming gifts of a miraculous nature are no longer necessary to validate a man or his message (1 Corinthians 13:8-12). Miraculous gifts can even be counterfeited by Satan so as to deceive even believers (Matthew 24:24). The only gifts in operation today are those non-revelatory equipping gifts given for edification (Romans 12:6-8).

We teach that no one possesses the gift of healing today, but that God does hear and answer the prayer of faith and will answer in accordance with His own perfect will for the sick, suffering, and afflicted (Luke 18:1-6; John 5:7-9; 2 Corinthians 12:6-10; James 5:13-16; 1 John 5:14-15).

We teach that two ordinances have been committed to the local church: baptism and the Lord's Supper (Acts 2:38-42). Christian baptism by immersion (Acts 8:36-39) is the solemn and beautiful testimony of a believer showing forth his faith in the crucified, buried, and risen Savior, and his union with Him in death to sin and resurrection to a new life (Romans 6:1-11). It is also a sign of fellowship and identification with the visible Body of Christ (Acts 2:41-42).

We teach that the Lord's Supper is the commemoration and proclamation of His death until He comes, and should be always preceded by solemn self-examination (1 Corinthians 11:28-32). We also teach that, whereas the elements of Communion are *only representative* of the flesh and blood of Christ, participation in the Lord's Supper is nevertheless an actual

communion with the risen Christ, who indwells every believer, and so is present, fellowshiping with His people (1 Corinthians 10:16).

ANGELS

Holy Angels.

We teach that angels are created beings and are therefore not to be worshiped. Although they are a higher order of creation than man, they are created to serve God and to worship Him (Luke 2:9-14; Hebrews 1:6-7, 14; 2:6-7; Revelation 5:11-14; 19:10; 22:9).

Fallen Angels.

We teach that Satan is a created angel and the author of sin. He incurred the judgment of God by rebelling against his Creator (Isaiah 14:12-17; Ezekiel 28:11-19), by taking numerous angels with him in his fall (Matthew 25:41; Revelation 12:1-14), and by introducing sin into the human race by his temptation of Eve (Genesis 3:1-15).

We teach that Satan is the open and declared enemy of God and man (Isaiah 14:13-14; Matthew 4:1-11; Revelation 12:9-10); that he is the prince of this world, who has been defeated through the death and resurrection of Jesus Christ (Romans 16:20); and that he shall be eternally punished in the lake of fire (Isaiah 14:12-17; Ezekiel 28:11-19; Matthew 25:41; Revelation 20:10).

LAST THINGS

Death.

We teach that physical death involves no loss of our immaterial consciousness (Revelation 6:9-11), that the soul of the redeemed passes immediately into the presence of Christ (Luke 23:43; Philippians 1:23; 2 Corinthians 5:8), that there is a separation of soul and body (Philippians 1:21-24), and that, for the redeemed, such separation will continue until the rapture (1 Thessalonians 4:13-17), which initiates the first resurrection (Revelation 20:4-6), when our soul and body will be reunited to be glorified forever with our Lord (Philippians 3:21; 1 Corinthians 15:35-44, 50-54). Until that time, the souls of the redeemed in Christ remain in joyful fellowship with our Lord Jesus Christ (2 Corinthians 5:8).

We teach the bodily resurrection of all men, the saved to eternal life (John 6:39; Romans 8:10-11, 19-23; 2 Corinthians 4:14), and the unsaved to judgment and everlasting punishment (Daniel 12:2; John 5:29; Revelation 20:13-15).

We teach that the souls of the unsaved at death are kept under punishment until the second resurrection (Luke 16:19-26; Revelation 20:13-15), when the soul and the resurrection body will be united (John 5:28-29). They shall then appear at the Great White Throne Judgment

(Revelation 20:11-15) and shall be cast into hell, the lake of fire (Matthew 25:41-46), cut off from the life of God forever (Daniel 12:2; Matthew 25:41-46; 2 Thessalonians 1:7-9).

The Rapture of the Church.

We teach the personal, bodily return of our Lord Jesus Christ before the seven-year tribulation (1 Thessalonians 4:16; Titus 2:13) to translate His church from this earth (John 14:1-3; 1 Corinthians 15:51-53; 1 Thessalonians 4:15-5:11) and, between this event and His glorious return with His saints, to reward believers according to their works (1 Corinthians 3:11-15; 2 Corinthians 5:10).

The Tribulation Period.

We teach that immediately following the removal of the church from the earth (John 14:1-3; 1 Thessalonians 4:13-18) the righteous judgments of God will be poured out upon an unbelieving world (Jeremiah 30:7; Daniel 9:27; 12:1; 2 Thessalonians 2:7-12; Revelation 16), and that these judgments will be climaxed by the return of Christ in glory to the earth (Matthew 24:27-31; 25:31-46; 2 Thessalonians 2:7-12). At that time the Old Testament and tribulation saints will be raised and the living will be judged (Daniel 12:2-3; Revelation 20:4-6). This period includes the seventieth week of Daniel's prophecy (Daniel 9:24-27; Matthew 24:15-31; 25:31-46).

The Second Coming and the Millennial Reign.

We teach that, after the tribulation period, Christ will come to earth to occupy the throne of David (Matthew 25:31; Luke 1:31-33; Acts 1:10-11; 2:29-30) and establish His messianic kingdom for 1,000 years on the earth (Revelation 20:1-7). During this time the resurrected saints will reign with Him over Israel and all the nations of the earth (Ezekiel 37:21-28; Daniel 7:17-22; Revelation 19:11-16). This reign will be preceded by the overthrow of the Antichrist and the False Prophet, and by the removal of Satan from the world (Daniel 7:17-27; Revelation 20:1-7).

We teach that the kingdom itself will be the fulfillment of God's promise to Israel (Isaiah 65:17-25; Ezekiel 37:21-28; Zechariah 8:1-17) to restore them to the land that they forfeited through their disobedience (Deuteronomy 28:15-68). The result of their disobedience was that Israel was temporarily set aside (Matthew 21:43; Romans 11:1-26), but will again be awakened through repentance to enter into the land of blessing (Jeremiah 31:31-34; Ezekiel 36:22-32; Romans 11:25-29).

We teach that this time of our Lord's reign will be characterized by harmony, justice, peace, righteousness, and long life (Isaiah 11; 65:17-25; Ezekiel 36:33-38), and will be brought to an end with the release of Satan (Revelation 20:7).

The Judgment of the Lost.

We teach that following the release of Satan after the 1,000-year reign of Christ (Revelation 20:7), Satan will deceive the nations of the earth and gather them to battle against the saints and the beloved city, at which time Satan and his army will be devoured by fire from heaven (Revelation 20:9). Following this, Satan will be thrown into the lake of fire and brimstone (Matthew 25:41; Revelation 20:10), whereupon Christ, who is the Judge of all men (John 5:22), will resurrect and judge the great and small at the Great White Throne Judgment.

We teach that this resurrection of the unsaved dead to judgment will be a physical resurrection, whereupon receiving their judgment (Romans 14:10-13), they will be committed to an eternal conscious punishment in the lake of fire (Matthew 25:41; Revelation 20:11-15).

Eternity.

We teach that after the closing of the millennium, the temporary release of Satan, and the judgment of unbelievers (2 Thessalonians 1:9; Revelation 20:7-15), the saved will enter the eternal state of glory with God, after which the elements of this earth are to be dissolved (2 Peter 3:10) and replaced with a new earth, wherein only righteousness dwells (Ephesians 5:5; Revelation 20:15; 21:1-27; 22:1-21). Following this, the heavenly city will come down out of heaven (Revelation 21:2) and will be the dwelling place of the saints, where they will enjoy forever fellowship with God and one another (John 17:3; Revelation 21-22). Our Lord Jesus Christ, having fulfilled His redemptive mission, will then deliver up the kingdom to God the Father (1 Corinthians 15:24-28), that in all spheres the triune God may reign forever and ever (1 Corinthians 15:28).

WHAT IT MEANS TO BE A CHRISTIAN

Being a Christian is more than identifying yourself with a particular religion or affirming a certain value system. Being a Christian means you have embraced what the Bible says about God, mankind, and salvation. Consider the following truths found in Scripture.

God Is Sovereign Creator.

Contemporary thinking says man is the product of evolution. But the Bible says we were created by a personal God to love, serve, and enjoy endless fellowship with Him. The New Testament reveals it was Jesus Himself who created everything (John 1:3; Colossians 1:16). Therefore, He also owns and rules everything (Psalm 103:19). That means He has authority over our lives and we owe Him absolute allegiance, obedience, and worship.

God Is Holy.

God is absolutely and perfectly holy (Isaiah 6:3), therefore He cannot commit or approve of evil (James 1:13). God requires holiness of us as well. First Peter 1:16 says, "You shall be holy, for I am holy."

Mankind Is Sinful.

According to Scripture, everyone is guilty of sin: "There is no man who does not sin" (1 Kings 8:46). That doesn't mean we're incapable of performing acts of human kindness. But we're utterly incapable of understanding, loving, or pleasing God on our own. (Romans 3:10-12).

Sin Demands a Penalty.

God's holiness and justice demand that all sin be punished by death: (Ezekiel 18:4). That's why simply changing our patterns of behavior can't solve our sin problem or eliminate its consequences.

Jesus Is Lord and Savior.

The New Testament reveals it was Jesus Himself who created everything (Colossians 1:16). Therefore He owns and rules everything (Psalm 103:19). That means He has authority over our lives and we owe Him absolute allegiance, obedience, and worship. Romans 10:9 says, "If you confess with your mouth Jesus as Lord, and believe in your heart that God raised Him from the dead, you shall be saved." Even though God's justice demands death for sin, His love has provided a Savior who paid the penalty and died for sinners (1 Peter 3:18). Christ's death satisfied the demands of God's justice and Christ's perfect life satisfied the demands of God's holiness (2 Corinthians 5:21), thereby enabling Him to forgive and save those who place their faith in Him (Romans 3:26).

The Character of Saving Faith.

True faith is always accompanied by repentance from sin. Repentance is agreeing with God that you are sinful, confessing your sins to Him, and making a conscious choice to turn from sin (Luke 13:3,5; 1 Thessalonians 1:9) and pursue Christ (Matthew 11:28-30; John 17:3) and obedience to Him (1 John 2:3). It isn't enough to believe certain facts about Christ. Even

Satan and his demons believe in the true God (James 2:19), but they don't love and obey Him. True saving faith always responds in obedience (Ephesians 2:10).

THIS IS EXHIBIT " D "
 referred to in the Affidavit of
James Coates
 Sworn before me this 21
 day of June A.D. 20 21

Scripture References

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Chad W. Graham
 Barrister & Solicitor
 A Commissioner for Oaths
 in and for the Province of Alberta

Acts 20:7

⁷ On the first day of the week, when we were gathered together to break bread, Paul began talking to them, intending to leave the next day, and he prolonged his message until midnight.

1 Cor 16:2

² On the first day of every week each one of you is to put aside and save, as he may prosper, so that no collections be made when I come.

Rev 1:10

¹⁰ I was in the Spirit on the Lord's day, and I heard behind me a loud voice like the sound of a trumpet,

Rom 15:6

⁶ so that with one accord you may with one voice glorify the God and Father of our Lord Jesus Christ.

1 Tim 5:20

²⁰ Those who continue in sin, rebuke in the presence of all, so that the rest also will be fearful of sinning.

Eph 4:11-12

¹¹ And He gave some as apostles, and some as prophets, and some as evangelists, and some as pastors and teachers, ¹² for the equipping of the saints for the work of service, to the building up of the body of Christ;

2Tim 4:2

² preach the word; be ready in season and out of season; reprove, rebuke, exhort, with great patience and instruction.

Tit 2:15

¹⁵ These things speak and exhort and reprove with all authority. Let no one disregard you.

1 Tim 4:13

¹³ Until I come, give attention to the public reading of Scripture, to exhortation and teaching.

Rom 15:5-6

⁵ Now may the God who gives perseverance and encouragement grant you to be of the same

mind with one another according to Christ Jesus, ⁶ so that with one accord you may with one voice glorify the God and Father of our Lord Jesus Christ.

Eph 6:18

¹⁸ With all prayer and petition pray at all times in the Spirit, and with this in view, be on the alert with all perseverance and petition for all the saints,

1 Tim 2:1-8

¹ First of all, then, I urge that entreaties and prayers, petition s and thanksgivings, be made on behalf of all men, ² for kings and all who are in authority, so that we may lead a tranquil and quiet life in all godliness and dignity. ³ This is good and acceptable in the sight of God our Savior, ⁴ who desires all men to be saved and to come to the knowledge of the truth. ⁵ For there is one God, and one mediator also between God and men, the man Christ Jesus, ⁶ who gave Himself as a ransom for all, the testimony given at the proper time. ⁷ For this I was appoin ted a preacher and an apostle (I am telling the truth, I am not lying) as a teacher of the Gentiles in faith and truth. ⁸ Therefore I want the men in every place to pray, lifting up holy hand s, without wrath and dissension.

Eph 5:18-21

¹⁸ And do not get drunk with wine, for that is dissipation , but be filled with the Spirit, ¹⁹ speaking to one another in psalms and hymns and spiritual songs, singing and making melody with your heart to the Lord; ²⁰ always giving thanks for all things in the name of our Lord Jesus Christ to God, even the Father; ²¹ and be subject to one another in the fear of Christ.

Col 3:16

¹⁶ Let the word of Christ richly dwell within you, with all wisdom teaching and admonishing one another with psalms and hymns and spiritual songs, singing with thankfulness in your hearts to God.

Rom 12:1-13

¹ Therefore I urge you, brethren, by the mercies of God, to present your bodies a living and holy sacri fice, acceptable to God, which is your spiritual service of worship. ² And do not be conformed to this world, but be transformed by the renewing of your mind, so that you may prove what the will of God is, that which is good and acceptable and perfect.

² For through the grace given to me I say to everyone among you not to think more highly of himself than he ought to think; but to think so as to have sound judgment , as God has allotted to each a measure of faith. ⁴ For just as we have many members in one body and all the members do not have the same function, ⁵ so we, who are many, are one body in Christ, and individually members one of another. ⁶ Since we have gifts that differ according to the grace given to us, each of us is to exercise them accordingly: if prophecy, according to the proportion of his faith; ⁷ if service, in his serving; or he who teaches, in his teaching; ⁸ or he who exhorts, in his exhortation; he who gives, with liberality; he who leads, with diligence; he who shows mercy, with cheerfulness.

⁹ Let love be without hypocrisy. Abhor what is evil; cling to what is good. ¹⁰ Be devoted to one another in brotherly love; give preference to one another in honor; ¹¹ not lagging behind in diligence, fervent in spirit, serving the Lord; ¹² rejoicing in hope, persevering in tribulation, devoted to prayer, ¹³ contributing to the needs of the saints, practicing hospitality.

1 Cor 12:4-26

⁴ Now there are varieties of gifts, but the same Spirit. ⁵ And there are varieties of ministries, and the same Lord. ⁶ There are varieties of effects, but the same God who works all things in all persons. ⁷ But to each one is given the manifestation of the Spirit for the common good. ⁸ For to one is given the word of wisdom through the Spirit, and to another the word of knowledge according to the same Spirit; ⁹ to another faith by the same Spirit, and to another gifts of healing by the one Spirit, ¹⁰ and to another the effecting of miracles, and to another prophecy, and to another the distinguishing of spirits, to another various kinds of tongues, and to another the interpretation of tongues. ¹¹ But one and the same Spirit works all these things, distributing to each one individually just as He wills.

¹² For even as the body is one and yet has many members, and all the members of the body, though they are many, are one body, so also is Christ. ¹³ For by one Spirit we were all baptized into one body, whether Jews or Greeks, whether slaves or free, and we were all made to drink of one Spirit.

¹⁴ For the body is not one member, but many. ¹⁵ If the foot says, "Because I am not a hand, I am not a part of the body," it is not for this reason any the less a part of the body. ¹⁶ And if the ear says, "Because I am not an eye, I am not a part of the body," it is not for this reason any the less a part of the body. ¹⁷ If the whole body were an eye, where would the hearing be? If the whole were hearing, where would the sense of smell be? ¹⁸ But now God has placed the members, each one of them, in the body, just as He desired. ¹⁹ If they were all one member, where would the body be? ²⁰ But now there are many members, but one body. ²¹ And the eye cannot say to the hand, "I have no need of you"; or again the head to the feet, "I have no need of you." ²² On the contrary, it is much truer that the members of the body which seem to be weaker are necessary; ²³ and those members of the body which we deem less honorable, on these we bestow more abundant honor, and our less presentable members become much more presentable, ²⁴ whereas our more presentable members have no need of it. But God has so composed the body, giving more abundant honor to that member which lacked, ²⁵ so that there may be no division in the body, but that the members may have the same care for one another. ²⁶ And if one member suffers, all the members suffer with it; if one member is honored, all the members rejoice with it.

Heb 10:24-25

²⁴ and let us consider how to stimulate one another to love and good deeds, ²⁵ not forsaking our own assembling together, as is the habit of some, but encouraging one another; and all the more as you see the day drawing near.

Matt 28:19

¹⁹ "Go therefore and make disciples of all the nations, baptizing them in the name of the Father and

the Son and the Holy Spirit,

1 Cor 11:17-34

¹⁷ But in giving this instruction, I do not praise you, because you come together not for the better but for the worse. ¹⁸ For, in the first place, when you come together as a church, I hear that divisions exist among you; and in part I believe it. ¹⁹ For there must also be factions among you, so that those who are approved may become evident among you. ²⁰ Therefore when you meet together, it is not to eat the Lord's Supper, ²¹ for in your eating each one takes his own supper first; and one is hungry and another is drunk. ²² What! Do you not have houses in which to eat and drink? Or do you despise the church of God and shame those who have nothing? What shall I say to you? Shall I praise you? In this I will not praise you.

²³ For I received from the Lord that which I also delivered to you, that the Lord Jesus in the night in which He was betrayed took bread; ²⁴ and when He had given thanks, He broke it and said, "This is My body, which is for you; do this in remembrance of Me." ²⁵ In the same way He took the cup also after supper, saying, "This cup is the new covenant in My blood; do this, as often as you drink it, in remembrance of Me." ²⁶ For as often as you eat this bread and drink the cup, you proclaim the Lord's death until He comes.

²⁷ Therefore whoever eats the bread or drinks the cup of the Lord in an unworthy manner, shall be guilty of the body and the blood of the Lord. ²⁸ But a man must examine himself, and in so doing he is to eat of the bread and drink of the cup. ²⁹ For he who eats and drinks, eats and drinks

judgment to himself if he does not judge the body rightly. ³⁰ For this reason many among you are weak and sick, and a number sleep. ³¹ But if we judged ourselves rightly, we would not be judged. ³² But when we are judged, we are disciplined by the Lord so that we will not be condemned along with the world.

³³ So then, my brethren, when you come together to eat, wait for one another. ³⁴ If anyone is hungry, let him eat at home, so that you will not come together for judgment. The remaining matters I will arrange when I come.

Matt 18:15-20

¹⁵ "If your brother sins, go and show him his fault in private; if he listens to you, you have won your brother. ¹⁶ "But if he does not listen to you, take one or two more with you, so that BY THE MOUTH OF TWO OR THREE WITNESSES EVERY FACT MAY BE CONFIRMED. ¹⁷ "If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. ¹⁸ "Truly I say to you, whatever you bind on earth shall have been bound in heaven; and whatever you loose on earth shall have been loosed in heaven.

¹⁹ "Again I say to you, that if two of you agree on earth about anything that they may ask, it shall be done for them by My Father who is in heaven. ²⁰ "For where two or three have gathered together in My name, I am there in their midst."

1 Cor5

¹ It is actually reported that there is immorality among you, and immorality of such a kind as does not exist even among the Gentiles, that someone has his father's wife. ² You have become arrogant and have not mourned instead, so that the one who had done this deed would be removed from your midst. ³ For I, on my part, though absent in body but present in spirit, have already judged him who has so committed this, as though I were present. ⁴ In the name of our Lord Jesus, when you are assembled, and I with you in spirit, with the power of our Lord Jesus, ⁵ I have decided to deliver such a one to Satan for the destruction of his flesh, so that his spirit may be saved in the day of the Lord Jesus.

⁶ Your boasting is not good. Do you not know that a little leaven leavens the whole lump of dough? ⁷ Clean out the old leaven so that you may be a new lump, just as you are in fact unleavened. For Christ our Passover also has been sacrificed. ⁸ Therefore let us celebrate the feast, not with old leaven, nor with the leaven of malice and wickedness, but with the unleavened bread of sincerity and truth.

⁹ I wrote you in my letter not to associate with immoral people; ¹⁰ I did not at all mean with the immoral people of this world, or with the covetous and swindlers, or with idolaters, for then you would have to go out of the world. ¹¹ But actually, I wrote to you not to associate with any so-called brother if he is an immoral person, or covetous, or an idolater, or a reviler, or a drunkard, or a swindler- not even to eat with such a one. ¹² For what have I to do with judging outsiders? Do you not judge those who are within the church? ¹³ But those who are outside, God judges. REMOVE THE WICKED MAN FROM AMONG YOURSELVES.

2 Thess 3:14-15

¹⁴ If anyone does not obey our instruction in this letter, take special note of that person and do not associate with him, so that he will be put to shame. ¹⁵ Yet do not regard him as an enemy, but admonish him as a brother.

1 Tim 5:19-21

¹⁹ Do not receive an accusation against an elder except on the basis of two or three witnesses. ²⁰ Those who continue in sin, rebuke in the presence of all, so that the rest also will be fearful of sinning. ²¹ I solemnly charge you in the presence of God and of Christ Jesus and of His chosen angels, to maintain these principles without bias, doing nothing in a spirit of partiality.

Tit 3:10

¹⁰ Reject a factious man after a first and second warning,

John 4:23

²³ But a time is coming, and even now has arrived, when the true worshipers will worship the Father in spirit and truth; for such people the Father seeks *to be* His worshipers.

Romans 14:23

²³ But the one who doubts is condemned if he eats, because *his eating is* not from faith; and whatever is not from faith is sin.

Exod 2:15-22

15 When Pharaoh heard of this matter, he tried to kill Moses. But Moses fled from the presence of Pharaoh and settled in the land of Midian, and he sat down by a well.

16 Now the priest of Midian had seven daughters; and they came to draw water and filled the troughs to water their father's flock. 17 Then the shepherds came and drove them away, but Moses stood up and helped them and watered their flock. 18 When they came to Reuel their father, he said, "Why have you come back so soon today?" 19 So they said, "An Egyptian delivered us from the hand of the shepherds, and what is more, he even drew the water for us and watered the flock." 20 He said to his daughters, "Where is he then? Why is it that you have left the man behind? Invite him to have something to eat." 21 Moses was willing to dwell with the man, and he gave his daughter Zipporah to Moses. 22 Then she gave birth to a son, and he named him Gershom, for he said, "I have been a sojourner in a foreign land."

Dan 3:8-18

8 For this reason at that time certain Chaldeans came forward and brought charges against the Jews. 9 They responded and said to Nebuchadnezzar the king: "O king, live forever! 10 "You, O king, have made a decree that every man who hears the sound of the horn, flute, lyre, trigon, psaltery, and bagpipe and all kinds of music, is to fall down and worship the golden image. 11 "But whoever does not fall down and worship shall be cast into the midst of a furnace of blazing fire. 12 "There are certain Jews whom you have appointed over the administration of the province of Babylon, namely Shadrach, Meshach and Abed-nego. These men, O king, have disregarded you; they do not serve your gods or worship the golden image which you have set up."

13 Then Nebuchadnezzar in rage and anger gave orders to bring Shadrach, Meshach and Abednego; then these men were brought before the king. 14 Nebuchadnezzar responded and said to them, "Is it true, Shadrach, Meshach and Abed-nego, that you do not serve my gods or worship the golden image that I have set up? 15 "Now if you are ready, at the moment you hear the sound of the horn, flute, lyre, trigon, psaltery and bagpipe and all kinds of music, to fall down and worship the image that I have made, very well. But if you do not worship, you will immediately be cast into the midst of a furnace of blazing fire; and what god is there who can deliver you out of my hands?"

16 Shadrach, Meshach and Abed-nego replied to the king, "O Nebuchadnezzar, we do not need to give you an answer concerning this matter. 17 "If it be so, our God whom we serve is able to deliver us from the furnace of blazing fire; and He will deliver us out of your hand, O king. 18 "But even if He does not, let it be known to you, O king, that we are not going to serve your gods or worship the golden image that you have set up."

Dan 6:6-13

6 Then these commissioners and satraps came by agreement to the king and spoke to him as follows: "King Darius, live forever! 7 "All the commissioners of the kingdom, the prefects and the satraps, the high officials and the governors have consulted together that the king should establish a statute and enforce an injunction that anyone who makes a petition to any god or man besides you, O king, for thirty days, shall be cast into the lions' den. 8 "Now, O king, establish the injunction and sign the document so that it may not be changed, according to the law of the Medes and Persians, which may not be revoked." 9 Therefore King Darius signed the document, that is, the injunction.

10 Now when Daniel knew that the document was signed, he entered his house (now in his roof chamber he had windows open toward Jerusalem); and he continued kneeling on his knees three times a day, praying and giving thanks before his God, as he had been doing previously. 11 Then

these men came by agreement and found Daniel making petition and supplication before his God. 12 Then they approached and spoke before the king about the king's injunction, "Did you not sign an injunction that any man who makes a petition to any god or man besides you, O king, for thirty days, is to be cast into the lions' den?" The king replied, "The statement is true, according to the law of the Medes and Persians, which may not be revoked." 13 Then they answered and spoke before the king, "Daniel, who is one of the exiles from Judah, pays no attention to you, O king, or to the injunction which you signed, but keeps making his petition three times a day."

Matt 10:28

28 "Do not fear those who kill the body but are unable to kill the soul; but rather fear Him who is able to destroy both soul and body in hell.

Acts 4:19-20

19 But Peter and John answered and said to them, "Whether it is right in the sight of God to give heed to you rather than to God, you be the judge; 20 for we cannot stop speaking about what we have seen and heard."

Acts 5:29

29 But Peter and the apostles answered, "We must obey God rather than men.

Acts 4:32-37

³² And the congregation of those who believed were of one heart and soul; and not one *of them* claimed that anything belonging to him was his own, but all things were common property to them. ³³ And with great power the apostles were giving testimony to the resurrection of the Lord Jesus, and abundant grace was upon them all. ³⁴ For there was not a needy person among them, for all who were owners of land or houses would sell them and bring the proceeds of the sales ³⁵ and lay *them* at the apostles' feet, and they would be distributed to each to the extent that any had need.

³⁶ Now Joseph, a Levite of Cyprian birth, who was also called Barnabas by the apostles (which translated means Son of Encouragement), ³⁷ owned a tract of land. So he sold it, and brought the money and laid it at the apostles' feet.

Matthew 10:37

³⁷ "The one who loves father or mother more than Me is not worthy of Me; and the one who loves son or daughter more than Me is not worthy of Me.

Matthew 10:53-58

⁵³ When Jesus had finished these parables, He departed from there. ⁵⁴ And He came to His hometown and *began* teaching them in their synagogue, with the result that they were astonished, and said, "Where *did* this man *acquire* this wisdom and *these* miraculous powers? ⁵⁵ Is this not the carpenter's son? Is His mother not called Mary, and His brothers, James, Joseph, Simon, and Judas? ⁵⁶ And His sisters, are they not all with us? Where then *did* this man *acquire* all these things?" ⁵⁷ And they took offense at Him. But Jesus said to them, "A prophet is not dishonored except in his hometown and in his *own* household." ⁵⁸ And He did not do many miracles there because of their unbelief.

Luke 14:26

²⁶ "If anyone comes to Me and does not hate his own father, mother, wife, children, brothers, sisters, yes, and even his own life, he cannot be My disciple.

Rom 12:18

18 If possible, so far as it depends on you, be at peace with all men.

1 Tim 2:1

1 First of all, then, I urge that entreaties and prayers, petitions and thanksgivings, be made on behalf of all men,

Heb 12:14

14 Pursue peace with all men, and the sanctification without which no one will see the Lord.

THIS IS EXHIBIT " E "
referred to in the Affidavit of
James Coates

Sworn before me this 7
day of June A.D. 20 21

[Signature]
A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

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The Visible Community

THE BODY of Christ takes up space on earth. That is a consequence of the Incarnation. Christ came into his own. But at his birth they gave him a manger, for "there was no room in the inn." At his death they thrust him out, and his Body hung between earth and heaven on the gallows. But despite all this, the Incarnation does involve a claim to a space of its own on earth. Anything which claims space is visible. Hence the Body of Christ can only be a visible Body, or else it is not a Body at all. The physical body of the man Jesus is visible to all, his divine sonship only to the eye of faith, just as that Body as the Body of God incarnate is visible only to faith. That Jesus was in the flesh was visible fact, but that he bore our flesh is a matter of faith. "To this man shalt thou point and say, Here is God" (Luther).

A truth, a doctrine, or a religion need no space for themselves. They are disembodied entities. They are heard, learnt and apprehended, and that is all. But the incarnate Son of God needs not only ears or hearts, but living men who will follow him. That is why he called his disciples into a literal, bodily following, and thus made his fellowship with them a visible reality. That fellowship was founded and sustained by Jesus Christ, the incarnate Lord himself. It was the Word made flesh which had called them and created their bodily fellowship with him. Having been called they could no longer remain in obscurity, for they were the light that must shine, the city set on the hill which must be seen. Their fellowship with him was visibly overshadowed by the cross and passion of Jesus Christ.

In order that they might enjoy their fellowship, the disciples must leave everything and follow him, suffering and persecution. Yet even in their sufferings and persecutions they receive back all they have lost. The Church, consisting of Christ's fellow-disciples, is the visible community. Hence the Church is the world as a visible community. Hence the Church is the world worked and suffered in fellowship with Christ.

The body of the exalted Lord is the visible community. The shape of the Church. How is this body made visible? The place, through the preaching of the Word. The content, through the apostles' teaching" (Acts 2.42). The content is significant. Teaching (didache) is contrasted with all kinds of religious practices. The act of reporting certain concrete facts is contrasted with the act of conveying objective and constant truth. The content communicated in "teaching." By definition, teaching is limited to facts which are as yet uncommunicated. Once they have been communicated, they are no longer teaching. They are then rendered themselves again. It is of the essence of teaching to render itself superfluous. But in strict fact, teaching is that the Church "continued" in the teaching. In other words, teaching did not render itself superfluous. Constant repetition was the very thing which made teaching be some inner necessity for this association. "continuing." We must also note that the teaching is the teaching of the apostles. Now the apostles were chosen by God to bear witness to the Word of God in Jesus Christ. They were men who were in fellowship with Jesus, men who saw the incarnate Word, Christ, and who handled his Body (1.1). They were the witnesses empowered by the Holy Spirit to proclaim the Word. The teaching is the witness to the physical event of God's Word in Jesus Christ. Hence the apostles and prophets are the visible community which the Church is built, while the Church is the visible community.

that he too has a Lord in heaven (Col. 3.18-4.1), but they are all brethren "in the flesh and in the Lord."

This is how the Church invades the life of the world and conquers territory for Christ. For whatever is "in Christ" has ceased to be subject to the world of sin and the law. No law of the world can interfere with this fellowship. The realm of Christian love is subject to Christ, not to the world. The Church can never tolerate any limits set to the love and service of the brethren. For where the brother is, there is the Body of Christ, and there is his Church. And there we must also be.

The member of the Body of Christ has been delivered from the world and called out of it. He must give the world a visible proof of his calling, not only by sharing in the Church's worship and discipline, but also through the new fellowship of brotherly living. If the world despises one of the brethren, the Christian will love and serve him. If the world does him violence, the Christian will succour and comfort him. If the world dishonours and insults him, the Christian will sacrifice his own honour to cover his brother's shame. Where the world seeks gain, the Christian will renounce it. Where the world exploits, he will dispossess himself, and where the world oppresses, he will stoop down and raise up the oppressed. If the world refuses justice, the Christian will pursue mercy, and if the world takes refuge in lies, he will open his mouth for the dumb, and bear testimony to the truth. For the sake of the brother, be he Jew or Greek, bond or free, strong or weak, noble or base, he will renounce all fellowship with the world. For the Christian serves the fellowship of the Body of Christ, and he cannot hide it from the world. He is called out of the world to follow Christ. ✕

But "let each man abide in that calling wherein he was called. Wast thou called being a bondservant? care not for it: but if thou canst become free, use it rather" (i.e. remain a slave). "For he that was called in the Lord, being a bondservant, is the Lord's freedman: likewise he that was called, being free, is Christ's bondservant. Ye were bought at a price; be-

come not the servants of men. But ye were bought with the price of his blood, wherein he was called, therein abide with God. If it be different it all sounds from the call. They had to leave everything and be called." How are we to reconcile this with recognizing the underlying motive of the exhortation of the apostle. It is to bring their hearers into the fellowship. The only way the first disciples could be going with Jesus. But now the Body of Christ is no longer called. The risen and exalted Lord had returned than ever before. The Body of Christ is in the heart of the world in the form of a Christian is baptized into that Body and taken his life into his own, thus own. If a man is baptized as a slave become a partaker in the common life. As a slave he is already torn from his bondage become a freedman of Christ. That is stay as he is. As a member of the Body he has acquired a freedom which no other have brought him. Of course St Paul does not bind him more closely to the world, but anchor so that he can continue his life. St Paul admonishes the slave to stay as he is, to make him a better citizen of the world. It is not as though St Paul were trying to make a black spot in the social order. His class-structure of secular society is not a tution that it would be wrong to turn the truth of the matter is that the whole world turned upside down by the work of Christ wrought a liberation for freeman and would only obscure that divine New



Environmental Public Health

ORDER OF AN EXECUTIVE OFFICER

To: Grace Life Church Of Edmonton
"the Owner"

James Coates
"the Pastor"

RE: Those premises located in Parkland County, Alberta and municipally described as:
Grace Life Church Of Edmonton
51529A Range Road 262, Parkland County, Alberta (Lot 1A Block 1 Plan 1020669)

WHEREAS I, an Executive Officer of Alberta Health Services have inspected the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

AND WHEREAS the Chief Medical Officer of Health (CMOH) of Alberta has issued the Records Of Decision – CMOH 26-2020 and 42-2020 pursuant to the Public Health Act, in response to a public health emergency,

AND WHEREAS such inspection has disclosed that the following conditions exist in and about the above noted premises in contravention of the above orders of the Chief Medical Officer of Health of Alberta, and which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. Some of the church attendees observed were unmasked in the church lobby and in the auditorium.
- b. Some of the church staff/volunteers observed were unmasked in the church lobby and in the auditorium.
- c. An individual was greeting people at the door and was not maintaining at least 2 meters physical distancing from the members of the public. Some people entering the church were not masked.
- d. There were church attendees socializing in the lobby and auditorium. These attendees appeared to be making direct contact with members of other households while not masked or distanced at least 2 meters.
- e. In the auditorium, it appeared members of different households were not distanced at least 2 meters apart. The rows in the auditorium were mostly full, with people sitting side by side and with the rows of seats themselves not distanced 2 meters from each other.
- f. There was a stage with a group performance occurring. Performers were not masked nor were they distanced at least 2 meters from each other.
- g. There did not appear to be anyone on site counting or overseeing the numbers of attendees coming into the building and therefore, maximum capacity of 15% of the Fire code occupancy may have been exceeded.

NOW THEREFORE, hereby ORDER and DIRECT:

THIS IS EXHIBIT " F "
referred to in the Affidavit of
James Coates

Sworn before me this 7
day of June A.D. 20 21

[Signature]
A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

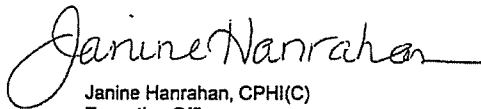
Order of an Executive Officer
RE: The premises located in Parkland County, Alberta and municipally described as: Grace Life Church Of Edmonton 51529A – Range
Road 262, Parkland County, Alberta
Page 2 of 3

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that all persons, including but not limited to church attendees, staff, volunteers and performers, wear a face mask or other face covering that covers their nose, mouth and chin ("face mask"), at all times while inside the premises.
 - b. Ensure that physical distancing of at least 2 metres between households is strictly adhered to at all times.
 - c. Ensure individuals greeting people at the entrance of the premises are wearing a face mask and maintaining 2 meters physical distancing from others not in their household.
 - d. Ensure that performers are wearing a face mask and are spaced apart to allow for physical distancing (2 metres) between performers and the attendees
 - e. Provide Alberta Health Services with information about the total operational occupancy load for the premises, as determined in accordance with the Alberta Fire Code. This information must be submitted to Alberta Health Services Executive Officer by December 19, 2020.
 - f. Do not allow the building capacity to exceed 15% of the total operational occupancy load as per the Alberta Fire Code.
 - g. Complete the Relaunch Plan Template, located in the Government of Alberta General Relaunch Guidance document. Provide details of all risk mitigation measures to be implemented to prevent the transmission of COVID-19. This document must include all activities that take place in the church facility, including meetings and other gatherings. The Relaunch Plan Template must include a process by which you will monitor the number of people inside the premises to ensure compliance with capacity restriction in CMOH Order 42-2020, and confirmed in 1(f) above. The Relaunch Plan must be submitted to Alberta Health Services Executive Officer for review by December 19, 2020.

2. The work referred to in paragraph 1 shall be completed immediately.


The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Spruce Grove, Alberta, December 17, 2020.



Janine Hanrahan, CPHI(C)
Executive Officer
Alberta Health Services

Link for Audio Recording of December 20, 2020 Sermon

THIS IS EXHIBIT " 6 "
referred to in the Affidavit of
James Coates
Sworn before me this 7
day of June A.D. 20 21

A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta



E12837926A

VIOLATION TICKET
CANADA
Province of Alberta

SUMMONS

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of AlbertaOn or about the **20th** day of **DECEMBER, 2020** at or near **STONY PLAIN, Alberta**NAME **COATES, JAMES DAVID**

ADDRESS [REDACTED]

DID UNLAWFULLY CONTRAVENE Section 73(1) of the Public Health Act - Individual contravene order of medical officer of health

SUMMONS

I believe on reasonable and probable grounds and swear that the person named above committed the offence as indicated and that I served a Summons personally upon the person on the offence date.

Cst M Cormack

60208

Parkland RCMP

Complainant

Officer Number

Law Enforcement Agency

YOUR COURT APPEARANCE DATE AND LOCATION TO APPEAR BEFORE A JUSTICE IS

PROVINCIAL COURT, 4711 - 44 AVE., STONY PLAIN, ALBERTA

On Thursday, the 25th day of March, 2021 at 9:30 AM

THE FOLLOWING DOES NOT FORM PART OF THE CHARGE

PLACE OF OFFENCE **51529A 262 RANGE ROAD, PARKLAND COUNTY**OFFENCE TIME **10:58 AM**

OPERATOR LIC. NO. [REDACTED]

LICENCE PROV. **AB**

BIRTH DATE [REDACTED]

SEX **M**

M.V.I.D. NO. [REDACTED]

VOLUNTARY
PAYMENT
OPTION**\$1200.00**

OPTIONS: CHOOSE ONE OPTION ONLY

OPTION 1: PAY THE VOLUNTARY PAYMENT AMOUNT ON OR BEFORE YOUR COURT APPEARANCE DATE

Ways to pay: Pay online at fines.alberta.ca or pay in person at any Registry Office or Provincial Court.* You must bring this ticket with you when making a payment. By paying the voluntary payment amount you are pleading guilty to the charge and you do not need to appear in court on the court appearance date. If your payment is not received on or before the court appearance date a warrant may be issued for your arrest.

OPTION 2: PLEAD NOT GUILTY BY REGISTERED MAIL

Sign and date the following statement and mail this ticket by Registered Mail to: Provincial Court of Alberta, 4711 - 44 Ave., Stony Plain, Alberta T7Z 1N5

I wish to Plead Not Guilty to the offence I have been charged with and Will Appear at the Trial Date set for me. I understand that:

- I will be notified of the trial date by ordinary mail which will be sent to my address listed above, unless I indicate a different address below.
- If I do not receive notice of the trial date by ordinary mail within a reasonable time, I must contact the Court office to obtain the trial date. Contact information for Court offices is available online at albertacourts.ca (If the court you need is outside your local calling area dial 310-0000 toll free and ask for the court office you wish to reach).
- If the Court does not receive my not guilty plea on or before the appearance date or I fail to appear for my trial, a warrant may be issued for my arrest.

Signature: [Signature] Print Name: JAMES COATES Date: 12/22/2020

Note: Make a copy of the ticket for your records and keep your post office receipt as proof of mailing

OPTION 3: APPEAR BEFORE A JUSTICE ON YOUR COURT APPEARANCE DATE

You may plead guilty or not guilty to the offence charged. If you plead guilty and are fined, you may ask for time to pay, but if you wish to make submissions as to penalty, a hearing may be set for a later date. If you plead not guilty, a trial date will be set.

WARNING

A warrant may be issued for the arrest of any person who fails to respond to a summons as required by law by the appearance date

*Services fees will apply on payments made at Registry Offices and online.

You do not have to appear in court if you pay the voluntary payment amount or plead not guilty by mail. You have the right to retain and instruct counsel regarding this matter. Conviction of certain motor vehicle offences will result in demerit points being assessed against your driving record. No reminder notice will be sent to you regarding the above stated charge. It is your responsibility to act within the specified time period.

QUESTIONS? GO ONLINE TO tickets.alberta.ca FOR MORE INFORMATION

Change of Address

Please complete if your address is different than shown above.

Street _____ City/Town _____ Province _____ Postal Code _____

E12837926A

PART 2 (2017/07)

COURT FILE NUMBER 2103 00079
 COURT QUEEN'S BENCH OF ALBERTA
 JUDICIAL CENTRE EDMONTON
 APPLICANT ALBERTA HEALTH SERVICES
 RESPONDENTS GRACE LIFE CHURCH OF
 EDMONTON AND JAMES COATES



DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND
 CONTACT INFORMATION OF
 PARTY FILING THIS
 DOCUMENT Alberta Health Services
 Legal & Privacy
 Suite 500, North Tower
 Seventh Street Plaza
 10030 – 107 Street
 Edmonton, AB

Attention: Ashley McClelland
 Phone: [REDACTED]
 Fax: [REDACTED]
 E-mail: [REDACTED]

THIS IS EXHIBIT " I "
 referred to in the Affidavit of
James Coates

Sworn before me this 7
 day of June A.D. 20 21

[Signature]
 A Commissioner in and for the Province of Alberta

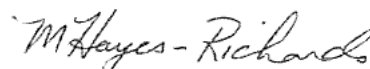
Chad W. Graham
 Barrister & Solicitor
 A Commissioner for Oaths
 in and for the Province of Alberta

DATE ON WHICH ORDER WAS PRONOUNCED: January 21, 2021
 NAME OF JUSTICE WHO MADE THIS ORDER: Justice M. Hayes-Richards
 LOCATION OF HEARING: Edmonton, Alberta


UPON the Application of the Applicant, Alberta Health Services ("AHS");
 AND UPON hearing from Counsel for AHS;
 AND UPON reading the affidavit of Janine Hanrahan, filed;
 AND UPON hearing from Counsel for the Respondents

IT IS HEREBY ORDERED THAT:

1. The Respondents must comply with the provisions of the *Public Health Act*, RSA 2000, c P-37 (the "Act") and all active Records of Decision by the Chief Medical Officer of Health ("CMOH"), which may apply, including, but not limited to Records of Decisions 26-2020 and 42-2020.
2. The Respondents must comply with the Executive Officer's Order issued December 17, 2020.
3. The Respondent, and any other person at the Grace Life Church ("the Church"), shall grant access to any Executive Officer (as defined in the Act) in order for him or her to attend the Church, without notice, during the hours of 8:00 a.m. to 8:00 p.m., to allow the Executive Officer to exercise his or her powers under sections 59 and 60 of the Act. Where reasonable to do so, advance notice of inspections is to be provided.
4. The Respondent and any other persons are hereby restrained from obstructing, molesting, hindering, or interfering with any Executive Officer (or anyone assisting the Executive Officer) in the execution of any duty imposed or in the exercise of any power conferred on the Executive Officer by the Act.
5. In the event the Respondent or any other person refuses to grant any Executive Officer access to the Church, fails to facilitate access to or inspection of the Church, or hinders or interferes with the Executive Officer in the exercise of his or her powers, or if deemed necessary to ensure the health and safety of any Executive Officer (or anyone assisting the Executive Officer), then any member of any Police Service, as defined in the Police Act, RSA 2000, c P-17, or any peace officer as defined by the Criminal Code, RSC 1985, c C-46, (collectively "Law Enforcement") and anyone necessary to assist Law Enforcement, is directed to accompany and assist the Executive Officer and use such reasonable force as they consider appropriate to gain access to the Church and allow the Executive Officer (or anyone assisting the Executive Officer) to exercise his or her power pursuant to sections 59 and/or 60 of the Act.
6. Upon the Respondent Pastor or any other person being in breach of the terms of this Order, the Applicant may, bring him or her at the earliest possible time before a Justice of the Court of Queen's Bench to show cause why he or she should not be held in contempt of Court, provided that such person shall have been previously served with a copy of the Court's Order by a member of Law Enforcement or an Executive Officer and, upon being given an opportunity to do so, does not thereafter obey the Court's Order.



Justice of the Court of Queen's Bench of Alberta

THIS IS EXHIBIT " 5 "
 referred to in the Affidavit of
James Coates
 Sworn before me this 4
 day of June A.D. 20 21

 A Commissioner in and for the Province of Alberta

ORDER OF AN EXECUTIVE OFFICER NOTICE OF PUBLIC ACCESS CLOSURE

Chad W. Graham
 Barrister & Solicitor
 A Commissioner for Oaths
 in and for the Province of Alberta

To: **Grace Life Church of Edmonton**
 "the Owner"

James Coates
 "the Pastor"

RE: Those premises located in Parkland County, Alberta and municipally described as:
 Grace Life Church of Edmonton
 51529A-Range Road 262, Parkland County, Alberta (Lot 1A Block 1 Plan 1020669)

WHEREAS the Chief Medical Officer of Health ("CMOH") has issued the following Records Of Decision – CMOH Order 42-2020, 26-2020 of the Public Health Act, as may be amended or varied by subsequent Records of Decision, in response to a public health emergency;

AND WHEREAS an Executive Officer's Order was issued by Alberta Health Services on December 17, 2020 ("December 17 Order") to address the Church's non-compliance with CMOH Orders 42-2020 and 26-2020;

AND WHEREAS a Court Of Queen's Bench Order enforcing the December 17 Order was granted on January 21, 2021;

AND WHEREAS I, an Executive Officer of Alberta Health Services have inspected the above noted Church on January 24, 2021 pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions continue to exist in and about the above noted Church and which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. There were over 290 people attending the church service on January 24, 2021, in excess of the 15% total operational occupancy load as per the Alberta Fire Code.
- b. Church attendees, staff/volunteers were observed unmasked in the church lobby and in the sanctuary.
- c. It appeared that church attendees, staff/volunteers were not maintaining at least 2 meters physical distancing from other households.
- d. The Relaunch Plan Template outlining all activities that take place in the church, including meetings and other gatherings, details of risk mitigation measures to be implemented to prevent the transmission of COVID-19 and the process by which they will monitor the number of people inside the church has not been submitted to Alberta Health Services Executive Officer for review.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the owner IMMEDIATELY CLOSE the above noted premises to public access, including congregants, members or attendees.
2. The above noted premises shall remain closed to the public until such time as the premises comes into compliance with active CMOH Orders, the Executive Officers Order issued on December 17, 2020, and the Court of Queen's Bench Order granted January 21, 2021.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Edmonton, Alberta, January 29, 2021.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

COVID-19 Template revised Dec. 2020

Copy: Office of the Chief Medical Officer of Health

For more information, please contact your nearest Environmental Public Health office.

Edmonton Main Office
Calgary Main Office
Lethbridge Main Office

780-735-1800
403-943-2288
403-388-6689

Grande Prairie Main Office
Red Deer Main Office
www.ahs.ca/eph

780-513-7517
403-356-6366

www.albertahealthservices.ca/eph.asp



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Undertaking Promesse

File/Ticket No. N° de dossier

2021 170481

Form 10
Criminal Code
Section 2Formule 10
Code criminel
article 2

1. Identification and Contact Information Identification et Coordonnées

Surname Nom de famille: COATES
Given Name(s) Prénom(s): James David
Date of Birth Date de naissance: [Redacted]
M O F O X
[Redacted]
or Post Office municipalité ou bureau de poste
Province/Territory Postal Code code postal Telephone R téléphone Telephone B téléphone

2. Charge(s) or Alleged Offence(s) Accusation(s) ou Infraction(s) alléguée

Set out briefly the offence in respect of which the accused was charged or is alleged to have committed. Énoncer brièvement l'infraction dont le prévenu est inculpé ou que le prévenu aurait commise.

On or between December 27, 2020 and February 7, 2021, at or near Parkland Camp in the Province of Alberta did contraven Chief Medical Officer of Health Order to wit conduct a worship service at a place of worship, if the number of persons who attend the worship service at the place of worship is limited to 15% of the total operational occupancy load as determined in accordance with the Alberta Fire Code and the fire authority having jurisdiction and resp. to Section 73C of the Public Health Act. Plus additional.

3. Mandatory Condition Condition obligatoire

You must attend court as indicated below, and afterwards as required by the court:

Vous devez vous présenter devant le tribunal conformément à ce qui est indiqué ci-dessous et, par la suite, comme l'exige le tribunal:

March 31st, 2021 0830 AMO
Date date Time heure Court Number N° de la salle d'audience
4711 - 44 Ave. Stony Plain, AB
Court Address Adresse du tribunal

4. Appearance for the purpose of the Identification of Criminals Act Comparution pour l'application de la Loi sur l'identification des criminels

Check if required. Cochez si nécessaire.

☐ You are required to appear on at at
Vous êtes tenu de comparaître le Date date à Hour heure à
Place lieu for the purposes of the Identification of Criminals Act.
pour l'application de la Loi sur l'identification des criminels.

5. Additional Conditions Autres conditions

You must also comply with any conditions that are indicated below by a check mark.

Vous devez également vous conformer aux conditions cochées ci-dessous.

Check only those that are reasonable in the circumstances of the offence and necessary, to ensure the accused's attendance in court or the safety and security of any victim of or witness to the offence.
Cocher uniquement les conditions raisonnables eu égard aux circonstances entourant l'infraction commise et nécessaires pour assurer la présence du prévenu au tribunal ou la sécurité des victimes ou des témoins de l'infraction ou pour empêcher que l'infraction se poursuive ou se répète ou qu'une autre infraction soit commise.

- ☐ (a) You must report to
Vous devez vous présenter à _____ Name or Title nom ou titre
at _____ on _____
à _____ Place lieu le _____
THIS IS EXHIBIT "K" referred to in the Affidavit of James Coates
- ☐ (b) You must remain within the following territorial jurisdiction:
Vous devez demeurer dans le ressort de la juridiction suivante: _____ Territorial Jurisdiction juridiction suivante
Sworn before me this 9 day of June A.D. 2021
- ☐ (c) You must notify
Vous devez aviser _____ Name, Title and Phone Number nom ou titre et no de téléphone
of any change of your de tout changement _____ Address, Employment or Occupation d'adresse, d'emploi ou d'occupation
A Commissioner in and for the Province of Alberta
- ☐ (d) You must not communicate, directly or indirectly, with
Vous ne devez pas communiquer, directement ou indirectement, avec _____ Name nom
except in accordance with the following conditions:
sauf si vous respectez les conditions suivantes:
**Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta**
- ☐ (e) You must not go to
Vous ne devez pas aller dans _____
Places which are related to the person(s) mentioned in the condition set out in paragraph (d). Lieux qui sont liés aux personnes mentionnées à la condition figurant à l'alinéa (d).
except in accordance with the following conditions:
sauf si vous respectez les conditions suivantes:

- ☐ (g) You must deposit all your passports with
Vous devez remettre tous vos passeports à

61

at _____ before _____
à _____ Place lieu à _____ Date or Dates date ou dates

- ☐ (h) You must reside at
Vous devez résider à

_____ Place lieu

be at that residence between _____ and _____
être présent à cette résidence de _____ Hour heure à _____ Hour heure

and present yourself at the entrance of that residence when a peace officer or
et vous présenter à l'entrée de cette résidence lorsqu'un agent de la paix ou

_____ Name and Title of Another Person nom et titre d'une autre personne

requests you to do so within those hours.
vous le demande durant ces heures.

- ☐ (i) You must not possess a firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance and you must surrender those that are in your possession and also any authorization, licence or registration certificate or other document enabling you to acquire or possess them to
Vous devez vous abstenir de posséder une arme à feu, une arbalète, une arme prohibée, une arme à autorisation restreinte, un dispositif prohibé, des munitions, des munitions prohibées ou des substances explosives et vous devez remettre à

at _____
à _____ Name or Title nom ou titre _____ Place lieu _____

- ☐ (j) You promise to pay the amount of

Vous vous engagez à verser la somme de

Not more than \$500 Ne doit pas dépasser la somme de 500 \$

if you fail to comply with a condition of this undertaking.

si vous ne vous conformez pas à l'une des conditions de la présente promesse.

- ☐ (k) You must deposit money or other valuable security whose value is equal to the amount of
Vous devez déposer la somme de ou autre valeur ne dépassant pas cette somme auprès

with _____
de _____ Name or Title nom ou titre _____

because you are not ordinarily resident in the province or do not reside within 200 km of the place in which you are in custody.
puisque vous ne résidez pas ordinairement dans cette province ou dans un rayon de 200 km du lieu où vous êtes sous garde.

- ☒ (l) You must comply with the following conditions:

Vous devez vous conformer aux conditions suivantes:

List the conditions for ensuring the safety and security of any victim of or witness to the alleged offence.
Énumérer les conditions permettant d'assurer la sécurité des victimes ou des témoins de l'infraction.

① Must be abide by provisions of the
Public Health Act.

9. Signatures Signatures

SIGNED ON

SIGNÉ LE

2021-02-07

Date date

at

à

Rockland County

Place lieu

ACCUSED

PRÉVENU

I understand the contents of this undertaking, including that on the reverse of this page, and agree to comply with the mandatory condition and the conditions that are indicated by a check mark. I understand that I do not have to accept the conditions and that, if I do not accept the conditions, I will be brought to a justice for a bail hearing.

Je comprends le contenu de la présente promesse, y compris celle au verso de cette page, et j'accepte de me conformer à la condition obligatoire ainsi qu'aux conditions qui sont cochées. Je comprends que je ne suis pas obligé d'accepter les conditions, mais qu'à défaut de le faire, je serai conduit devant un juge de paix qui tiendra une audience sur le cautionnement.

X Refused to sign

Signature of Accused Signature du prévenu

PEACE OFFICER

AGENT DE LA PAIX

I certify I served a true copy of this Undertaking on the accused.

Je certifie que j'ai signifié une copie conforme du la présente promesse à l'accusé.

CST S. LAWRENCE Rec # A5500

Name of Peace Officer

Nom de l'agent de la paix

[Signature]

Signature of Peace Officer

Signature de l'agent de la paix

CONFIRMED BY
CONFIRMÉE PAR

Name of Justice

Nom de juge de paix

Signature of Justice

Signature de juge de paix

ON

Link for Audio Recording of February 14, 2021 Sermon

THIS IS EXHIBIT " L "
referred to in the Affidavit of

James Coates

Sworn before me this 4

day of June A.D. 20 21


A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta



CANADA
PROVINCE OF ALBERTA
PROVINCE D'ALBERTA

FILE NO. 210161956P1
POLICE RPA # 21-170481

INFORMATION
ON BEHALF OF HER MAJESTY THE QUEEN
DENONCIATION
AU NOM DE SA MAJESTÉ LA REINE

THIS IS THE INFORMATION OF

LES PRESENTES CONSTITUENT

SHAWN LAWRENCE
OF SPRUCE GROVE

, A PEACE OFFICER
, ALBERTA,

HEREINAFTER CALLED THE INFORMANT

CI-APRES APPELE LE DENONCIATEUR

THE INFORMANT SAYS THAT HE HAS
REASONABLE GROUNDS TO BELIEVE
AND DOES BELIEVE THAT:

LE DENONCIATEUR DECLARE QU'IL A
DES MOTIFS RAISONNABLES
DE CROIRE ET QU'IL CROIT QUE:

01 JAMES DAVID COATES

) OF

COUNT 1: ON OR ABOUT THE 14TH DAY OF FEBRUARY, 2021, AT OR NEAR
STONY PLAIN, ALBERTA, DID EXCEED CAPACITY OF 15 PEOPLE, CONTRARY TO
SECTION 73(1) OF THE PUBLIC HEALTH ACT.

(S)

COUNT 2: ON OR ABOUT THE 14TH DAY OF FEBRUARY, 2021, AT OR NEAR
STONY PLAIN, ALBERTA, DID NOT MAINTAIN 2 METERS DISTANCE BETWEEN
PERSONS, CONTRARY TO SECTION 73(1) OF THE PUBLIC HEALTH ACT.

(S)

COUNT 3: ON OR ABOUT THE 14TH DAY OF FEBRUARY, 2021, AT OR NEAR
STONY PLAIN, ALBERTA, BEING AT LARGE ON AN UNDERTAKING, DID FAIL,
WITHOUT LAWFUL EXCUSE, TO COMPLY WITH A CONDITION OF THAT
UNDERTAKING, TO WIT: MUST ABIDE BY PROVISIONS OF THE PUBLIC HEALTH
ACT , CONTRARY TO SECTION 145(4) (A) OF THE CRIMINAL CODE OF
CANADA.

(S I)

PURSUANT TO SECTION 508.1 OF THE CRIMINAL CODE I STATE THAT I AM A PEACE
OFFICER AND THAT ALL MATTERS CONTAINED IN THIS INFORMATION ARE TRUE TO
THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT THIS STATEMENT
IS DEEMED TO BE A STATEMENT MADE UNDER OATH.

RECEIVED THIS
RECU CE

DATED ON 2021-02-16
FAIT LE

AT DAY OF FEBRUARY, 2021,
AT , ALBERTA

AT Spruce Grove, ALBERTA

JUSTICE OF THE PEACE
JUGE DE PAIX

SIGNATURE OF
INFORMANT

SIGNATURE DU
DENONCIATEUR

ACCUSED

ENDORSEMENTS

ALL BAIL HEARING: FEBRUARY 16, 2021, STO #JP

09:30

ID: C014406845

(CROWN ELECTION)

(SUMMARY () INDICTMENT ())

(DATE)

THIS IS EXHIBIT " M " referred to in the Affidavit of

James Coates

Sworn before me this 4

day of June A.D. 20 21

A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

THIS IS EXHIBIT " N "
referred to in the Affidavit of
James Coates

64

Sworn before me this 4
day of June A.D. 20 21

[Signature]
A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

IN THE PROVINCIAL COURT OF ALBERTA
JUDICIAL CENTRE OF CALGARY

HER MAJESTY THE QUEEN

v.

JAMES COATES

Accused

PROCEEDINGS

Calgary, Alberta
February 16, 2021

Transcript Management Services
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Certificate of Transcript	

1 Proceedings taken in the Provincial Court of Alberta, Courthouse, Calgary, Alberta

2

3

4 February 16, 2021

Afternoon Session

5

6 Justice of the Peace Morris

Provincial Court
of Alberta

7

8 K.L. Thorsrud (remote appearance)

For the Crown

9 J. Kitchen (remote appearance)

For the Accused

10 A. Soroka

Court Clerk

11

12

13 **Discussion**

14

15 THE COURT:

This is a judicial interim release hearing for

16 James David Coates; Mr. Coates, are you there?

17

18 THE ACCUSED:

Yes sir.

19

20 THE COURT:

And your date of birth, please?

21

22 THE ACCUSED:

January 29th, 1980.

23

24 THE COURT:

Thank you. Mr. Coates, my name is Morris; I am
a Justice of the Peace. I am sitting in a courtroom in Calgary, I also have on the line with
us Ms. Thorsrud, who is the Crown Prosecutor today and Mr. Kitchen who is your counsel.
They are appearing by video, but they are here.

25

26 Mr. Kitchen, just before he came on the line, you said something about appearing in front
27 of another JP earlier today; is that correct on these -- on these charges here?

28

29 THE ACCUSED:

That's correct.

30

31 MR. KITCHEN:

Yes, but --

32

33 THE COURT:

Mr. Coates, thank you but Mr. Kitchen is here,
and I will be directing my question to him, okay? So, you can just keep quiet unless we
need to hear from you directly, all right?

34

35 THE ACCUSED:

Yes sir.

36

1
2 THE COURT: Thank you. All right, Mr. Kitchen?
3
4 MR. KITCHEN: Yes, but nothing substantial was discussed, the
5 Crown and I had a -- had a brief discussion afterwards; we weren't able to resolve anything
6 so here we are again.
7
8 THE COURT: So, we are in fact resuming -- Ms. Thorsrud
9 maybe you can explain -- am I resuming a hearing or what am I doing here?
10
11 MS. THORSRUD No, no you're not. So, what had occurred -- we
12 appeared briefly in front of the JP Duxbury, the charges were read, the JP inquired as to
13 whether defence and Crown had had any discussions about any release. We'd indicated no,
14 defense counsel had indicated that he'd like an opportunity and so it was adjourned on that
15 basis, but no information was taken other than the reading of the charges in front of the
16 accused. So, this is a de novo hearing.
17
18 THE COURT: Okay. All right, so what is the position of the
19 Crown with respect to release?
20
21 THE COURT: The Crown is opposed to Mr. Coates release, on
22 the secondary and tertiary ground. There is no concern from the Crown on the primary
23 ground.
24
25 THE COURT: And Mr. Kitchen, what is the plan?
26
27 MR. KITCHEN: Well Mr. Coates opposes that, he --
28
29 THE COURT: All right, so -- I am sorry --
30
31 MR. KITCHEN: -- he wants to be let out, obviously.
32
33 THE COURT: -- I -- I apologize for interrupting you --
34
35 MR. KITCHEN: Go ahead.
36
37 THE COURT: Basically, what I wanted to know was; are we
38 going ahead with the bail hearing now, a contested bail hearing or are you adjourning?
39
40 MR. KITCHEN: No, we'd -- we'd like to proceed now.
41

1 THE COURT: All right, then in that case let me hear from
2 Crown first and then -- and then I will hear your arguments, all right. Thank you.

3
4 MS. THORSRUD Thank you and even though the Crown is not
5 concerned on the primary grounds, the Crown does also not alleging a record for the Court's
6 information.

7
8 THE COURT: Thank you.

9
10 **Submissions by Ms. Thorsrud**

11
12 MS. THORSRUD The history and the background; March 25th,
13 2020, Alberta Health Services began an investigation after receiving numerous complaints
14 from the public regarding GraceLife Church of Edmonton, of which James David Coates
15 is the Pastor. The complaints dealt with non-compliance with COVID-19 measures
16 pursuant to the *Public Health Act*. During the initial stages, Pastor James Coates was
17 identified as the lead representative for the church and provided with recommendations on
18 how to rectify some of these deficiencies.

19
20 Between July 2020 and January of this year, 2021, Public Health Inspectors conducted five
21 inspections of the facility and on each occasion found the church to be in violation of *Public*
22 *Health Act*. These violations included repeated and clear refusals to abide by COVID-19
23 measures that the church believed were restricting their religious rights. The facility was
24 observed to be over capacity by nearly three times the maximum number, inadequate
25 physical distancing measures and lack of face covering.

26
27 So, July 10th, the Alberta Health Services met church to again, indicate how the church
28 could comply with the recommendations, such as having doors to sanctuary for ingress and
29 egress, COVID individuals who would remind people to keep social distancing, signage,
30 removing chairs so that a 2-metre social distancing could be in place; but that was
31 unheeded.

32
33 November 2020, Mr. Coates said he lets -- within response to the *Public Health Act* of
34 Occupational Health Services attending, he said he lets the church members decide where
35 they want to sit and if they want to wear masks or not. He said they have an area for people
36 to sit if they're uncomfortable.

37
38 He communicated to the investigator at the time that he thinks the pandemic isn't that big
39 of a deal and he was actually expecting AHS to show up on a regular basis as they had
40 indicated they would be. To try to get compliance with the CMOH orders, the Chief
41 Medical of Health orders, which require the social distancing, require a certain limit of

1 capacity at churches and require various other orders. They -- the --- Mr. Coates has
2 indicated that they answer to higher power than AHS, they answer to a higher power than
3 the rules.

4
5 We have a number of complaints of people -- the public calling in with complaints about
6 the number of cars that are in the parking lot, the number of people they see going into and
7 going out of the church. December, they received a complaint of an email that was sent to
8 members of the congregation, this was someone who said that they were a member and
9 there is an expression in this email that the church and Mr. Coates, do not intend to follow
10 COVID-19 restrictions.

11
12 They say they will not restrict gatherings to one-third or 15 percent, which is the new
13 requirement under the CMOH order; they will not enforce masking *Bylaw* or distancing
14 *Bylaw*.

15
16 Again, December 2020, there's a notice from GraceLife Church saying they -- they're
17 anticipating a visit from AHS on Sunday; they've been instructed by legal counsel to deny
18 them access to the facility. As such, there will be additional presence at the doors as they
19 come into the building and in fact on December 13th, that's exactly what happened. Four
20 church members were at their entrance, which told the Alberta Health Services that she
21 can't enter the church to conduct an inspection. RCMP were with the inspector and advised
22 that, in fact, she does have authority to conduct her inspection under the *Public Health Act*.

23
24 It was after this discussion that the church subsequently allowed her into the facility, but
25 the initial presence and the initial position was that they weren't going to be allowed to
26 come into the church.

27
28 Again, there's education by RCMP and Alberta Health Services about the importance of
29 following the CMOH orders and the fact that they could be subject to fines if they did not
30 comply with these conditions. Again, there is communication from the church that they
31 understood that there was these laws in place and rules, but that they cannot go against the
32 need to gather to worship together with no limit on numbers. Again, there's an answer to a
33 higher power which overrides the law of man and they will not be policing their church
34 members on the current public health restrictions and they will do what is best for the
35 church.

36
37 And then, of course, as the RCMP are at this service, members are standing up and clapping
38 and cheering which of course cheering anything that has a more forceful exaltation of
39 breath is a concern, because that is how it is easier to transmit the COVID-19. There is
40 YouTube videos where it's clearly showing that no social distancing, people are shoulder
41 to shoulder, several people are not wearing masks and so, there is YouTube videos, there's

1 pictures of this behaviour.

2
3 And then on December 17th, 2020 an Executive Officer's order was delivered in person to
4 the church indicating that there was a number of deficiencies that they found, of which I
5 have already discussed, and they would have to be rectified in order for them to open. So,
6 at this point, there is a 15 percent total capacity that the church cannot operate over, which
7 is about 92 attendants. That is pursuant to the fire code. So, the numbers that we are seeing
8 -- about 178 people in the sanctuary and this -- in the sanctuary there can no -- be no more
9 than 64 people, as there's also capacity in the -- the lobby; so, these numbers are three times
10 what should be allowable under the CMOH order.

11
12 And again, on the 17th they observed the same things that we continued to see: the no
13 limits on attendees, no social distancing, no masks. There's a comment made by Mr. Coates
14 to the *Public Health Act* Inspector that says that Dr. Deena Hinshaw is a dictator, and the
15 Premier is hiding behind her. Some of the suggestions about the row of seating's being
16 removed so that people could adhere to 2-metre distancing; again, that's not complied with.

17
18 So, they are given a ticket for overcapacity and this ticket is for December 20th, with a first
19 appearance of March 25th. It's a \$1,200 ticket and so that is outstanding at present as the
20 first appearance has actually -- we haven't even reached the first appearance.

21
22 January 21st of 2021, so now last month --

23
24 THE COURT: I am sorry, I am just going to interrupt you for a
25 minute here.

26
27 MS. THORSRUD Yes, of course.

28
29 THE COURT: I have the Executive Officer Order of December
30 17th you were telling me about and then I take it there was noncompliance such that it --
31 or alleged noncompliance such that a ticket issues December 20th?

32
33 MS. THORSRUD Yes, the ticket was issued because of the
34 observations found on the -- the church services on the December 20th. The Executive
35 Order it's a remedy through the Civil Department, so they have an order and then they go
36 to Queen's Bench, which happened on January 21st --

37
38 THE COURT: Stop, stop --

39
40 MS. THORSRUD -- so there's an Executive --

41

1 THE COURT: -- stop --
2
3 MS. THORSRUD -- m-hm --
4
5 THE COURT: The ticket that you are talking about, the offence
6 date on the ticket is December 20th?
7
8 MS. THORSRUD Correct.
9
10 THE COURT: Okay, so it is basically breaches of -- so after the
11 Executive Order issued on December 17th, there was allegations of breach or breach of
12 that order or violations of the health -- *Public Health Act* on December 20th, such that the
13 ticket issued and was served, March 31st is the court date; right?
14
15 MS. THORSRUD Yes, March 25th is the court date of that --
16
17 THE COURT: Which one?
18
19 MS. THORSRUD -- and you are correct, Your Worship, yes --
20
21 THE COURT: All right, okay.
22
23 MS. THORSRUD Yes.
24
25 THE COURT: Clear.
26
27 MS. THORSRUD Yes, okay, thank you. And in parallel to that, as
28 I'd indicated, the order of the Executive Officer --
29
30 THE COURT: M-hm.
31
32 MS. THORSRUD -- which indicates that there must be compliance
33 in order for the church to continue, that actually was put into force by a Court of Queen's
34 Bench order on January 21st.
35
36 So, in addition to a ticket being issued, there's a parallel process that's happening by Alberta
37 Health Services in issuing an order and then going to Queen's Bench and actually having
38 that order. So, we know have a Queen's Bench order --
39
40 THE COURT: Okay, so wait a minute. Stop.
41

- 1 MS. THORSRUD -- saying that they are -- sorry, m-hm.
2
3 THE COURT: An order of an Executive Officer issued on
4 December 17th; are you saying that until and unless it is confirmed or something by Court
5 of Queen's Bench it is not enforceable?
6
7 MS. THORSRUD No.
8
9 THE COURT: Okay.
10
11 MS. THORSRUD Sorry, not --
12
13 THE COURT: All right.
14
15 MS. THORSRUD -- at all, the order --
16
17 THE COURT: Go ahead.
18
19 MS. THORSRUD -- outlines various things that the person must do.
20
21 THE COURT: Okay.
22
23 MS. THORSRUD It says that the owner immediately undertake and
24 diligently pursue the completion of the following work and then the order goes on to say,
25 ensure that all persons wear a face mask, ensure physical distancing -- I'm actually reading
26 from the order right now --
27
28 THE COURT: And I am sure that it says all those things, I -- get
29 the general point of that. Why are we going to Court of Queen's Bench then; what does it
30 do with respect to the December order?
31
32 MS. THORSRUD So, if this order is not complied with, the order
33 of Queen's Bench is -- it's an order of the Court, so this order is of Executive Officer and
34 then the further step under this process is to go to Queen's Bench and get an order of
35 closure, subject to there being the listed items that are being met.
36
37 THE COURT: Remedial measures, okay. So, what you are --
38
39 MS. THORSRUD Correct.
40
41 THE COURT: -- saying then -- and I just want to understand

1 this, is that there are two streams then that can happen. One is -- and I looked at the -- the
2 -- the -- I looked at section 73 of the *Act*, I do not know if I still have it there - oh look I do.
3 There can be charges of breaches of an Executive -- of an order of Executive Officer.

4
5 MS. THORSRUD Yes, so that's exactly right; there's two streams.
6 So, there's the one stream where we are ticketing, I talked about the tickets --

7
8 THE COURT: Right.

9
10 MS. THORSRUD -- that is one stream and then the other -- and
11 that's one that the *Public Health Act* Crown Protector, that is what I am responsible for.

12
13 THE COURT: Okay.

14
15 MS. THORSRUD The other stream is a civil procedure where the
16 Alberta Health Inspector outlines deficiencies --

17
18 THE COURT: M-hm.

19
20 MS. THORSRUD -- if there's noncompliance they then go to a
21 Queen's Bench to get a Judges order.

22
23 THE COURT: Okay, which they did in January --

24
25 MS. THORSRUD So that is the escalation.

26
27 THE COURT: Okay.

28
29 MS. THORSRUD Correct.

30
31 THE COURT: And in -- so on January 21st, I think you said?

32
33 MS. THORSRUD Yes.

34
35 THE COURT: They go to Queen's --

36
37 MS. THORSRUD The Court of Queen's Bench -- m-hm, correct --

38
39 THE COURT: -- okay.

40
41 MS. THORSRUD -- and this was put on the door January 31st, so

1 it's basically a closure notice on the church from a Queen's Bench Order, which is separate
2 from the ticketing scheme under the --

3
4 THE COURT: *Public Health Act.*

5
6 MS. THORSRUD -- CMOH orders -- yup, exactly.

7
8 THE COURT: All right, so that is a closure notice on January
9 21st?

10
11 MS. THORSRUD Correct, that was put on the door of the church
12 with the police January 31st.

13
14 THE COURT: It took them 10 days to bring the order over and
15 put it on the door? Just -- whatever, okay. All right.

16
17 MS. THORSRUD So then on -- sorry?

18
19 THE COURT: All right.

20
21 MS. THORSRUD And if the Court has any other questions, please
22 let me know?

23
24 THE COURT: Yes, go ahead.

25
26 MS. THORSRUD Okay, January 24th the Police and Alberta
27 Health Inspectors attended the church, over 290 people there. Of course, unmasked, not
28 social distancing and part of what that QB order requests is that they do a relaunch plan,
29 which would outline how they are managing the risk mitigation. So, the next step in order
30 for them to open is they have to file a plan that says we will do (a), (b) and (c), to comply
31 with the CMOH orders, which has not been done. So, they are in effect operating in the
32 face of a QB closure order.

33
34 Then on February 7th, the RCMP and Alberta Health Services attend, they are -- there's
35 about 250 people, again sitting next to each other, no masks, no social distancing. They at
36 this time, receive an Information - so not just a ticket but like a long-form Information
37 outlining they are being charged with two breaches of the CMOH orders; the one being the
38 15 percent capacity and the second one being they're not social distancing based on what
39 the Police and the investigator observed on the 7th.

40
41 THE COURT: Okay, and who is --

1
2 MS. THORSRUD -- at that --
3
4 THE COURT: -- who -- who is charged? Is it just Mr. Coates or
5 -- you said they, so --
6
7 MS. THORSRUD It's Mr. Coates.
8
9 THE COURT: Okay, just --
10
11 MS. THORSRUD Sorry, Mr. Coates.
12
13 THE COURT: All right, okay.
14
15 MS. THORSRUD That's correct, yes, thank you. At that time, Mr.
16 Coates is arrested and released with on a promise to appear with an undertaking; the
17 undertaking being that he is to comply with CMOH orders in an effect to draw the attention
18 to seriousness of continuing noncompliance. So now there is an undertaking given to an
19 officer and that was February 7th.
20
21 The incident that brings us before you today, is on February 14th, so the next week, we
22 have the officer as well as AHS attend and now there are over 330 people in the auditorium
23 and there's another 57 in the lobby, which -- 57 people in this lobby is in no way could
24 there even be social distancing even if that was an attempt or a goal.
25
26 Officer observed at least one patron attendant excessively coughing with as they're there in
27 this very tightly bundled group of people, they're not wearing -- this person's not wearing
28 a mask, they're not covering their mouth, they're standing next to other people and there's
29 shaking of hands, there -- there -- there's absolutely no attempt to comply at all with any of
30 the social distancing or any of the measures of the CMOH order.
31
32 I can advise that at one point, in this -- I believe it was the summer, there was actually a
33 couple of the patrons or people in the congregation who actually tested positive of COVID
34 and the church had to deal with this. So, I would submit this is not a situation that is not
35 within their reality; it is within their reality and it has happened.
36
37 So those are the allegations in relation to the matters before the Court. So, on the secondary
38 ground the -- the police and Alberta Health Services has tried at every opportunity to inform
39 and to educate to -- absolutely not -- not only is there inability, I'm going to suggest there's
40 a outright refusal.
41

1 We have a QB order telling them to close, that is not being followed and I would suggest
2 that at some point they might be found in civil contempt for not following a QB order.
3 They have openly stated that they know what they should be doing --
4

5 THE COURT: Stop saying --
6

7 MS. THORSRUD -- but they --
8

9 THE COURT: -- please stop saying "they". That's very
10 confusing.
11

12 MS. THORSRUD Yes, fair enough, fair enough. He knows what he
13 should be doing but refuses.
14

15 With regards to the tertiary ground, there are videos, there are photos, there are in fact the
16 church -- Mr. Coates on behalf of the church has posted press releases that -- to public
17 addresses, indicating that he will not comply with the CMOH orders. The police and AHS
18 has received numerous calls from the public, very concerned about this outward show of
19 numbers and defiance of the CMOH order which, of course, I would suggest, goes directly
20 to eroding the confidence in the administration of justice.
21

22 The fact that we have calls from the public speaks to the reasonable community perception.
23 We have -- the -- the police as well as AHS have tried to have a -- a compliance, they've
24 tried to address this with varying levels of enforcement, to no avail. The Crown submits
25 that there's going to be no conditions that are going to be able to be imposed that will
26 succeed in compliance with the - with the law, compliance with following the CMOH
27 order.
28

29 The -- typically what one -- and I'll leave Mr. Kitchen to his submissions, but I would
30 submit that typically what we'll see at a bail hearing, people saying, Oh I will comply, and
31 in this case, we see at a bail hearing someone saying, I will not comply.
32

33 Subject to any questions, those are the Crown's submissions.
34

35 THE COURT: All right, thank you and just give me one moment
36 Mr. Kitchen, before I turn it over to you. I will just -- just one question Ms. Thorsrud, at
37 least one question at this point; what is the potential penalty for the charges that are before
38 me -- well the undertaking is a *Criminal Code* offence but what are the potential penalties?
39

40 MS. THORSRUD Good question, sorry I didn't address that. So,
41 under the *Public Health Act*, because the -- it's a part 2 ticket as opposed to part 3 ticket. A

1 part 3 would have a specified penalty but this ticket was issued on a part 2 so there's a
2 minimum fine of (INDISCERNIBLE) a maximum fine of \$100,000 and it also has
3 conditions of any other conditions that Court would deem appropriate. Which would also
4 incorporate the summary conviction procedure, which would be 6 months in gaol, in
5 addition to probation or any other orders that a Court could impose.

6
7 THE COURT: I am not --

8
9 MS. THORSRUD For a second offence --

10
11 THE COURT: I am not so sure about that, usually if a Provincial
12 offence is a fine or specific -- expressly states that imprisonment is a -- is a possible penalty.
13 I am not sure that a section that says any other -- any other conditions the Court may impose
14 somehow brings all forward summary conviction offences and the possibility of 6 months
15 in gaol; I have never heard that.

16
17 MS. THORSRUD -- sorry that was --

18
19 THE COURT: I would be very surprised at that, that would
20 mean every -- almost every Provincial offence has a -- has a potential liability of gaol time.

21
22 MS. THORSRUD Well under the *Public Health Act*, it has this
23 section and it also incorporates the *Provincial Offences and Procedures Act*.

24
25 THE COURT: Right, but that does not impose gaol time, unless
26 an -- an enactment expressly has gaol time. For example, the *Traffic Safety Act*, there are
27 some convictions where it is a fine up to a certain amount or 6 months or up to 6 months
28 in gaol. Others are just a fine, so unless it states that there is the potential of gaol time, I
29 am not sure it can read in through some mechanism of any other condition. I am doubtful
30 of that; I am not sure we are going to get than answer tonight.

31
32 In other words, I am not sure that gaol time is -- I am not convinced at this moment that
33 gaol time is a potential penalty for this offence. For -- for the first two on the list here,
34 obviously a conviction under the -- under the 145.4 of the *Criminal Code* would have some
35 potential gaol time, right?

36
37 MS. THORSRUD Okay, thank you.

38
39 THE COURT: All right. It is an interesting question, but I think
40 that would be a bit of a stretch there, myself. But anyway, carry on, okay. Just a second
41 Mr. Kitchen, I have run out of paper, now I have more paper. Okay, go ahead.

1
2 **Submissions by Mr. Kitchen**
3

4 MR. KITCHEN: Thank you, Your Worship. Briefly I want to
5 address is that my friend says that they're -- Pastor Coates gave an undertaking to the
6 RCMP. That's not accurate, he did not do any undertaking. If you look at the undertaking
7 --
8

9 THE COURT: He did not sign it.
10

11 MR. KITCHEN: -- do you have the undertaking in front of you?
12

13 THE COURT: Yes, he refused to sign it; I saw that, yes.
14

15 MR. KITCHEN: He didn't sign it, that's right and it specifically
16 says in there -- I understand that I do not have to accept the conditions and that if I do not
17 accept the conditions I will be brought before a Justice for a bail hearing, well that didn't
18 happen.
19

20 THE COURT: No, it did not.
21

22 MR. KITCHEN: So now what they're saying, now the Crown
23 comes and says he's breached an undertaking because -- because of church on the 14th, but
24 he never agreed to this undertaking on the 7th and he wasn't brought before -- before a
25 Justice of the Peace on the 7th of the 8th or the 9th. So, I don't see how we have an
26 enforceable undertaking here. I don't see how the Court has jurisdiction to -- to find that
27 he's -- he's breached section 145 -- I believe it's (4) of the *Criminal Code*. We don't -- we
28 don't have a proper undertaking. I mean if this had a been a bail hearing last Tuesday, where
29 we -- where he came in because he didn't agree to the undertaking, that'd be a different
30 story.
31

32 THE COURT: Right.
33

34 MR. KITCHEN: That's what should have happened, that's what
35 we should be doing.
36

37 THE COURT: So, essentially you are arguing that with respect
38 to count 3, the detention in terms of the -- the circumstance to consider with respect to
39 detention, one of them being the apparent strength of the prosecutor's case, with respect to
40 count 3, you are suggesting that Crown's case is weak by virtue of the fact he never signed
41 the undertaking and therefore cannot be bound by it. That is with respect to count 3.

1
2 MR. KITCHEN: Well, that's right.
3
4 THE COURT: Okay, does not address counts 1 and 2.
5
6 MR. KITCHEN: That's with respect to count 3, I -- I don't --
7
8 THE COURT: Yes.
9
10 MR. KITCHEN: Well, I don't see how he could be -- he could be
11 held on, you know, in response to counts 1 and 2. If we want to get into that ...
12
13 THE COURT: Counts 1 and 2 are just a long-form of --
14
15 MR. KITCHEN: There's -- there's confusion about count 2 --
16
17 THE COURT: Sorry, go ahead; I apologize, I was interrupting.
18
19 MR. KITCHEN: All right, no, that's okay. With count -- with
20 count 2, there's some confusion here because Pastor Coates doesn't know if this was -- if -
21 - if this is an allegation that he personally failed to maintain 2-metres distance from other
22 people or if he is being blamed for a lack of distancing between people in his congregation.
23 That's -- that's not clear; that needs to be.
24
25 But in any event, of the defences submissions is that for count 1 and count 2, he cannot and
26 ought not be -- be held in custody simply on those. It goes back to what you -- what you
27 said, My Worship -- and Your Worship, that the fact that there's no gaol time for these
28 offences, these are -- these are -- these are fining offences.
29
30 Just to speak to the secondary grounds, my friend has alluded to the fact that statements
31 had been made about a lack of -- of an ability to comply and it's -- it's not -- it's not a matter
32 of willingness or refusal or -- or defiance it's -- it's an inability. These -- these are -- these
33 are Protestant Christians that hold to a strong and literal interpretation of the Holy
34 Scriptures which command they meet in person, physically. That they gather as the whole
35 church together, that they do not cover their face, which is the image of God, when they
36 are worshipping their God and that they -- they minister to each other, they fellowship with
37 each other, they pray with each other, they lay their hands on each other to pray. They hug,
38 they cry each other, they eat the Lord's supper with each other, they baptize each other.
39 This -- this -- this is their religious beliefs; they are compelled to follow those religious
40 beliefs.
41

1 Right, they -- they -- they don't -- they don't engage in noncompliance with a light heart or
2 -- or do so lightly. It's because they are compelled to adhere to their religious beliefs, they
3 are compelled to follow their Lord Jesus, their Lord Jesus is -- is -- is their Lord, the
4 Government's not their Lord. They follow the Government as much as they possibly can,
5 they certainly want to but it's -- it's an inability, not a (INDISCERNIBLE) and that -- that
6 needs to be -- that needs to be clear. To go to the harm issue --

7
8 THE COURT: I am sorry -- I am sorry to interrupt you, you are
9 saying -- I just want to, because there is a lot of paper being shuffled, and you said it is not
10 matter of willingness or refusal it is an inability; is that what you said?

11
12 MR. KITCHEN: Yes.

13
14 THE COURT: Okay. Sorry, carry on; I just wanted to make sure
15 I had the right words. Go ahead.

16
17 MR. KITCHEN: Thank you. As for the -- the issue with harm to
18 the public, well there is no demonstrable harm to the public. I understand there's -- there's
19 -- there's these generalized assertions that there's a virus going around, but that's not
20 enough. There is no -- there is no objective demonstrable evidence that there's going to be
21 harm to the public. This church has been open, it's been doing what it's been doing for --
22 for several months, there's been no outbreaks.

23
24 The only -- the only -- the only person that's died in the church has died because of
25 lockdown measures, because they couldn't get their cancer treatment, not because of
26 COVID. So, there has to be something more from the Crown to say that there's going to be
27 actual harm to public, were not talking about a criminal that's going to go out and actually
28 harm somebody, that's actually going to do something that's going to be harmful.

29
30 To speak to the tertiary ground, this is a Christian minister, it would be a stain on the
31 administration of justice to put a Christian minister behind bars for doing exactly what
32 Christian ministers do, which is to hold church. So, if we want to talk about the reputé to
33 the justice system, then it would be far more damage to that reputé to put this Christian
34 minister in gaol, because he was doing his duty as a Christian minister, to treat him like a
35 criminal when he's not, than to let him out.

36
37 The Crown has mentioned complaints, well of course, there's always complaints. There's
38 always lots of people complaining to the Government about other people doing things they
39 don't like; that's nothing new, that's nothing surprising. And -- but and that's just it, the
40 Government -- the -- the public is going to disagree on things. Some -- some of the public
41 completely disagreed with the lockdowns, they do not regard what the Government is doing

1 as -- as intelligent, let alone justified. And that's why you have hundreds of people showing
2 up at this church on Sunday, that's why the numbers seem to be going up and not down,
3 because people are coming to where other people are living life normally and they want to
4 be there.

5
6 Some people disagree with that, some people complain about that, some people call the
7 Government and complain about that; that's not surprising. So, were going to -- the Crown
8 is talking about catering to one part of the public while ignoring the other part of the public.
9 Right? The other half of the public that thinks, oh this is ridiculous is -- is going to look at
10 this and think -- and think what a stain on the -- on the public justice system, that this --
11 that this Pastor, who's been put in gaol for doing nothing more than being a pastor.

12
13 Sure the other half will think it's great, but we don't -- we don't put people in gaol just
14 because one half of the public is going to think it's a good idea.

15
16 Your Worship, subject to any questions you have, those are my submissions.

17
18 **Discussion**

19
20 THE COURT: Do you have a proposal for release, Mr. Kitchen?
21 I appreciate it is not -- it is not a reverse onus situation, but I am curious what -- what in
22 fact you suggest?

23
24 MR. KITCHEN: I suggest that Pastor Coates is let go until it's time
25 for his trial. He will come, obviously the Crown has already conceded that he will come
26 and at that point there will be a challenge to the restrictions that he's been ticketed under.
27 They'll be challenges to the tickets, they'll be -- they'll be *Charter* challenges, they'll be
28 expert reports and the best thing for the administration of justice is for those things to run
29 their course. It's for -- it's for the -- it's for the Crown and the Court to let that happen, as it
30 should. Not to hold this man in custody until it happens.

31
32 The only condition the Crown is looking to impose is compliance with the CMOH orders,
33 my client isn't able to do that, it would violate his conscience.

34
35 THE COURT: On that point and then straying a little out of my
36 own ballpark, if you will, but with respect to constitutional challenges et cetera, I presume
37 that you must be mustering some kind of -- or somebody on behalf of the church is
38 mustering some kind of applications for injunctive relief or something with respect to the
39 order. The order that I have, which I will advise you, I have an order in the package that I
40 was given, it's the order from January 29th, it's an order of an Executive Officer that makes
41 reference to the December 17th order and then the January 21st, Court of Queen's Bench

1 order and then another inspection on the 24th and it basically is another order shutting the
2 thing down -- shutting public access until compliance basically with those orders.

3
4 Is there any challenges to those order on the basis of *Charter* et cetera? Is that -- is any of
5 that booked -- planned going ahead, anything like that?

6
7 MR. KITCHEN: The CMOH orders that the orders of an
8 Executive Officer are based on, are currently being challenged. The challenge to those was
9 filed in December, not by GraceLife, it was filed on behalf of two other churches and five
10 individuals, that is ongoing. So they have been challenged in the Queen's Bench, the orders
11 of an Executive Officer, the December 17th one was appealed to the Public Health Appeal
12 Board. The Public Health Appeal Board declined to hear the appeal on the basis that the
13 Board feels they cannot adjudicate on *Charter* matters and of course, the *Charter* was part
14 of what was appealed on.

15
16 So as it is, the AHS Executive Orders are not currently being appealed or challenged in
17 court, one of the reasons that they haven't been challenged at the Queen's Bench through
18 many an application for judicial review, for example, is because currently the December
19 17th Executive Order is being enforced through a court order and the church is essentially
20 in contempt of that and as such, I forget the *Rule* it might be 10.53 or something like that,
21 if they were to apply to challenge it, I would expect the respondent, the Government, to
22 apply to the Court to have it struck because the church is in contempt. So they're kind of -
23 - kind of stuck and what's open to Paster Coates and the church indirectly, is to challenge,
24 you know, these orders and the CMOH orders through the tickets and the charges that have
25 come their way and that's what their intention is.

26
27 THE COURT: Ms. Thorsrud, the Queen's Bench order from
28 January -- no when it -- January 21st --

29
30 MR. KITCHEN: That would be January 21st.

31
32 THE COURT: -- right. Is that an order against GraceLife
33 Church and Mr. Coates or just GraceLife Church, do you have that order there? You're on
34 mute.

35
36 MS. THORSRUD: Sorry.

37
38 THE COURT: You don't have that order there?

39
40 MS. THORSRUD: I do not have the order in my package.

41

1 MR. KITCHEN: Your Worship, it is against both.
2
3 THE COURT: Okay. Does it provide for contempt, is there --
4 you know -- usually -- well not usually -- more often than not at the end of some kind of
5 Queen's Bench order there's a -- if anybody finds anybody to be -- they shall be brought --
6 taken to prison and held until they can be brought before a Justice of the Court of Queen's
7 Bench to show why they should not be held in contempt. Is that clause in there?
8
9 MR. KITCHEN: Yes, yes, Your Worship, it is.
10
11 THE COURT: And has not been used.
12
13 MR. KITCHEN: It has not been used.
14
15 THE COURT: Well, Ms. Thorsrud, there's a thought, but
16 anyway.
17
18 MS. THORSRUD: M-hm.
19
20 THE COURT: Because at the end of the day and I'm just
21 speaking off the top of my head here and I just want to ask -- madam clerk -- you were
22 printing up a bunch of other files there, right?
23
24 THE COURT CLERK: Yes, Your Worship.
25
26 THE COURT: Did any of them include a release order?
27
28 THE COURT CLERK: From any file?
29
30 THE COURT: From any file, 'cause they're standard in terms of
31 the standard wording and then you add in all the other --
32
33 THE COURT CLERK: I do have one right here, Your Worship.
34
35 THE COURT: Okay. You see at this point, you know, Mr.
36 Kitchen, you're right -- well I don't -- I'm not making a ruling on that, in terms of whether
37 or not the undertaking is unenforceable and the charge should be dismissed et cetera, I don't
38 mean that, but the undertaking hasn't been signed, which is only relevant with respect to
39 count 3 here. But in any event and does clearly say that -- I don't have to accept the
40 conditions, if I don't accept, I will be brought to a Justice for a bail hearing. That was not
41 -- that didn't happen, it could've happened, didn't happen.

1
2 But not it's happening on a new ticket, so the reason I asked for a release order is -- okay -
3 - at the very end of a release order, I don't know if you've seen one Mr. Kitchen, I don't
4 know do you practice -- oh I shouldn't ask you this -- it's none of my business -- but in any
5 event --
6

7 MR. KITCHEN: Your Worship, I'm a constitutional litigator at the
8 Queen's Bench, I'll openly admit that, so this is --
9

10 THE COURT: Okay. Well, I'm holding up before you, waiving
11 in the air, a standard form release order, okay? You know, it states the person's name, the
12 charge, how they've been released, whether it's a promise to pay or cash or whatever, the
13 conditions that go along, you know, with the release, right, the court date. And then at the
14 end, it lists some things, you know, consequences of non-compliance, you know, you could
15 be charged under 145 and a warrant could be issued and you know, blah, blah, et cetera.
16

17 And right at the end it says, and this is the accused:
18

19 I understand the contents of this form and agree to comply with the
20 conditions that are indicated. I understand that I do not have to accept
21 the conditions and that if I do not accept the conditions I will be
22 detained.
23

24 Okay. I flag that for you because I agree with you on the undertaking, that that is the
25 situation here. Now, here's the thing. Ms. Thorsrud, this is not a detainable offence at this
26 point. I appreciate what you're saying and there certainly are some aspects here, but at the
27 end of the day, I'm not sure that a penalty would be gaol time here. That's subject to further
28 discussion, debate, et cetera.
29

30 But even if there -- even if it was obvious that there was a potential for gaol time, I'm not
31 sure in the light of the circumstances the man's lack of record et cetera, that gaol time would
32 result in this case. Okay.
33

34 MS. THORSRUD: Yes.
35

36 THE COURT: So when I look at the grounds for detention, is it
37 necessary for the protection and the safety of the public including victims or witnesses of
38 the offence, having regard to all the circumstances; it's a bit of a -- we have to twist it a
39 little bit for these circumstances. There is an argument to be made that on the secondary
40 grounds that there is a risk to the public, his continued non-compliance with enforcing the
41 orders.

1
2 And I have to say, by the way, Ms. Thorsrud, that counts 1 and 2 are extremely badly
3 worded, Mr. Kitchen pointed out that count 2 leaves the accused in some doubt as to,
4 whether or not, he was only supposed to maintain 2 metres himself or require all of the
5 congregants to do so. But count 1 says that he did exceed capacity of 15 people, which I
6 don't know how any one human body does that, but anyway ...
7

8 MS. THORSRUD: Sorry to interrupt. I just want to alert the JP that
9 that was actually amended to 15 percent, it was an error. That doesn't take anything away
10 from the Court has said, but that has been amended just for your information to 15 percent.
11

12 THE COURT: Okay, so it reads that he at or near Stony Plain,
13 did exceed capacity of 15 percent, that's what it reads? It's still badly worded.
14

15 MS. THORSRUD: I agree.
16

17 THE COURT: Okay. In any event, presumably that's fixable
18 and whatnot, so I'm not tossing it on that basis. But at the end of the day -- sorry I lost
19 track of what I was trying to say here -- at the end of the day, there are Public Health orders,
20 he is in violation of them, he has some arguments, that is his counsel has suggested will be
21 the arguments at the time of trial, as to why he is unable, which is kind of a stretching of
22 that word, but I won't argue the semantics there. I get the point of what you're saying, as
23 opposed to the semantics of the word, he's clearly able to, it's just that he is not going to,
24 physically he's able to do this.
25

26 But there -- there is obvious danger to the public by the circulations of peoples through that
27 church in excess of what Public Health has ordered to be the requirements. So there is some
28 argument to be made there about the risk. But it is also the tertiary grounds where in terms
29 of the strength of the prosecutions' case, ignoring -- setting aside any *Charter* argument
30 that would defeat everything, I think the math is simple, that there is violations and you
31 know, the numbers are. I am not even sure the defence is even arguing those kinds of
32 violations.
33

34 So the strength of the case is there. The gravity of the offence is arguable, in a pandemic,
35 the Crown has pointed out that there are numerous people going in and out of that church,
36 but I don't have -- other than there were some positives back in the summer, I don't have
37 any sort of contract tracing evidence, now I would expect it necessarily at a bail hearing,
38 to suggest that as those people leave the church and go out in the big, wide world, that there
39 has been any kind of spread. I don't know that they are the -- I've forgotten the word that
40 they're using for that nowadays.
41

1 Having said that, there's an argument with respect to the public aspect in that if everybody
2 else is, in fact, complying and he is and his church members are capable of complying,
3 nobody is saying they can't worship, nobody is saying they can't worship in that church;
4 they might have to hold several sessions through the day, you know, I'm sure all of these
5 options have been discussed. But the public has been dealing with these rules and
6 complying with them and keeping the numbers down and Mr. Kitchen, in response to your
7 argument about there hasn't been any deaths other than the one with respect to the fellow
8 or the person who could not get cancer treatments, it is not just a matter of deaths, it's a
9 matter of illness and severity of illness that are potential here, as well. We are not just
10 counting up, well nobody's died, so it doesn't matter. There may be other issues that need
11 to be addressed.

12
13 At the end of the day, however, it's a provision offence which does not appear to carry any
14 gaol time at this point and detention, in my view, is at this point not required. Now, having
15 said that we're going to do a release. Having said that, there's going to be conditions on
16 that release and having said that, he's going to have to sign those conditions and agree to
17 them and if he does not, then he will be detained. I've got no -- that's how it works. Okay,
18 because there will obviously be conditions of his release.

19
20 I'm curious, Mr. Kitchen, quite often Pastors live at or on the church premises, I don't know
21 -- does he or is he somewhere away from the church?

22
23 MR. KITCHEN: He's somewhere away from the church.

24
25 THE COURT: Okay. The only reason I ask -- madam clerk --
26 I'm going to give you this back so I don't get it mixed in with this package there.

27
28 There's the form of release and conditions. We are going to impose conditions which, in
29 this case, there are a couple of things that need to be considered. Number 1, as I said, if he
30 doesn't comply with the conditions or doesn't sign the release, then he will not be released
31 period. Okay. Number 2, if he signs it saying that he will comply with it and then of course
32 goes out and doesn't comply, on the assumption that's what he does, then of course he will
33 face charges. Those charges will be criminal charges. They will no longer be in the *Public*
34 *Health Act* area of life and Mr. Kitchen presumably understands that, as well, and that's a
35 whole different ballpark, right? And continual violations of that will ultimately lead to
36 detention. There's no question.

37
38 So he needs to be aware of that. I am not here to rule on the efficacy or the wisdom of the
39 *Public Health Act*, that's not my job here tonight, it's not my job here during the day either,
40 but it's just not my job to be doing that and I appreciate that there are going to be some
41 challenges to it, but at the end of the day, what we have is an individual that had, for some

1 reason or another, I hate to do this but it's like, Who incited the riot? That's what I feel like
2 we are talking about in some ways.

3
4 Because my other concern, Ms. Thorsrud, is it's all well and good, even if I detained this
5 individual or put him under house arrest or some other thing, which I can't think of at the
6 moment, that's not going to stop all these people from showing up at GraceLife Church
7 next Sunday, right? Which is the real concern here. You're on mute.

8
9 MS. THORSRUD: Sorry, so annoying to have to be on mute. Yes,
10 but he is the leader. He is the one who is giving the sermon. He is the one calling these
11 people to church, but-for him, I would suggest they wouldn't necessarily be there in that
12 number because they would not have him to provide the sermon.

13
14 THE COURT: I think you're underestimating the --

15
16 MR. KITCHEN: Your Worship, I just --

17
18 THE COURT: Yes, go ahead Mr. Kitchen.

19
20 MR. KITCHEN: -- I just want to note that he -- he isn't calling
21 anybody to church, it's their belief in their Lord that calls them there. He doesn't -- you
22 know -- there's no -- there's no, Hey, come to church and we can see how many orders we
23 can disobey and see how much we can, you know, snub the government. That's not what's
24 going on. They come of their own free will. They come because they want to. They come
25 because of what they believe in, not because of him. It's not -- it's not, you know, the Lord
26 James Coates, it's the Lord Jesus Christ. So that's important to understand here.

27
28 THE COURT: If I recall, Ms. Thorsrud's argument was that
29 there had been various emails which I presume came from Mr. Coates to the congregants
30 saying, We're open for business notwithstanding AHS, come on down, Sunday service at
31 10, right, or words to that effect?

32
33 MR. KITCHEN: Yeah, that's a free will invitation, right?

34
35 THE COURT: Fair enough, fair enough.

36
37 MR. KITCHEN: There's no -- there's no please come, you know.

38
39 THE COURT: No, I get that but he didn't say we're closing
40 because we have these orders or we're going to work things differently somehow or we're
41 going to rearrange our lives, whatever we are going to do. He didn't do that either. And

1 that's what their argument is.

2

3 My point is simply this, we take him out of the picture, assuming we do take him out of
4 the picture, if I detained him, which I'm not doing, but if I did, I would bet money, which
5 I should not do sitting in the position I'm in, that there will be people at GraceLife church
6 on Sunday the 21st. And Ms. Thorsrud that's -- that's an issue that the Crown has, which I
7 also am not responsible for solving tonight, but I am not sure that detention of this
8 individual at this time is going to solve that, right?

9

10 And in light of all of the other reasons that I've given my detention is not appropriate at
11 this stage of proceedings, we aren't -- I am not going to order detention. My problem now
12 is crafting a release order. So I could say well, you know, let's make him put down \$10,000
13 cash, which I have not even canvassed with Mr. Kitchen, as to whether or not that would
14 be doable, but I would suspect that the money would be obtained; is that right, Mr. Kitchen?
15 For the principle of the thing?

16

17 MR. KITCHEN: It's possible.

18

19 THE COURT: Yes.

20

21 MR. KITCHEN: Yeah, I think it's possible.

22

23 THE COURT: It's really a matter of the -- in other words, people
24 pay cash bail on the theory that -- it's not a theory -- it is how it works, is that you pay cash
25 and if you don't show up in court or you violate the conditions, then you lose the cash,
26 right? That's how it works. So your incentive to obey the conditions and go to court is that
27 you don't want to lose the cash.

28

29 Given what I'm hearing from Mr. Kitchen, I'm not sure that that will be much of a -- that
30 won't change anybody's mind here from what I'm gathering, other than it might be a very
31 high amount.

32

33 MR. KITCHEN: It may not, I guess it would depend on what the
34 primary condition is or are you suggesting, Your Worship, that that would be the only
35 condition?

36

37 THE COURT: No, no there will -- I mean quite clearly, the
38 conditions would have to be -- I mean at this point so far as I know, there's an order that
39 this church not be open at all. Is that right, Ms. Thorsrud?

40

41 MS. THORSRUD: Yes, that's correct, Your Worship.

24

1
2 THE COURT: Based on this January 20 --
3
4 MS. THORSRUD: There's a closure order.
5
6 THE COURT: Right.
7
8 MS. THORSRUD: A QB closure order.
9
10 THE COURT: A QB closure order, no, no all I have is an order
11 of an Executive Officer from January 29th.
12
13 MR. KITCHEN: So the December 17th Executive Officer order
14 was basically saying you need to comply with CMOH's order, AHS went to the Queen's
15 Bench and got a court order enforcing that. Subsequently, a closure order was issued
16 against the church because it was not complying. The closure order has not been taken to
17 the QB.
18
19 THE COURT: Right. But at the end of the day there was --
20
21 MS. THORSRUD: Thank you for that clarification. Thank you.
22
23 THE COURT: All of which is to say, there's at least one or two
24 orders out there that say, close this place until you show us that you've got -- what did you
25 call it? You had a special name for it, some kind of compliance --
26
27 MS. THORSRUD: Compliance.
28
29 THE COURT: A relaunch plan.
30
31 MR. KITCHEN: A relaunch template.
32
33 THE COURT: Yes, a relaunch template. Okay. There you go.
34 So that means an obvious condition that is, you know, under the Supreme Court cases that
35 I need to be concerned with in terms of setting of conditions and their rationality in
36 connection with the charges et cetera. The obvious condition would be, you will ensure
37 that you and GraceLife Church comply with any necessary requirements of Alberta Health
38 Services Chief Medical Officer of Health and any Court of Queen's Bench orders or words
39 to that effect, okay?
40
41 Basically, telling him to do what he's charged with not doing, okay? That would be an

1 obvious and rationally connected condition to this release. And again, so then that puts us
2 to the, will he sign it and will he be detained and all that sort of thing? So that would be
3 the condition. It's either that or ...
4

5 MR. KITCHEN: Well, perhaps it's best to deal with that now, as
6 opposed to continuing on.
7

8 THE COURT: Sure, what argument?
9

10 MR. KITCHEN: So I -- well you know -- I would want to hear
11 directly from my client just to confirm this. My understanding is that my client's not going
12 to be able to sign that.
13

14 THE COURT: That's his choice.
15

16 MR. KITCHEN: Right.
17

18 THE COURT: I mean no matter what we do -- madam clerk --
19 can you hand me that release order again, sorry? Yes, -- I'm sorry, Mr. Kitchen, where
20 were you going with that? What was it that --
21

22 MR. KITCHEN: No, I wasn't going anywhere, I was just -- I was
23 just saying that we -- we -- well why don't we look at the conditions and then we'll see if
24 my client is willing to sign.
25

26 THE COURT: If I may then, what you're saying to me here is
27 that okay -- so we've established we're not doing detention that's not on the table. The form
28 of release, whether it's a promise to pay or some cash bail, that's still in limbo, but it will
29 be a releasable release of some kind, okay? The question here now is conditions and it
30 would seem patently obvious, the Crown is going to ask for it, I don't even need to ask Ms.
31 Thorsrud, I know she's going to ask for something to effect of, okay, the previous
32 conditions and I have to tell you, Mr. Kitchen, that that would be standard operating
33 procedure and standard operating issuance from this Court, if I get a guy in whose charged
34 with theft under and I got a condition to not go to 7-Eleven and he's charged with breaching
35 that condition and/or showing up at a 7-Eleven, I'm throwing that condition in again, right?
36 It just -- it goes without saying.
37

38 I don't know what argument you would make to say he should be released without
39 conditions, that's really what your argument would be. So I will give you a chance to make
40 that argument, go ahead.
41

1 MR. KITCHEN: That is ultimately our position, but I understand,
2 Your Worship, what you're saying. I understand that's the only condition -- I mean I
3 would've expected that, but you know, it's the defence's position that in this case, that
4 shouldn't be there. You know, this is not typical situation. You know, we have this
5 systemic dismantling of civil liberties in this country, we live in essentially a police state
6 and you know, we're dealing with somebody who's not wanting to break the law, in fact,
7 they wish they didn't have to, they wish they weren't, they're just doing now what they
8 always did, in accordance with their conscientious religious beliefs. It just so happens that
9 that thing, going to church, has suddenly been outlawed in this brave new world that we're
10 in now and so you know, it's not like can just agree to violate his beliefs as a price for his
11 freedom, you know. That would violate his conscience right there.

12
13 So if the Court's not in a position to release him, to let him live his life until it's time for
14 trial then it's unfortunate but --

15
16 THE COURT: I am not ordering him detained, Mr. Kitchen, I
17 am not ordering him detained. It will be his choice whether he signs the release order.
18 Detention will be his choice not --

19
20 MR. KITCHEN: But if I understand, Your Worship, if he does
21 refuse --

22
23 THE COURT: Go ahead --

24
25 MR. KITCHEN: I'm sorry.

26
27 THE COURT: -- go ahead.

28
29 MR. KITCHEN: If he does refuse to sign, he will remain detained.

30
31 THE COURT: That is certainly what the document says. Now,
32 having said all of that, madam clerk, have you been up at Remand and signing release
33 orders with people?

34
35 THE COURT CLERK: No, Your Worship.

36
37 THE COURT: Okay. She hasn't done that -- I know that our
38 clerks are often up there doing that work. I have seen a release orders come through that
39 have not been signed, much like the undertaking that are unsigned, why that is the case, I
40 don't know. I wasn't there at the time when the thing happened. So I am not going to tell
41 you, Mr. Kitchen, that I'm making an order -- because I don't need to -- it's right on the

1 paperwork, it's part of the deal of a release, okay, I'm saying that that's what the wording
2 says and if he doesn't sign then I would expect that at the police station, they will not release
3 him. It's the same with a cash bail, a warrant of committal is issued and until -- this person
4 might be held for an hour or you know, 3 days before somebody comes up with cash, so
5 they have to be committed in the meantime.

6
7 Having said that, I'm not the one that's going to make the martyr out of your client. I'm not
8 detaining him, right?

9
10 MR. KITCHEN: I understand. I understand what you're saying.

11
12 THE COURT: Either way, there's going to be some fall-out
13 from this whole thing, there's no question, this is an ongoing battle and it's too bad that you
14 guys can't get in earlier on getting the whole Constitutional challenge business dealt with.
15 But that's way above my paygrade so that's not happening here tonight much as it would
16 be interesting to do. It strikes me from my old law school days, section 1 is the argument
17 here, but anyway ...

18
19 MR. KITCHEN: (INDISCERNIBLE)

20
21 THE COURT: It is all right, so things haven't changed that
22 much. All right.

23
24 MR. KITCHEN: Well, they've changed a little bit.

25
26 THE COURT: They've changed a little, all right. Just one
27 second here. All right.

28
29 I am going to release him -- Ms. Thorsrud, I didn't give you an opportunity so I will give
30 you an opportunity to weigh in on what form of release there should be outside of detention.
31 If you have any thoughts on that, you may not, I don't know.

32
33 MS. THORSRUD: Well, I would ask for the strongest measures the
34 Court would deem appropriate in order to -- if -- to et compliance with the behaviour. So
35 that would be -- of course the Court is absolutely right and as you said, it goes without
36 saying, so I didn't even pop up about having to comply with the orders and the Alberta
37 Health Services Executive Orders. And I mean even the Queen's Bench, I don't even know
38 if that is necessary -- you have to comply with the Queen's Bench order, but I think those
39 are absolutely at the minimum those would be significant.

40
41 Whether there's an interest in the Court to have some restriction, where he can't attend at

1 the church and offers livestreaming of his sermons; whether the Court considers bail to be
2 perhaps again a condition that may assist with compliance if the Court considers it
3 appropriate.
4

5 THE COURT: Okay, this is probably outside of -- just out of
6 curiosity, Mr. Kitchen, if Mr. Coates was -- I don't know -- in hospital having heart surgery
7 or something, wasn't able -- you know was down for the count, as it were, who's running
8 the church? Whose giving sermons, whose doing ...
9

10 MR. KITCHEN: Well it's -- well it's my understanding, Your
11 Worship that there is another pastor on staff. That pastor would most likely give sermons.
12 There's also a board of elders, and all of them, you know, have had some theological
13 training, you know, and would be willing and able to preach and give sermons and
14 generally conduct the worship service. Even in absence of that, you know -- I don't know
15 -- I can't predict the future, I don't know exactly what would happen. It would be my guess
16 that worship would continue. I mean these people do seem to believe -- really actually
17 believe what they say they believe, which means they will meet until they're dragged away.
18

19 THE COURT: I was partly wondering out of the old -- I mean
20 the orders just are to GraceLife Church, I was just wondering if that's a corporate body, the
21 board of elders et cetera and all that sort of thing, which is another -- again not before me.
22

23 MR. KITCHEN: I don't believe the church is incorporated, but I
24 couldn't tell you that with certainty.
25

26 THE COURT: Okay. Just one second.

27
28 THE ACCUSED: We are.
29

30 THE COURT: There you go.
31

32 MR. KITCHEN: Okay, thank you.
33

34 THE ACCUSED: Right, we are a religious society and
35 (INDISCERNIBLE) --
36

37 THE COURT: In my distant past as a lawyer, there was an
38 opportunity of suing -- I had some litigation with respect to the Catholic Church and that
39 was a lot of fun trying to weave through the who one names as the defendants in the thing.
40 Completely irrelevant to what we're dealing with here today, but I was wondering if Mr.
41 Coates is out of the picture for whatever reason, who then does the Government or anybody

1 else deal with in terms of that church? It's not a question we need to answer tonight. I was
2 just raising it because I'm that way.

3
4 I'm also trying to write out a condition and talk at the same time, which is never a good
5 idea, unless somebody else has already done so, Ms. Thorsrud, I don't suppose you have?

6
7 MS. THORSRUD: I'm sorry, I missed that question.

8
9 THE COURT: Let me just ask, this relaunch thing that is
10 supposed to be done in theory and all of these orders, all sort of conclude with, you can't
11 do anything until you're in compliance is effectively how it all plays out, right?

12
13 MS. THORSRUD: Right.

14
15 THE COURT: Who determines compliance?

16
17 MS. THORSRUD: So in relation to the order of an Executive
18 Officer, it would be the Executive Officer.

19
20 THE COURT: Right.

21
22 MS. THORSRUD: So that is a positive obligation, so that would be
23 complying with an order of the Executive Officer and if the Court wanted a date --

24
25 THE COURT: I don't want any dates.

26
27 MS. THORSRUD: Okay. Thank you. So that is something that
28 must be done and it's ensuring -- words like ensuring, not allowing, things like that and
29 there's a relaunch plan templated that must be provided. It was to be submitted for review
30 by December 19th, 2020. And then there's also, of course, the other orders that talk about
31 maintaining the social distancing. So I think if the Court was inclined, it would be
32 something of the effect of to comply with the Chief -- the CMOH orders, the Chief Medical
33 of Health Orders and Alberta Health Services order of an Executive Officer and any such
34 orders as may be directed by the Courts. I think that that would give -- that would cover
35 the various levels of orders that are in existence.

36
37 THE COURT: Which takes me back to the Court of Queen's
38 Bench order, which Mr. Kitchen kindly advised me that does have the, thou shalt, you
39 know be brought before a Justice to be held in contempt clause.

40
41 MS. THORSRUD: Right.

1
2 THE COURT: But it also provides -- you don't have it, so you
3 wouldn't know, does also provide for charges? Often the Court of Queen's Bench order,
4 Mr. Kitchen, you will appreciate an officer attempting to enforce this order, may charge
5 the person or bring them to an institution where they'll be held for a civil contempt hearing.
6

7 THE ACCUSED: Pretty sure that's not there.
8

9 THE COURT: Well, Mr. Coates --
10

11 MR. KITCHEN: I'm just reading here --
12

13 THE COURT: Again, it's another one of my curiosities, Mr.
14 Kitchen, so if it's -- he's looking it up Mr. Coates, you don't need to answer, because that
15 potentially is a charge under the *Criminal Code* if that exists in that order, which is
16 something that --
17

18 MR. KITCHEN: No, it's --
19

20 THE COURT: It's only the civil contempt?
21

22 MR. KITCHEN: -- it's not in there. Yes, exactly.
23

24 **Decision**
25

26 THE COURT: All right. Okay. Well, here's what I've drafted
27 in the meantime whilst everybody was looking up things for me. You will not attend at or
28 conduct services -- no you will not attend or conduct services at GraceLife Church of
29 Edmonton, we can throw in the address when we get that in a minute, and I've tried to keep
30 it simple, but you guys can complicate this if you like; unless you have complied with any
31 orders issued by Alberta Health Services, its Executive Officers or the Court of Queen's
32 Bench. We could say any existing order, it would probably be better to say any existing
33 orders, so it's not future orders that might come into play. Mr. Kitchen? Ms. Thorsrud?
34

35 MR. KITCHEN: So you've listed CMOH orders, orders that have
36 an Executive Officer of Health and the Queen's Bench orders.
37

38 THE COURT: I didn't say CMOH, what I said was orders issued
39 by Alberta Health Services, mainly because I'm not sure about all these acronyms. I
40 appreciate Alberta Health Services or I could say CMOH. I'm not -- I was trying to cover
41 it off. Ms. Thorsrud?

1
2 MS. THORSRUD: The Crown would prefer the CMOH orders
3 'cause it's very specific to certain behaviors contained in various orders. So I would also
4 ask that the -- and if the CMOH causes problems, the Chief Medical Officer of Health
5 orders or Alberta Health Services orders or any Queen's Bench orders.

6
7 THE COURT: Okay.

8
9 MS. THORSRUD: But I would ask specifically that CMOH or the
10 Chief Medical of Health order is included, please.

11
12 THE COURT: That's what the Executive Officer's was -- order
13 of an Executive Officer. All right.

14
15 MS. THORSRUD: Except that, just to be clear, the relaunch is
16 actually an order of an Executive Officer, which is actually different than Chief Medical
17 of Health order. So if it different.

18
19 THE COURT: I'm aware of that, that's why I was saying, the
20 orders of which there is at least one that he is alleged to be in non-compliance of --

21
22 MS. THORSRUD: Yes --

23
24 THE COURT: -- is an order of an Executive Officer, it is not an
25 order of the Chief Medical Officer of Health.

26
27 MS. THORSRUD: Yes, you're correct.

28
29 THE COURT: And that Executive Officer is an Officer of
30 Alberta Health Services, are they not?

31
32 MS. THORSRUD: Correct.

33
34 THE COURT: Okay. So when I say any orders issued by
35 Alberta Health Services, its Executive Officers or the Court of Queen's Bench, then I've
36 covered it off, 'cause I see no orders from the Chief Medical Officer of Health anywhere.

37
38 MS. THORSRUD: So the Chief Medical Officer of Health, are
39 actually those are the CMOH orders --

40
41 THE COURT: Yes --

1
2 MS. THORSRUD: -- that define all of the orders, pursuant to Dr.
3 Hinshaw. She's the Chief Medical Officer of Health --
4
5 THE COURT: Right --
6
7 MS. THORSRUD: -- and these are her orders.
8
9 THE COURT: Right.
10
11 MS. THORSRUD: Right.
12
13 THE COURT: And he's charged in the order of the Executive
14 Officer, he's effectively, I'm using the word loosely now, charged with non-compliance of
15 her overreaching Chief Medical Officer of Health orders that relate to everybody and their
16 dog doing everything.
17
18 MS. THORSRUD: Correct.
19
20 THE COURT: So if he's in breach of the Executive Officer
21 orders.
22
23 MS. THORSRUD: As well as the CMOH orders, right.
24
25 THE COURT: Not all of them.
26
27 MS. THORSRUD: No, but he's in breach of at least two of them.
28
29 THE COURT: Right.
30
31 MS. THORSRUD: So he's in breach --
32
33 THE COURT: He's only in breach of them by virtue of an
34 Executive Officer saying that he's in breach of them and issuing an order telling them to
35 comply with them, right?
36
37 MS. THORSRUD: No, I don't think that's the legal framework -- so
38 he -- what you said is correct, but he's also in breach of the CMOH orders --
39
40 THE COURT: Not charged with it --
41

33

1 MS. THORSRUD: -- issued by the --

2

3 THE COURT: -- is he? Section 783 of the *Act*, is he's charged
4 with breaching these Executive Orders, is he not?

5

6 MS. THORSRUD: No, I mean well he is breaching -- he's charged
7 with breaching section 73(1), whoever contravenes this Act, the Public Health Act, the
8 Regulations and order under section 62, that doesn't apply to us, or an order of a Medical
9 Officer of Health or a physician.

10

11 THE COURT: All right. So which one is it?

12

13 MS. THORSRUD: So it's the CMOH order, the order of the Medical
14 Officer of Health. That's what he's charged with, but at the same time, he is in non-
15 compliance with Alberta Health Services order of an Executive Officer. But those two are
16 still distinct in the sense that the orders that all of us are bound by, all of the CMOH orders
17 are in existence right now and so he -- we're asking that he be bound by those and I believe
18 the Court was also giving it a latitude that he must also comply with the order of an
19 Executive Officer, that's the subject of the QB order, right that's where the QB order comes
20 from, is the order of Executive Officer, which is separate and distinct from the CMOH
21 orders that all of us are bound by. If that explains the question?

22

23 THE COURT: It does not.

24

25 MR. KITCHEN: If I may, Your Worship, the root of all this is the
26 order of the Chief Medical Officer of Health, which is referred to in 72(1) as the Medical
27 Officer of Health, the Chief is just tacked on because Dr. Hinshaw happened to be the
28 Chief, there's all kinds of medical officers of health, there's one Chief and she's it.

29

30 THE COURT: Right. Okay.

31

32 MR. KITCHEN: And all the orders are coming through her. So
33 ultimately, if you were to say -- and I'm just saying this to assist the Court.

34

35 THE COURT: Thank you.

36

37 MR. KITCHEN: If you were to say comply with all applicable
38 CMOH orders, you'd have it covered because everything else flows from that. If the
39 CMOH order 02-2021 was repealed or struck down, everything else in this case and in all
40 the other cases would all fall by the wayside as well, right? The Queen's Bench, the order
41 of an Executive Officer or the AHS Executive Officer, everything is based on CMOH order

1 -- in this case, CMOH order 02-2021 section 18, which is the 15 percent and then there's
2 order 26 of 2020 --

3
4 THE COURT: Right --

5
6 MR. KITCHEN: -- just going back (INDISCERNIBLE) -- and
7 that's the one with social distancing.

8
9 THE COURT: All right.

10
11 MS. THORSRUD: I do agree, but the Crown would also seek for
12 those other wordings that the Crown had suggested because I do --

13
14 THE COURT: The Crown didn't suggest them, I did. You just
15 agreed with me.

16
17 MS. THORSRUD: Okay. I did. I would also ask that those also be
18 put in place because it allows for there to be a relaunch plan in place, so that the Alberta
19 Health Services will have the ability to ensure that the church is open and the people are in
20 compliance with the health safety measures and having that also be in compliance, I think
21 assists Alberta Health Services to, in the event that they're able to work with Mr. Coates,
22 be able to implement some of the measures before the church opens. As an example, taking
23 away seating so that people are being seated 2 metres distance, as an example. I think that
24 there's value to that.

25
26 MR. KITCHEN: The only problem with that, is that it is not an
27 offence, non-compliance with an Executive Officer's order, it's only an offence to be in
28 non-compliance with an order of the Chief Medical Officer of Health.

29
30 MS. THORSRUD: Unless the Court so orders it, then it will be a --

31
32 THE COURT: Unless this Court is what you're saying, unless
33 this Court.

34
35 MS. THORSRUD: Exactly, yes, yes. Then it will be --

36
37 THE COURT: That's what his point is, I believe, if I'm reading
38 between the lines there.

39
40 MR. KITCHEN: Yes.

41

35

1 THE COURT: Not very thing lines -- you can walk truck
 2 through that.
 3
 4 THE ACCUSED: Your Worship, can I speak (INDISCERNIBLE)
 5 --
 6
 7 THE COURT: Is that Mr. Coates?
 8
 9 THE ACCUSED: Yes, it is.
 10
 11 THE COURT: I'm sure you would love to say a few words, Mr.
 12 Coates, but your lawyer is here speaking on your behalf doing a good job, as best he can
 13 here, you are not being detained --
 14
 15 THE ACCUSED: (INDISCERNIBLE) --
 16
 17 THE COURT: -- but Mr. Kitchen, I don't know if you want to
 18 let him speak or not, I don't know what more he would have to add.
 19
 20 MR. KITCHEN: I'm fine with that, Your Worship, if you're
 21 (INDISCERNIBLE) --
 22
 23 THE COURT: Pardon me? What did you say, Mr. Kitchen?
 24
 25 MR. KITCHEN: I'm fine with that if you are.
 26
 27 THE COURT: Mr. Coates, what did you want to say?
 28
 29 THE ACCUSED: In saying what I'm going to say, I'm not
 30 expecting it to impact anything but just want to express it for the record. When we had
 31 two COVID cases that touched two gatherings back-to-back in July, we shutdown our
 32 services completely to livestream for two Sundays and shutdown every other ministry for
 33 14 days.
 34
 35 THE COURT: Okay.
 36
 37 THE ACCUSED: So I just want it to be known that the precedent
 38 that we've set for dealing with COVID cases that due implicate our church.
 39
 40 THE COURT: It will all be in the defence package, I'm sure,
 41 when the thing goes to trial. Thank you, Mr. Coates.

1
2 At the end of the day, I am releasing you but it will be a promise to pay in the amount of
3 \$5000, that's not cash bail, it's a promise to pay of \$5000. That's what's on the line here. I
4 am doing that high of an amount -- I think there needs to be an amount here, so as to
5 incentivize compliance in the ways that are sledgehammer of a bail system allows me to
6 incentivize compliance, okay, and that's a \$5000 risk there.

7
8 The condition again, I don't have an address for this place, where is this church? Who is
9 going to give me an address? Ms. Thorsrud?

10
11 MS. THORSRUD: It's 51529A Range Road 262, Parkland County,
12 Alberta.

13
14 THE COURT: All right. I'll give everybody a chance to weigh
15 in on this final or penultimate wording here. You will not attend at or conduct services at
16 GraceLife Church at 51529A Range Road 262, Parkland County, unless you have complied
17 with any existing, which I still think is an important word here, any existing orders of the
18 Chief Medical Officer of Health, Alberta Health Services Executive Officers or orders of
19 the Court of Queen's Bench.

20
21 So I'll give both parties an opportunity to weigh in on, whether or not, I've got all of the --
22 I didn't want to use all the acronyms there, although I'm sure everybody involved in this
23 would know what they are, but just for the sake of that.

24
25 All right. Ms. Thorsrud, is that satisfactory to you?

26
27 MS. THORSRUD: It is. Thank you.

28
29 THE COURT: Mr. Kitchen, comments? I know it's not what
30 you want, but the wording?

31
32 MR. KITCHEN: The wording is fine, Your Worship.

33
34 THE COURT: All right. I just needed to think about it myself
35 for a minute again. Just give me one minute, I just want to review some notes here, I want
36 to make sure that we've -- I think that's all we can do here. Again reminding that no matter
37 what we did here, he would have to be signing a release order and we'll see how that plays
38 out for him.

39
40 I'm going to suggest on that basis that if that be the case, Mr. Kitchen, I would've thought
41 -- I would've expected that we're now setting a court date, that you would probably want

1 to tie this in with the date for the other matters, appear to be heading to, I think it was
2 March something or another. Having said that, if you think there's a concern about him
3 being detained by virtue of not signing this release, then you might want to put this into
4 court a day or two from now, if that's a possibility so that you can revisit bail or reopen
5 bail, if the Crown consents, I don't know or to take whatever steps you might want to do at
6 that point. It's sometimes a thought that people -- you know -- they're not sure that they're
7 going to come up with the cash, they don't put their court dates off six weeks hence, right?
8 They put them up a couple of days, just in case, at least gets the charges underway.

9
10 So your choice, Mr. Kitchen, what do you want to do with that?

11
12 MR. KITCHEN: Thank you.

13
14 THE COURT: So what date do you want?

15
16 MS. THORSRUD: I'm sorry to interrupt, would this go to a docket
17 in Stony Plain?

18
19 THE COURT: Yes, this will go to docket in Stony Plain, 'cause
20 that's where the charges are, so that's Wednesdays.

21
22 MS. THORSRUD: Thank you.

23
24 THE COURT: Unless of course, it's provincial offence -- no it's
25 criminal never mind, you at least have the one criminal charge there so it has to -- otherwise
26 I might've put it into traffic court, which isn't sitting, so I don't even know why I brought
27 that up.

28
29 MS. THORSRUD: And just for the Court's information, all of the
30 *Public Health Act* orders that relate to the COVID, all have the jurisdiction of the Provincial
31 Court, all of them, none of them go to the traffic. Thank you.

32
33 THE COURT: I am the Provincial Court.

34
35 MS. THORSRUD: Right, right but --

36
37 THE COURT: Provincial Court Judge is what you're saying, as
38 opposed to Justice of the Peace.

39
40 MS. THORSRUD: Correct, they can't go -- exactly, they can't go
41 into traffic court.

1
2 THE COURT: I am a Worship but not an Honour, but I don't
3 know anyway -- I've also (INDISCERNIBLE)
4
5 MS. THORSRUD: Right, yes, thank you. So perhaps next
6 Wednesday?
7
8 THE COURT: I don't know, Mr. Kitchen is the one driving that
9 bus here on a court date, it's defence that will pick a court date.
10
11 MR. KITCHEN: I guess the only choice is between tomorrow
12 morning and next Wednesday; is that correct?
13
14 THE COURT: That's pretty much it.
15
16 MS. THORSRUD: Can we get it into a docket for tomorrow, Your
17 Worship?
18
19 THE COURT: We could, I mean I would just say the words and
20 you know in the immortal words of Jean Luc Picard, Make it So, right? So ...
21
22 MS. THORSRUD: I would ask --
23
24 MR. KITCHEN: Let's try for tomorrow actually.
25
26 THE ACCUSED: Can I ask my lawyer a question?
27
28 THE COURT: Let me ask the question, Mr. Coates is trying to
29 say something here, but I'm not going to let him for a minute, 'cause I'm still talking. Mr.
30 Kitchen, if we do set it for tomorrow, if he's still in custody, he'll appear by closed circuit
31 TV et cetera in the courtroom. Will there be a lawyer available to be there tomorrow?
32 'Cause if we set it for tomorrow, someone has got to be there. If he does sign the release
33 and signs it under protest or just signs it or whatever and he's released, the court date will
34 still be tomorrow, someone has to be there, whether it's him or you or somebody else on
35 whatever day we pick actually.
36
37 MR. KITCHEN: I can't be there in person, I mean I -- I can be
38 there just like I am now, but I can't be there in person.
39
40 THE COURT: And I have no idea what they're doing there, I'm
41 sure they must be doing WebEx, I don't know, do you know madam clerk?

1
2 THE COURT CLERK: No, Your Worship.
3
4 THE COURT: No she's shaking her head, she doesn't know.
5 Wednesday are Stony Plain, that's all I can say, I mean pick a date and that will be the date.
6 At this point we'd be putting it into Stony Plain, into their CMO at 8:30 and then if it turns
7 out a Judge's order might be required if he is still in custody, okay? That's how I would be
8 wording it.
9
10 MS. THORSRUD: And I just -- just for the sakes of the clerks, I'm
11 always mindful of the clerks and then if there is a requirement to get a Judge's order, the
12 fact that it is in tomorrow, is that going to cause any difficulties for the administration of
13 justice?
14
15 THE COURT: Yeah, they won't be real happy about it, but they
16 can do it, right, madam clerk?
17
18 THE COURT CLERK: Right.
19
20 THE COURT: They won't be happy, but they can do it.
21
22 MR. KITCHEN: Well, I would suggest tomorrow morning then,
23 or sometime tomorrow whenever we can make it work.
24
25 THE COURT: All right. I'm putting it in as I said, so it will be
26 February 17th, CMO, Stony Plain at 8:30 AM, closes at 1:00. So I'm presuming he's
27 released and someone is going to show up for the first appearance and basically adjourn
28 the date to some other date, probably the March date, 'cause he's out and that's fine.
29
30 But if he is not released then a Judge's order may be required for his appearance to be made
31 by closed circuit TV and I leave it to you, Mr. Kitchen, to figure out the WebEx -- I'm sure
32 there's a website for the criminal side of Provincial Court about appearing. Okay. It will
33 be on the Alberta Courts website.
34
35 MR. KITCHEN: Okay.
36
37 THE COURT: Is there anything else on this matter, Ms.
38 Thorsrud?
39
40 MS. THORSRUD: No, thank you so much for the Court's time.
41

1 THE COURT:

Mr. Kitchen, anything else from your end?

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3 MR. KITCHEN:

Nothing on my end, Your Worship. Thank you.

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7 PROCEEDINGS CONCLUDED

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1 **Certificate of Record**

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3 I, Amye Soroka, certify that this recording is the record made of evidence in the
4 proceedings of Provincial Court, held in courtroom 203, at Calgary, Alberta, on the 16th
5 day of February, 2021 and I was the court official in charge of the sound-recording machine
6 during the proceedings.
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1 **Certificate of Transcript**

2
3 I, Su Zaherie, certify that

4
5 (a) I transcribed the record, which was recorded by a sound recording machine, to the best
6 of my skill and ability and the foregoing pages are a complete and accurate transcript
7 of the contents of the record, and

8
9 (b) the Certificate of Record for these proceedings was included orally on the record and is
10 transcribed in this transcript.
11
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19

20 TEZZ TRANSCRIPTION, Transcriber

21 Order Number: AL9349

22 Dated: February 19, 2021
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RELEASE ORDER
Ordonnance de mise en liberté

FORM 11 (rev. 11)

CANADA
PROVINCE OF ALBERTA/Province de Alberta
ENFORCEMENT AGENCY/Agence d'exécution : RPA
POLICE FILE NO/No du dossier de police: 21-170481

RAIL ID: 001
FILE TR NO/No de dossier: 210161956P1-01-001

IDENTIFICATION/Identification

CONTES JONES, DAVID

DATE OF BIRTH/Date de naissance: [REDACTED]

CONTACT INFORMATION/Coordonnées

CHARGE(S)/accusation(s):

ON OR ABOUT THE 14TH DAY OF FEBRUARY, 2021, AT OR NEAR STONY PLAIN,
ALBERTA, DID EXCEED CAPACITY OF 15 PEOPLE, CONTRARY TO SECTION 73(1) OF
THE PUBLIC HEALTH ACT.

CHOWN PROCEEDS SUMMARY

**** ADDITIONAL CHARGES ****

210161956P1-01-002 - 73(1) PHA ON FEBRUARY 14, 2021 AT STONY PLAIN RPA 21-170481
(SUMMARY)
210161956P1-01-003 - 145(4) (A) CC ON FEBRUARY 14, 2021 AT STONY PLAIN RPA 21-170481

FINANCIAL OBLIGATIONS

Obligations financières

IN ORDER FOR YOU TO BE RELEASED, THE OBLIGATIONS THAT ARE
INDICATED BELOW MUST BE COMPLIED WITH

Il doit être satisfait aux obligations ci-dessous avant
que vous puissiez être mis en liberté

YOU PROMISE TO PAY THE AMOUNT SHOWN BELOW, IF YOU FAIL TO
COMPLY WITH A CONDITION OF THIS RELEASE ORDER

Vous vous engagez à verser la somme d'indiquée ci-dessous
si vous ne vous conformez pas à l'une des conditions de la
présente ordonnance de mise en liberté

NAME/nom

ADDRESS/adresse

AMOUNT/montant

COATES, JAMES, DAVID

5,000.00 PROMISE TO PAY

YOU MUST ATTEND COURT ON:

Vous devez vous présenter au tribunal le:

THE 17TH DAY OF FEBRUARY, 2021 AT 08:30 O'CLOCK IN THE FORE NOON AT THE
PROVINCIAL COURT (COURT ROOM NO. CHO) COURT HOUSE
4711-46 AVENUE AT THE CITY OF STONY PLAIN

CONDITIONS:

Conditions:

YOU MUST COMPLY WITH THE CONDITIONS THAT ARE INDICATED
BELOW:

Vous devez vous conformer aux conditions cochées
ci-dessous:

RAIL SET AT FORM 11 RELEASE ORDER - \$5,000.00 PROMISE TO PAY
WITH THE FOLLOWING CONDITIONS:

1. YOU WILL NOT ATTEND OR CONDUCT SERVICES AT GRACE LIFE CHURCH AT 51529A,
RANGE ROAD 262, FARLEND COUNTRY, ALBERTA, UNLESS YOU HAVE COMPLIED WITH
ANY EXISTING ORDERS OF THE CHIEF MEDICAL OFFICER OF HEALTH, ALBERTA
HEALTH SERVICES EXECUTIVE OFFICERS OR ORDERS OF THE COURT OF QUEBEC BENCH.

VARIATION:

Modification:

THE CONDITIONS OF THIS RELEASE ORDER MAY BE VARIED WITH
THE WRITTEN CONSENT OF THE PROSECUTOR, YOURSELF AND YOUR
SURETIES, IF ANY. IN ADDITION, YOU OR THE PROSECUTOR MAY
APPLY TO A JUDGE TO HAVE ANY CONDITION IN THIS RELEASE
ORDER CANCELLED OR VARIED.

Les conditions de la présente ordonnance de mise en liberté
peuvent être modifiées si vous, le poursuivant et vos
cautions, le cas échéant, y consentez par écrit. De plus,
vous ou le poursuivant pouvez demander à un juge
l'annulation ou la modification d'une condition de la
présente ordonnance de mise en liberté.

CONDITIONS IN EFFECT:

Période de validité:

THE CONDITIONS INDICATED IN THIS RELEASE ORDER (INCLUDING
ANY OBLIGATIONS IMPOSED ON YOUR SURETIES) REMAIN IN EFFECT
UNTIL THEY ARE CANCELLED OR CHANGED OR UNTIL YOU HAVE BEEN
DISCHARGED, SENTENCED OR OTHERWISE DETAINED BY THE COURT
(SECTIONS 763 and 764 OF THE CRIMINAL CODE).

Les conditions qui sont cochées dans la présente ordonnance
de mise en liberté (y compris toutes les obligations
imposées à votre caution) demeurent en vigueur jusqu'à ce
qu'elles soient annulées ou modifiées ou jusqu'à ce que
vous soyez élargi, condamné ou autrement détenu par le
tribunal (articles 763 et 764 du Code criminel).

CONSEQUENCE FOR NON-COMPLIANCE:

Conséquence du non-respect:

YOU ARE WARNED THAT, UNLESS YOU HAVE A LAWFUL EXCUSE, YOU
COMMIT AN OFFENCE UNDER SECTION 145 OF THE CRIMINAL CODE IF
YOU FAIL TO FOLLOW ANY OF THE CONDITIONS SET OUT IN THIS
RELEASE ORDER, INCLUDING IF YOU FAIL TO ATTEND COURT AS
REQUIRED.

Vous êtes averti que, à moins d'avoir une excuse légitime,
vous commettez une infraction à l'article 145 du Code
criminel si vous ne respectez pas l'une des conditions
énoncées dans la présente ordonnance de mise en liberté,
dont celle de vous présenter au tribunal lorsque vous
êtes tenu de le faire.

IF YOU COMMIT AN OFFENCE UNDER SECTION 145 OF THE CRIMINAL
CODE, A WARRANT FOR YOUR ARREST MAY BE ISSUED (SECTION 512
AND 512.3 OF THE CRIMINAL CODE) AND YOU MAY BE LIABLE TO A
FINE OR TO IMPRISONMENT, OR TO BOTH.

Si vous commettez l'une des infractions prévues à l'article
145 du Code criminel, un mandat pour votre arrestation
peut être décerné (articles 512 et 512.3 du Code criminel)
et vous êtes passible d'une peine d'emprisonnement ou d'une
amende, ou de l'une de ces peines.

THIS IS EXHIBIT "O"
referred to in the Affidavit of
James Coates

Sworn before me this 4
day of June A.D. 2021

A Commissioner in and for the Province of Alberta
Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

*****CONTINUED*****



RELEASE ORDER
Ordonnance de mise en liberté

FORM 11 (01/01/11) 11

ACCUSED: *COATES* JAMES, DAVID

FILE-TX NO: 210161956PI-01-001 PAGE 02

IF YOU DO NOT COMPLY WITH THIS RELEASE ORDER OR ARE CHARGED WITH COMMITTING AN INDICTABLE OFFENCE AFTER YOU HAVE BEEN RELEASED, THIS RELEASE ORDER MAY BE CANCELLED AND, AS A RESULT, YOU MAY BE DETAINED IN CUSTODY (SUBSECTION 524(4) OF THE CRIMINAL CODE).

Si vous ne vous conformez pas à la présente ordonnance de mise en liberté ou si vous êtes accusé d'un acte criminel après votre mise en liberté, la présente ordonnance de mise en liberté peut être annulée et, par conséquent, vous pourriez être détenu sous garde (paragraphe 524(4) du Code criminel).

IF YOU DO NOT COMPLY WITH THIS RELEASE ORDER, THE MONEY OR OTHER VALUABLE SECURITY PROMISED OR DEPOSITED BY YOU OR YOUR SURETY COULD BE FORFEITED (SUBSECTION 771(2) OF THE CRIMINAL CODE).

Si vous ne vous conformez pas à la présente ordonnance de mise en liberté, les sommes ou autres valeurs qui ont été engagées ou déposées par vous-même ou votre caution pourraient être confisquées (paragraphe 771(2) du Code criminel).

ACCUSED:

I UNDERSTAND THE CONTENTS OF THIS FORM AND AGREE TO COMPLY WITH THE CONDITIONS THAT ARE INDICATED.

Prévenu:

Je comprends le contenu de la présente formule et j'accepte de me conformer aux conditions qui sont cochées.

I UNDERSTAND THAT I DO NOT HAVE TO ACCEPT THE CONDITIONS AND THAT, IF I DO NOT ACCEPT THE CONDITIONS, I WILL BE DETAINED.

Je comprends que je ne suis pas obligé d'accepter les conditions, mais qu'à défaut de le faire, je serai détenu.

SIGNED ON/Signé le 16TH DAY OF FEBRUARY, 2021 AT/A CALGARY IN THE PROVINCE OF ALBERTA

dans la province d'Alberta

SIGNATURE OF ACCUSED / Signature du prévenu

SIGNED ON/Signé le 16TH DAY OF FEBRUARY, 2021 AT/A CALGARY IN THE PROVINCE OF ALBERTA

dans la province d'Alberta

J. Rosko #7722

Non-Presiding Justice of the Peace
in and for the Province of Alberta

SIGNATURE OF JUDGE, JUSTICE OR CLERK OF THE COURT

Signature du juge, du juge de paix ou greffier du tribunal

ISSUED BY: MORRIS, L.

Courts are running but courthouses may still be closed.
Before you attend in person, please check:
<https://albertacourts.ca/pc/resources/covid>, or
call your courthouse
STONY PLAIN (WHITECOURT, MAYERTHORPE,
EVANSBURG): 780-963-6205



<https://albertacourts.ca/pc/court-practice-and-schedules/Contact>

.....END OF DOCUMENT.....

7804279479

Edmonton Hearing Office

Edmonton Hearing Office

00:56:49 a.m. 03-03-2021

3/3



SUMMONS TO A PERSON
CHARGED WITH AN OFFENCE

Sommation à une personne
inculpée d'infraction

AG 424
REV 02/89
CRIMINAL CODE FORM 6
(SECTIONS 493, 508,
AND 512)
Code criminel formule 6
(Articles 493, 508,
et 512)

CANADA

PROVINCE OF ALBERTA/Province de Alberta

FILE-TK NO/No de dossier: 210214078P1-01-001

POLICE FILE NO/No du dossier de police:

ENFORCEMENT AGENCY/Organisme chargé de l'application de la loi: RPA

TO/à *GRACELIFE CHURCH OF EDMONTON*

DATE OF BIRTH/Date de naissance:

OF/de

THIS IS EXHIBIT "P" PAGE 01

referred to in the Affidavit of

James Coates

Sworn before me this

day of June A.D. 20 21

A Commissioner in and for the Province of Alberta

Chad W. Graham
Barrister & SolicitorA Commissioner for Oaths
in and for the Province of Alberta

BECAUSE YOU HAVE THIS DAY BEEN CHARGED WITH

ATTENDU QUE vous avez, ce jour, été inculpé d'avoir

ON OR BETWEEN FEBRUARY 21 2021 AND FEBRUARY 28 2021 AT OR NEAR STONY
PLAIN ALBERTA, DID EXCEED CAPACITY OF 15% OF CAPACITY, CONTRARY TO
SECTION 73(1) OF THE PUBLIC HEALTH ACT.

CROWN PROCEEDS SUMMARILY

THEREFORE, YOU ARE ORDERED, IN HER MAJESTY'S NAME:

EN CONSÉQUENCE, LES PRÉSENTES VOUS ENJOignent, au nom de
Sa Majesté:

TO ATTEND COURT ON

d'être présent au tribunal le

WEDNESDAY, THE 5TH DAY OF MAY, 2021 AT/à

08:30 O'CLOCK IN THE FORE NOON, IN COURT ROOM NUMBER: CMO

AT STONY PLAIN PROVINCIAL COURT

4711-44 AVENUE

STONY PLAIN, ALBERTA

Between 8:30 a.m. and 1:00 p.m.

COURT HOUSE

OR BEFORE ANY JUSTICE FOR THE PROVINCE OF ALBERTA WHO IS
THERE, AND TO ATTEND COURT AT ANY TIME AFTER AS REQUIRED
BY THE COURT, IN ORDER TO BE DEALT WITH ACCORDING TO LAW.

ou devant un juge de paix pour la Province d'Alberta qui
s'y trouve et d'être présent par la suite selon les
exigences du tribunal, afin d'être traité selon la loi.

YOU ARE WARNED THAT, UNLESS YOU HAVE LAWFUL EXCUSE, IT IS
AN OFFENCE UNDER SUBSECTION 145(3) OF THE CRIMINAL CODE TO
FAIL TO APPEAR FOR THE PURPOSES OF THE IDENTIFICATION OF
CRIMINALS ACT OR TO ATTEND COURT, AS REQUIRED IN THIS
SUMMONS

Vous êtes averti que, à moins d'avoir une excuse légitime,
vous commettez une infraction en vertu du paragraphe 145(3)
du Code criminel si vous omettez de comparaître pour
l'application de la Loi sur l'identification des criminels
ou d'être présent au tribunal en conformité avec la
présente sommation.

IF YOU COMMIT AN OFFENCE UNDER 145(3) OF THE CRIMINAL CODE,
A WARRANT FOR YOUR ARREST MAY BE ISSUED (SECTION 512 OR
512.1 OF THE CRIMINAL CODE) AND YOU MAY BE LIABLE TO A
FINE OR TO IMPRISONMENT, OR TO BOTH.

Si vous commettez l'infraction prévue au paragraphe 145(3)
du Code criminel, un mandat pour votre arrestation peut
être décerné (articles 512 et 512.1 du Code criminel) et
vous êtes passible d'une peine d'emprisonnement et d'une
amende, ou de l'une de ces peines.

IF YOU DO NOT COMPLY WITH THIS SUMMONS OR ARE CHARGED WITH
COMMITTING AN INDICTABLE OFFENCE AFTER IT HAS BEEN ISSUED
TO YOU, THIS SUMMONS MAY BE CANCELLED AND, AS A RESULT,
YOU MAY BE DETAINED IN CUSTODY (SUBSECTION 524(4) OF THE
CRIMINAL CODE).

Si vous ne vous conformez pas à la présente sommation ou
si vous êtes accusé d'un acte criminel après qu'elle vous
a été délivrée, la présente sommation peut être annulée et,
par conséquent, vous pourriez être détenu sous garde
(paragraphe 524(4) du Code criminel).

SIGNED ON/Signé le 1ST DAY OF MARCH, 2021
IN THE PROVINCE OF ALBERTA

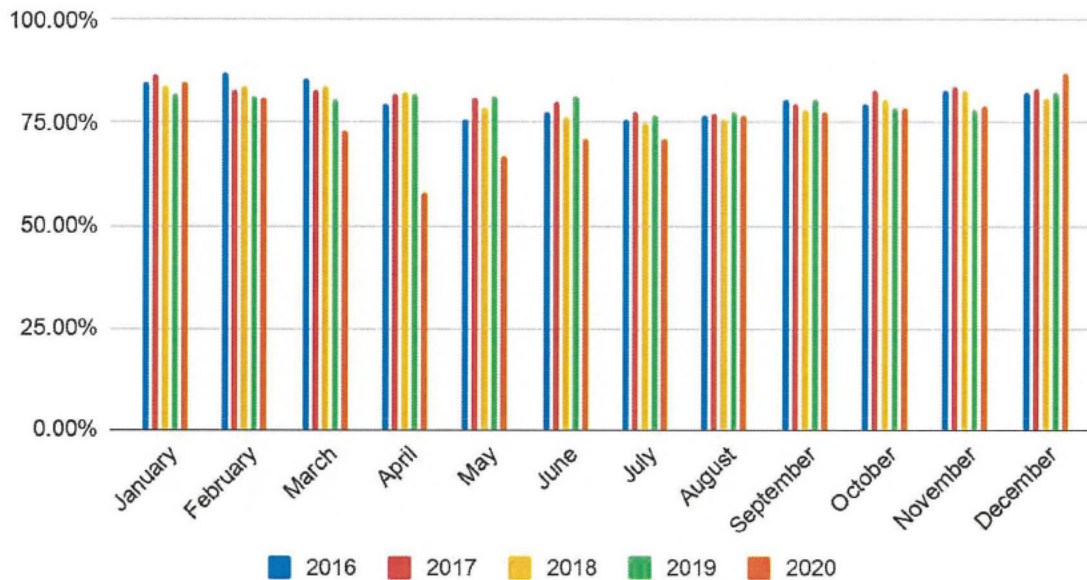
AT/à EDMONTON

dans la province d'Alberta

ISSUED BY: SCHLAYER, A.


SIGNATURE OF JUDGE, JUSTICE, CLERK OF THE COURT OR CHAIRPERSON OF THE REVIEW BOARD
Signature du juge, du juge de paix, du greffier du tribunal ou du président de la
commission d'examen

Province of Alberta ICU Average Utilization



- The above graph represents the average utilization in ICU for the previous 5 years per the FOIP dataset.
 - Starting in March, through to July there was a distinct difference (lower) in utilization.
 - December was the only month to see a distinct difference (higher) than the previous 5 years.

Source: Data from Justice Centre FOIP Request to AHS

THIS IS EXHIBIT " Q " referred to in the Affidavit of James Contes
 Sworn before me this 4 day of June A.D. 20 21

 A Commissioner in and for the Province of Alberta

Chad W. Graham
 Barrister & Solicitor
 A Commissioner for Oaths
 in and for the Province of Alberta