

Defending the *Charter* freedom of peaceful assembly in Ottawa

The Justice Centre had a team of lawyers on the ground in Ottawa in February and established a network of defence lawyers to assist truckers peacefully protesting for freedom from Covid restrictions and vaccine mandates. Our lawyers worked tirelessly to give legal counsel and represent some of the protesters faced with unlawful arrests and unconstitutional sanctions.

An emergency trucker defence hotline was set up for peaceful protestors at no cost to them, to answer questions about being threatened with arrest, the confiscation of property, and other legal questions related to the Ottawa protest.

The Justice Centre is representing some of the peaceful truckers to defend against a \$306-million class action lawsuit launched by Ottawa resident Zexi Li that seeks damages allegedly caused by the honking of horns and “disruption.” One of the Justice Centre’s witnesses in this court action has stated under oath that truckers and their supporters were “feeding the homeless on Wellington Street and filling their backpacks with food. Truckers have taken a whole trailer full of food to the homeless shelter. Truckers are maintaining the cleanliness of city streets, including picking up discarded masks on the ground, centralized garbage collection, shovelling snow at the War Memorial and the Terry Fox statue, and decorating and providing security for the War Memorial and Terry Fox statue.”

The *Charter* ensures that Canadians are free to peacefully assemble, to express their ideas, to gather to discuss them and communicate them widely to other people, including vigorous political dissent. These activities, including peaceful protests to criticize unjust laws and corrupt politicians, are basic forms of individual liberty, essential to the basic functioning of a democratic society like Canada.



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Justice Centre
for Constitutional Freedoms

The last living First Minister sues Canada over travel mandates



The Justice Centre has filed a lawsuit in Federal Court seeking to strike down the federal government's mandatory Covid-19 vaccine requirements for air travellers, on behalf of the Honourable Brian Peckford, former Premier of Newfoundland. Mr. Peckford is the last living First Minister who was a drafter and signatory of the *Canadian Charter of Rights and Freedoms*.

The federal vaccination mandate prevents approximately six million (6,000,000) unvaccinated Canadians (15% of Canada's population) from travel within Canada and from flying out of Canada. These citizens cannot help sick loved ones, cannot get to work, cannot visit family and friends, cannot access medical care abroad, and cannot live ordinary lives.

"The federal travel ban has segregated me from other Canadians. It's discriminatory, violates my *Charter* rights and that's why I am fighting the travel ban," stated Mr. Peckford.

The Justice Centre's legal challenge cites violations of *Charter* rights including mobility, life, liberty and bodily autonomy.

Justice Centre sues feds over abuse of Emergencies Act

The Justice Centre filed a constitutional challenge in Federal Court on behalf of four Canadians, including two decorated military veterans and a retired police officer, to argue that the invocation of the Emergencies Act by the Trudeau Government on February 14, 2022, was an unconstitutional and unjustified abuse of executive power. Two of the applicants represented by the Justice Centre had their bank accounts frozen and seized, without judicial authorization or a review process, using laws that normally only apply to terrorists and enemy nations. The court action maintains that there were no grounds or facts, as required by the Emergencies Act, to support the existence of an actual national security threat.

One of the applicants, Edward Cornell, a 64-year-old retired Warrant Officer of the Canadian Armed Forces from New Brunswick and recipient of the Medal of Bravery for his service in Cyprus, served as a liaison between the Ottawa Police and trucker protestors, and earned the trust of both sides. His bank accounts and credit cards were frozen, inflicting hardship and extreme stress. "I broke no law, yet the government seized my accounts and froze my hard-earned money. I am not a criminal. I am not a terrorist. I am a retired Canadian military veteran who honourably served his country... I feel betrayed by my own government," said Mr. Cornell.



Court action launched on behalf of Maxime Bernier



On February 10, 2022, the Justice Centre filed a legal application in Federal Court on behalf of the Honourable Maxime Bernier, for judicial review of discriminatory federal mandates that violate the *Charter* rights and freedoms of Canadians.

Transport Canada Orders prevent Mr. Bernier, who flies hundreds of hours each year in the course of his work duties, from fully participating in his democratic role as leader of a federal political party. He and other citizens are prevented from traveling by air, train, and ship.

Besides the *Charter's* protections for mobility rights which allow Canadians to freely enter and leave the country, and travel unhindered between provinces, the *Charter* also guarantees citizens equal access to political institutions, public debate and the electoral process.

Action to release parolee kept in jail due to vaccine status

Refusing a medical treatment that is not backed by long-term safety data should not result in a citizen staying in jail after he has served his sentence.

The Justice Centre has filed a court action on behalf of an inmate eligible for parole who has been denied his freedom purely on account of his vaccine status. The Justice Centre has partnered with criminal and constitutional lawyer Fergus J. (Chip) O'Connor to launch legal action in the Ontario Superior Court against the Attorney General of Canada and Saint Leonard's Society of Hamilton, a halfway house, regarding their Covid vaccine mandates that continue to keep inmates in jail who have been approved for day parole.



Federal government changes its quarantine policy after court proceedings commenced



After the Justice Centre filed a legal action in the Federal Court of Canada challenging the constitutionality of the quarantine hotels and quarantine facilities, the Federal Government changed its policy: all individuals being directed to a quarantine facility will now have the right to access legal counsel without delay.

The Justice Centre represents a number of clients, including Pastor Nicole Mathis, who were taken to "prison hotels" under the threat of arrest, hefty fines and imprisonment, and forced into mandatory quarantine at their own expense, rather than being allowed to return home.

Victory for *Charter* rights and freedoms as Québec scraps punitive tax against vaccine-free

Québec Premier François Legault dropped his proposed "health tax" on unvaccinated individuals after threat of legal action by the Justice Centre. With the help of our Québec lawyer Samuel Bachand, our legal team was prepared to take the matter to court if the government imposed a financial penalty on Québécois who did not receive the requisite number of Covid injections.

Québec has been home of some of the harshest restrictions in the world, even implementing a strict 10 p.m. to 7 a.m. curfew, despite 78% of the population being "fully vaccinated." Québec's former public health director wanted scientific justification to impose a curfew beginning on New Year's Eve, but the government had no documents to prove a curfew would have any impact on Covid infection or transmission.

