

Canada's Justice Centre for Constitutional Freedoms Sues Ontario Government Over Vaccine Passport

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by [Justice Centre for Constitutional Freedoms](#)

October 18, 2021

TORONTO, ON: The [Justice Centre](#) has filed a [constitutional challenge](#) against Ontario's vaccine passport mandate in Ontario's Superior Court of Justice.

The legal challenge is brought on behalf of eight Ontario citizens who are exercising their *Charter* rights and freedoms by not taking one or more doses of the Covid vaccine.

One of the eight applicants in this court case is Sarah Lamb, from Kitchener. She suffered serious adverse effects from the first dose of the Covid vaccine and has decided against a second dose. Ms. Lamb has been unable to obtain an exemption to the vaccine passport. The Ontario government has proclaimed that exemptions to the vaccine passport would only be accepted in very limited cases.

Ms. Sarah Harjee, another Applicant, is an expectant mother with degrees in nursing and public health. Ms. Harjee is concerned about possible adverse effects from the Covid vaccine on herself and her unborn child. Currently there are no long-term studies which prove the new vaccines' safety.

Evan Kraayenbrink is a paramedic who has decided he will wait for further data on the effects of the Covid vaccine prior to deciding whether to be injected with it. Mr. Kraayenbrink also has religious beliefs about being ultimately accountable to God for what he allows to be done to his body.

Sam Sabourin is a 29-year-old gym owner in Ottawa. Mr. Sabourin exercises his Charter right to bodily autonomy by not taking the Covid vaccine, and also refuses to deny entry to his gym based on vaccination status. He welcomes all patrons without discrimination. All the applicants have concerns about the government compelling vaccinations to go about their normal lives.

“With respect to owners of businesses and organizations, the vaccine passports compel them to enforce unconstitutional laws, as well as laws that would typically be considered to violate human rights legislation. Ontarians should not be forced to discriminate and exclude others from society on the basis of a personal and private medical decision,” points out Jorge Pineda, Staff Lawyer at the Justice Centre.

Ontario’s vaccine passport laws were introduced on September 22, 2021 and prohibit individuals from entering restaurants, gyms and other establishments unless they are “fully vaccinated” as defined by the Government. As of October 20, 2021, individuals will be required to produce government issued QR Codes on a smart phone in order to obtain everyday services the government has arbitrarily deemed “non-essential.”

Ontario Premier Doug Ford has claimed that the vaccine passport “give us the best chance to slow the spread of this virus while helping us avoid further lockdowns.” However, the government does not dispute that vaccinated people spread viruses. Further, vaccine manufacturers have only promised that those receiving the new mRNA vaccines will suffer less severe symptoms; no promise was made that vaccines stop the

spread.

Businesses and organizations that do not enforce these new restrictions are liable to fines of up to \$10,000,000 and business owners are being threatened with imprisonment for up to one year.

Canada's *Charter of Rights and Freedoms* guarantee the rights and freedoms of Canadians. "The Supreme Court of Canada has found that the *Charter* protects the right to bodily autonomy and informed consent, this is the law, and it is indisputable. The vaccine passport is a brazen attempt to subvert the Charter and to render its protections meaningless," says Mr. Pineda.

"The Ontario vaccine passport itself is an instrument of coercion that pressures individuals to submit to a medical intervention, contrary to their will and their own best judgment," adds Mr. Pineda.

"Not only is this ethically wrong, it is also illegal. When we get before the Court, we will be urging that they see these vaccine mandates for what they really do – which is take away the long-standing rights of citizens to make informed decisions about their own medical care."

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