

## Herb Dunton

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October 20, 2021

### National Police Federation

2201 – 150 Metcalfe Street

Ottawa, Ontario

K2P 1P1

VIA EMAIL

[bsauve@npf-fpn.com](mailto:bsauve@npf-fpn.com)

**Attention: President Brian Sauvé  
c. Board of Directors**

**Dear President Sauvé:**

**Re: *Treasury Board of Canada policy mandating RCMP members to be vaccinated***

I am writing to you on behalf of my clients, a large group of RCMP members. My clients have retained my services to assist them in understanding the law and in presenting their requests to you for NPF's support and representation against the "vaccine"<sup>1</sup> mandate of a ruthless employer, the Treasury Board of Canada.

My clients are not coming to NPF as an adversary, nor with the threat of litigation. Rather, they are hopeful that this discussion will result in a renewed solidarity and shared sense of purpose among the NPF membership.

My clients are not "anti-vaxxers", having received vaccinations in the past. But they are asserting their legal right personally, and NPF's legal right on behalf of the membership, to refuse injections of experimental medicines known to cause harm.

***1. Requests – My clients respectfully request the following of the NPF:***

- a. Evidence – Demand that the employer produce scientific evidence showing that:
  - (i) the vaccines would make my clients safer in the work environment; and
  - (ii) the vaccines are safe for my clients – disclosing the risks and side effects.

My clients have produced evidence in this letter that:

- (i) the vaccines would not make them safer to anyone; and
  - (ii) the vaccines are unsafe for them.
- b. United Action – Take united job action across the labour union movement to stop the mandate and other abuses.
  - c. Legal Action – Take legal action against the employer to stop the mandate and other abuses, if the employer is not responsive to job action.

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<sup>1</sup> The dictionary definition of "vaccine" has been changed in Covid-19 times, to include mRNA medicines. In this letter, the word "vaccine" and derivatives are sometimes used in their original definition and sometimes in their revised definition, which will be apparent from context of use.

- d. Unpaid Leave – Demand that the employer identify its legal basis for placing my clients on leave without pay as intended. This does not fit into any of the “Leave Without Pay” categories agreed to in Part VIII of the Collective Agreement, and appears to be more in the nature of a disciplinary suspension. There appears to be no legal basis for this.
- e. Advocate – Support, represent, and advocate for them against mandatory vaccination.
- f. Bullying – Take action to end the severe bullying of the unvaccinated and undeclared.
- g. Privacy – Demand the employer respect their privacy concerning medical information.
- h. Meeting – Meet with my clients to discuss their concerns.

## 2. *Collective Agreement*

The “Health and Safety” measures at Article 19 of the Collective Agreement do not provide the employer with authority to impose a vaccine mandate not described in HSM II-6-1: Required Immunizations. Neither does that authority accrue to the employer through HSM II-6-2: Special Immunizations.

While the employer recognizes in Article 19.01 of the Collective Agreement, its own health and safety responsibilities pursuant to the *Canada Labour Code* (R.S.C., 1985, c. L-2), and while s. 126(1) of the Code sets out various health and safety requirements that may apply to my clients, s. 126(2) of the Code also says that “*Nothing in subsection (1) relieves an employer from any duty imposed on the employer under this Part.*” One of those employer duties is found in s. 123.1 of the Code, which says: “*nothing in this Part shall be construed so as to abrogate or derogate from the rights provided for under the Canadian Human Rights Act*, (R.S.C., 1985, c. H-6). Clearly, my clients’ rights are “*derogated*”, even “*abrogated*”, by the vaccine mandate. In summary, no agreement by NPF members to a vaccine mandate can be taken from these provisions of the Collective Agreement.

In addition, while Article 19.03 of the Collective Agreement addresses intended consultations between the parties towards adopting “... *reasonable procedures and techniques designed or intended to prevent or reduce the risk of employment injury or occupational illness*”, this provision does not rise even near the level of an agreement by RCMP members to submit to a previously undefined vaccination mandate.

However, even if some implication could be drawn from the general “Health and Safety” provisions of the Collective Agreement, that employees will participate in vaccination programs – which my clients specifically deny – vaccines of the nature being mandated were never contemplated by the drafters of the Collective Agreement.

- a. Vaccine redefined – The [dictionary definition of vaccine](#) has been changed in the SARS-COV-2 (“Covid-19”) era, to now include mRNA medicines, such as Pfizer/BioNTech (Comirnaty), and Moderna (Spikevax), which are claimed to function through an injection of mRNA molecules surrounded by a lipid nanoparticle. It is not open to the employer to require NPF members to receive into their bodies any novel medicines newly defined as vaccines, which were never contemplated when the Collective Agreement were agreed upon.
- b. Incomplete trials – Clinical trials only begin to be completed in 2023 for the vaccines being mandated by the employer, including the Pfizer and Moderna mRNA vaccines, as well as the AstraZeneca (Vaxzevria), and Johnson & Johnson (Janssen) non-mRNA

vaccines. The parties to the Collective Agreements certainly never contemplated that vaccines could be mandated which had not been proven safe and effective through completed clinical trials.

- c. Vaccine death and injury – The parties to the Collective Agreement certainly never imagined that the employer could mandate union members to receive injections of any vaccine that has caused astronomical death and injury, as these ones have. NPF members never agreed to that.
- d. Exemptions – The Government’s “Policy on [Mandated] Covid-19 Vaccination”, at s. 4.1.8. provides for accommodation for employees who are *“unable to be fully vaccinated”* for medical or religious reasons. However, medical exemptions will be very difficult to obtain where the Colleges of Physicians and Surgeons have threatened doctors with regulatory action if they do not promote the pro-vaccine agenda. And we understand that religious exemptions will be routinely denied. None of this was imagined by the drafters of the Collective Agreement.

In these circumstances, it would be unreasonable, even unconscionable for NPF, and the labour union movement generally, to lend their weight and influence to the Government’s abhorrent vaccine mandate policy. This government policy defies the very reason for NPF’s existence – to protect workers’ civil rights and liberties, including their health and safety in the context of employment.

Despite the risk to their careers, many doctors have voiced their opposition to the Government’s Covid-19 policies, such as the 500 doctors of the Canadian Covid Care Alliance in their publication of September 24, 2021, Covid-19 Canadian Covid Care Alliance Declaration. And a group of Okanagan doctors in their 1<sup>st</sup> Open Letter and 2<sup>nd</sup> Open Letter to Bonnie Henry. I concur with and adopt the reasoning in these documents, which also contain links to numerous scientific documents.

### **3. Background**

NPF has maintained a commitment to its members’ civil rights and liberties. Clearly, the anticipated vaccine mandate violates the human rights and liberties of NPF members. This mandate attempts to legitimize a culture of harassment and discrimination – of coerced medical experimentation, and compelled thought, belief, opinion and expression – purportedly in relation to an urgent health and safety issue – and authorize the loss of career and livelihood for those of your members who exercise their rights and do not choose to consent to these illegal Orders.

The common law and statutory law of Canada are categorical in their protection of NPF members from being constructively dismissed from their employment for refusing to receive the experimental vaccines. **The labour union movement has always been categorical in its utter contempt and derision of any such contrived reasoning that would crush its members underfoot, until now.** The Treasury Board of Canada policy requiring vaccination or constructive dismissal are illegal. These Orders are ultimately bound to fail in the courts under the accumulating medical evidence.

With respect, NPF contracted with its members when they joined the union to represent them against any unfair or illegal behaviour of employers – whether or not the union leadership aligns ideologically with a member’s cause. It is on the basis of that agreement between NPF and its members, that my clients – your members – seek NPF’s wholehearted support, representation and advocacy of their cause.

My clients appreciate that even in this political climate NPF does not seem to have taken a position of overt and enthusiastic support for the vaccine mandate. However, there are indications that NPF has indeed adopted a bias in favour of the popular misconceptions around the virus, the vaccines, and the mandate. NPF Vice-President Boutin wrote as follows in an email dated October 14th:

*"Due to the preponderance of scientific evidence supporting vaccination as 1) significantly reducing the likelihood of infection from COVID-19, 2) significantly reducing the likelihood of transmission of COVID-19, and 3) significantly reducing the likelihood of serious illness and death from COVID-19, this policy would likely be upheld as well."*

Regrettably, that statement is false. The evidence is clear, and is not controversial. The mRNA vaccines were not designed to, and do not, 1) inhibit infection, or 2) reduce the likelihood of transmission. 3) It had been thought that mRNA vaccines would reduce the likelihood of serious illness and death, but that now too has been proven wrong.

With greatest respect, NPF is not a body of physicians that it could or should offer legal and medical opinions of this nature. I urge NPF to turn back from these views underlying policy, not based on sound and updated medical evidence. NPF's vaccine convictions may have been reasonable in the past, before the definition of vaccine was changed. But NPF's vaccine policy is not reasonable now.

Pointedly, the vast preponderance of expert evidence now clearly shows the vaccines are neither safe nor effective, despite the political-media narrative to the contrary, and despite the pressures placed upon you by the vaccine mandate advocates both inside and outside your union, and by your political allies.

My clients are concerned with the employers' apparent intentions to place them on unpaid leave and require their attendance of Covid-19 re-education courses. They do not want to be placed in some sort of alternate work arrangement amounting to downgraded employment status. They are further concerned that they not be subjected to PCR testing as an alternative to vaccination. PCR tests are another form of invasive medical treatment which nobody is legally obligated to receive. The preponderance of evidence is that PCR testing is profoundly unreliable – in effect useless<sup>2</sup> for determining Covid-19 infection, at least the way it's being done in Canada. Rapid antigen screening testing is similarly invasive and ineffective, and in any event requires a confirmatory test such as PCR.

The Leave Without Pay ("LWOP") measure being applied to RCMP members who decline the Covid-19 vaccinations, is disciplinary in nature. The *RCMP National Compensation Manual*<sup>3</sup> which outlines the policy around LWOP, clearly indicates that this measure is only applied at the request of the employee, as approved by the employer. The *RCMP Administration Manual* provides guidance on pay stoppage as a result of a member no longer possessing the "*basic requirements*" to carry out duties<sup>4</sup>.

Where in RCMP policy as agreed upon by NPF members, did Covid-19 vaccinations become a "*basic requirement*" for carrying out duties? Under what rationale have the Covid-19 vaccinations been entered into this category? The *RCMP Administration Manual* allows for pay

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<sup>2</sup> The links show that CDC has withdrawn its recommendation of PCR testing re Covid-19

<sup>3</sup> RCMP National Compensation Manual CH. 3.2

<sup>4</sup> RCMP Administration Manual CH. 27.2

stoppage and loss of employment as a result of a *Code of Conduct*<sup>5</sup> breach, only to be used in “*exceptional circumstances where the subject member is clearly involved in the contravention of any provision of the Code of Conduct or an Act of Parliament, or of the legislature of a province, and the conduct has a highly detrimental impact on the integrity or operations of the RCMP...*”

How is it that my clients have attracted punitive measures equivalent to those reserved for the most serious breaches of the *Code of Conduct* – without being afforded the due process protections and opportunity for redress as outlined in RCMP policy?<sup>6</sup> The *RCMP Conduct Measures Guide*<sup>7</sup> provides guidance on the disciplinary process for members found guilty of *Code of Conduct* contraventions. Only for the most egregious conduct does the RCMP apply lost days of wages or possible dismissal. Why are my clients being delivered a punishment that may amount to constructive dismissal from the RCMP, without any allegation of wrongdoing and without the usual due process protections available in relation to *Code of Conduct* investigations?

Disciplinary measures are being applied to my clients without due process, at a level normally reserved for those who have committed the most heinous crimes as police officers – merely for exercising their legal right to withhold consent to a newly developed medical procedure.

Accordingly, my clients request that NPF undertake an assessment of the vaccine mandate Orders, and recognize the irreconcilable conflict between its commitment to the civil rights and liberties of its members, and its duty to represent and defend its members against any illegal behaviour of the employer – and on the other hand its seeming acquiescence or underlying support of the vaccine mandate, in deference to the Treasury Board of Canada. These two positions cannot exist together, whatever NPF’s views are concerning the vaccine and mandate science.

My clients entreat NPF to reassess its current vaccine mandate response against its core historical values, and recognize that its priority obligations lie in protecting its members who refuse the vaccine mandate, including ongoing booster shots, from the abrogation of their civil rights and liberties – in particular, from being coerced into receiving an invasive, potentially dangerous medical procedure, or losing their employment and career.

#### 4. *NPF members’ human rights and freedoms*

*The Charter* – The principles of our [Canadian Charter of Rights and Freedoms](#) are well known:

- s. 2(a) freedoms of conscience and religion;
- s. 2(b) freedoms of thought, belief, opinion and expression;
- s. 7 right to life, liberty and security of person;
- s. 15 (1) equal protection and equal benefit of the law without discrimination.

Supreme Court of Canada Chief Justice Dickson wrote in the case [R. v. Big M Drug Mart Ltd.](#), [1985] 1 SCR 295,

“... belief itself [is] not amenable to compulsion. Attempts to compel belief or practice denied the reality of individual conscience ...” (para. 120)

“... an emphasis on individual conscience and individual judgment also lies at the heart of our democratic political tradition. The ability of each citizen to make free and informed

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<sup>5</sup> RCMP Administration Manual CH. XII.1 Conduct

<sup>6</sup> RCMP Administration Manual CH. XII.1 Conduct

<sup>7</sup> RCMP Conduct Measures Guide, 2014

decisions is the absolute prerequisite for the legitimacy, acceptability, and efficacy of our system of self-government [...] It is because of the centrality of the rights associated with freedom of individual conscience both to basic beliefs about human worth and dignity and to a free and democratic political system [...] They are the [essential conditions] of the political tradition underlying the Charter. (para. 122) (my underlining added)

The “*individual conscience*” of each of your members is bound together with their *freedoms of religion, thought, belief, opinion, and expression*. None of these matters of conscience are “*amenable to compulsion*”, nor may anyone attempt to compel or deny them. For the government to threaten your members’ employment for failing to “consent” to its vaccine experiment is a denial of their freedoms of “*individual conscience*” and “*individual judgment*” in *thought, belief, opinion, and religious conviction*, and of their right to *conscientious consent or refusal*.

In respect of your members section 7 Charter “*right to life, liberty and security of person*”, LaForest JJ wrote in the case [R. v. Beare; R. v. Higgins, \[1988\] 2 SCR 387](#), that nobody may be deprived of these rights, except in accord with “... *the principles of fundamental justice* ...” There are absolutely no principles of fundamental justice that would force your members to receive an experimental medicine, already known to be harmful, which surely puts their lives and personal security at risk.

Section 15 of the Charter guarantees my clients “... *the right to equal protection and equal benefit of the law without discrimination* ...” The vaccine mandate violates this equality protection. My clients are arbitrarily mandated to receive vaccines, while other employees even doing similar work, are arbitrarily exempted. My clients are clearly being discriminated against without excuse.

Notwithstanding any legal advice NPF may have received to the contrary, all of these Charter rights and freedoms have real application to my clients’ cause. These rights and freedoms are not going away.

**Human rights commissioners** – Any of the numerous opinions offered by human rights tribunals or commissioners – as distinct from “superior” courts – which may have led NPF to believe it to be legal for the employer to trample its members’ human rights and freedoms under the pretext of emergency – will not in the end stand up against the common law of the judges, which flows from the superior courts, has been carefully forged over centuries, and emphatically contradicts such opinions.

In any event, the Canadian human rights commissioners have tended to offer nuanced opinions concerning the legality of the vaccine mandates. An example of this is the opinion of the BC Human Rights Commissioner. She did not issue an unconditional endorsement of the vaccine mandate and passports in her guidance: [BC Human Rights Commissioner’s guidance about proof-of-vaccination](#). Her statement was heavily conditional. She said:

“[...] *[authorities] can in some circumstances implement a vaccination status policy such as a proof-of-vaccination requirement—but only if*  
[a] *other less intrusive means of preventing COVID-19 transmission are inadequate for the setting and*  
[b] *if due consideration is given to the human rights of everyone involved.*”

These conditions have not been met with the current vaccine mandate Order.

**International Law** – The International Covenant on Civil and Political Rights says at Article 7:

“... no one shall be subjected without his free consent to medical or scientific experimentation.”

This clearly rules out the coerced participation of NPF members in this government “medical or scientific experiment”.

The vaccines are currently in experimental trials. They are only in the study stage, irrespective of regulatory approval. The current Phase 4 of the studies is uncovering serious side effects not previously seen in Phase 3. These studies will only begin to be completed in 2023, and later. The global vaccination program is undeniably a medical experiment.

Any company or organization, including NPF, that embraces and promotes information from a merely partially completed trial to encourage or coerce an invasive medical treatment such as the vaccines, is likely to incur serious liability in relation to the vaccine injured (be it psychological, moral or physical injury) who follow their advice and become injured. And those administrators in place at the time the coercive decisions were made will be exposed to personal liability.

The [Universal Declaration of Human Rights](#) reminds us in its preamble:

“Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and [...]

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.”

This is the language adopted by the nations and peoples of the world in our [Universal Declaration of Human Rights](#), in response to the wicked tyrannies of the day. This foundational international law underscores the imperative that NPF must maintain the highest regard for its members’ human rights, whatever the cost.

The current “contempt for human rights” being demonstrated by the Treasury Board of Canada as well as federal and provincial health officers, is playing out in the “barbarous acts” of coercing people like your NPF members into receiving vaccines which are known to have injured and killed thousands of people worldwide. Such inhumanity has “outraged the conscience of [people]” worldwide – and in particular your union members, my clients.

NPF’s support for my clients in these circumstances is imperative, not optional.

***Human rights scholarship*** – Leading human rights scholars have weighed in on these questions. I quote some of these opinions below, from the [Ontario Civil Liberties Association](#). I commend their counsel and cautions to you, as you undertake a reassessment of where NPF, and the labour union movement generally, must stand in respect of the derogation and abrogation of their members’ human rights.

The writers quoted below are not extremists, or “anti-vaxxers”, or “science-deniers”, or any of the other pejoratives thrown about. They are eminent scholars, who in ordinary times NPF would look to and ally with in heart and mind – they may even share NPF’s political preferences. These scholars are among those who, ‘hold the ropes for society’ as we pass through these difficult valleys, helping us to hold true to who we are and what we really believe, even when inconvenient or costly. The applicability of these writings from the [Ontario Civil Liberties Association](#) to the vaccine mandate will be self-evident.

**Ontario Civil Liberties Association – [Letter to the Unvaccinated](#) – August 2, 2021**

by Angela Durante, PhD; Denis Rancourt, PhD; Claus Rinner, PhD; Laurent Leduc, PhD; Donald Welsh, PhD; John Zwaagstra, PhD; Jan Vrbik, PhD; Valentina Capurri, PhD:

*“It is entirely reasonable and legitimate to say ‘no’ to insufficiently tested vaccines for which there is no reliable science. You have a right to assert guardianship of your body and to refuse medical treatments if you see fit. You are right to say ‘no’ to a violation of your dignity, your integrity and your bodily autonomy. It is your body, and you have the right to choose. You are right to fight for your children against their mass vaccination in school.*

*You are right to question whether free and informed consent is at all possible under present circumstances. Long-term effects are unknown. Transgenerational effects are unknown. Vaccine-induced deregulation of natural immunity is unknown. Potential harm is unknown [...]*

*You are justified in demanding independent peer-reviewed studies, not funded by multinational pharmaceutical companies [...] none of the study data have been made public or available to researchers who don’t work for these companies. [...]*

*You are correct in your calls for a diversity of scientific opinions. [...] Choosing not to take the vaccine is holding space for reason, transparency and accountability to emerge. You are right to ask, ‘What comes next when we give away authority over our own bodies?’”*

**Ontario Civil Liberties Association – [Letter to the Vaccinated](#) – August 29, 2021**

by Angela Durante, PhD; Denis Rancourt, PhD; Jan Vrbik, PhD; Laurent Leduc, PhD; Valentina Capurri, PhD; Amanda Euringer; Journalist Claus Rinner, PhD; Maximilian C. Forte, PhD; Julie Ponesse, PhD; Michael Owen, PhD; Donald G. Welsh, PhD:

*“Prime Minister Trudeau recently warned that “there will be consequences” if federal employees do not comply with vaccine mandates. This is a voice of tyranny that has reverberated fear and heightened agitation across our country. [...] What are the consequences of mandating such an insufficiently tested medical intervention? [...]*

*And now, mounting evidence worldwide shows that these vaccines cannot stop the transmission of the virus and variants, yet vaccination mandates continue. [...]*

*The meaning of “fully vaccinated” is rapidly changing as leaders demand the next booster upgrade and threaten ousting us from public spaces if we don’t comply. [...]*

*History has taught us that one-sided arguments and outlawed dissent are signs of totalitarianism lurking at the doorstep. [...] Mandating vaccines is a breaking point. [...] The consequences of following Prime Minister Trudeau’s current orders are greater than his threatened consequences. [...]* (my underlining added)

On behalf of my clients, I implore you to heed the wisdom and warnings of the *Ontario Civil Liberties Association*.

**5. NPF members’ rights of informed consent**

The Supreme Court of Canada case [Hopp v. Lepp \[1980\] 2 SCR 192](#), sets out what “informed consent” means with respect to a treatment such as the vaccination, as follows:

*“The term “informed consent” [...] reflects the fact that although there is, generally, prior consent by a patient to proposed surgery or therapy, this does not immunize a*



surgeon or physician from liability for battery or for negligence if he has failed in a duty to disclose risks of the surgery or treatment, known or which should be known to him, and which are unknown to the patient.

The underlying principle is the right of a patient to decide what, if anything, should be done with his body [...] a patient's consent, whether to surgery or to therapy, will give protection to his surgeon or physician only if the patient has been sufficiently informed to enable him to make a choice whether or not to submit to the surgery or therapy.” (my underlining added).

This case, *Hopp v. Lepp*, makes it clear that a healthcare provider who fails to obtain the “informed consent” of a patient to a treatment, can be found liable for “battery” (assault) or “negligence” – either civilly or criminally. The authorities are making no attempt to obtain “informed consent” even from willing patients, and purport to mandate the “consent” of the unwilling. NPF should avoid any association with these errors.

[Canadian Covid Care Alliance](#) – The CCCA accurately summarizes the law of “informed consent” arising out of the *Hopp v. Lepp* case and subsequent case decisions, in a document entitled “[What is Informed Consent and How Does It Apply to COVID-19 Vaccination?](#)”:

“Healthcare providers are responsible for presenting patients with clear and complete information about proposed medical interventions, and for answering all questions related to treatment. The information must be contextualized for each patient’s individual situation, taking into account variables such as age, gender, and medical history. The information must be adequate, true and include an explanation of treatments benefits, side effects, risks, alternatives and the consequences of not receiving treatment. In some cases, information about the clinical trials that support the safety and effectiveness of the treatment is also necessary, particularly when specific groups of people have been excluded from the trials. [...] Informed consent must be voluntary. After receiving adequate information about a recommended treatment, a person must be in a position to express his or her free will without any controlling influence or coercion.”

Everyone has the right to consent or refuse any medical treatment. Coerced consent is no consent at all. Consent must be voluntary.

If the Treasury Board of Canada does not withdraw its vaccination coercion program, I anticipate receiving instructions to send a demand letter to the employer requiring complete and accurate disclosure about the vaccines in respect of each element of “informed consent” – contextualized to each individual clients, including: an explanation of the benefits, side effects, risks, alternatives, consequences of not receiving treatment – along with information about clinical trials and the vast death and injury toll.

It will be apparent to you that accurate answers to these questions about ‘side effects’ and ‘risks’, do not exist. Nobody has these answers regarding these untested, experimental vaccines. And nobody should pretend to offer answers.

“Informed consent” is impossible in these circumstances, in that these vaccines are still under study, and as such, not all the side effects have been discovered let alone published. It is likely that even those side effects that become known will not be published any time soon, due to the fear of speaking out in a vicious cancel culture, and due to the well-known issue of under-reporting at the best of times, and due to publication biases. Moreover, there are no known studies on the long-term effects of these vaccines (i.e. cancers, infertility, neurological injury), in that the vaccine roll-out only started 9 months ago.

So, I anticipate that my clients' employer, the Treasury Board of Canada, will not even attempt to provide answers to these questions. Instead, they will attempt to steamroll all of us, including NPF. They will continue to demand that your members provide involuntary, uninformed "consent" to their vaccines, or lose their jobs. **Some of your members will submit to their demands, or have done so already. Statistically, some of your members will die from the vaccines and others will be permanently injured. The full nature of their suffering cannot yet be known.**

NPF cannot in good conscience stand for this. My clients appeal to NPF to take up their cause and represent them against this extreme injustice.

## 6. *The science around the vaccines*

It is important that NPF examine the scientific basis for the vaccine mandate. The following are only a few of many scientific issues around the Covid-19 vaccines:

- a. *Pandemic of the unvaccinated?* – “It’s certainly untrue ... that the unvaccinated are somehow driving the emergence of the novel variants. This goes against every scientific principle that we understand.”<sup>8</sup>
- b. *Vaccine death and injury* – The Government of Canada reports 17,079 adverse reactions to the Covid-19 vaccines as of October 4, 2021, including:<sup>9</sup>
  - (i) Thrombosis;
  - (ii) myocarditis;
  - (iii) Guillain-Barré Syndrome;
  - (iv) Capillary leak syndrome;
  - (v) Facial paralysis/Bell’s Palsy;
  - (vi) But the Canadian government conceals the number of deaths, which is imperative information for people in giving “informed consent”.
- c. *Vaccine death and injury* – European Union Database for Adverse Drug Reactions<sup>10</sup> re Covid-19 vaccines:
  - (i) 20,595 deaths; and
  - (ii) 1.9 million injured (50%) seriously.
- d. *Vaccine death and injury* – USA Vaccine Adverse Event Reporting System<sup>11</sup> re Covid-19 vaccines:
  - (i) 15,937 deaths; and
  - (ii) 752,801 injured.
- e. *99% under-reporting of adverse reactions to vaccines* – Fewer than 1 % of vaccine adverse events are reported, according to a Harvard Pilgrim study.<sup>12</sup>
- f. *mRNA vaccine risks were previously known* – Pre-trials of mRNA vaccines showed risk of autoimmune disorders and blood coagulation.<sup>13</sup>

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<sup>8</sup> <https://undercurrents723949620.wordpress.com/2021/08/16/the-lies-behind-the-pandemic-of-unvaxxed/>

<sup>9</sup> <https://health-infobase.canada.ca/covid-19/vaccine-safety/summary.html>

<sup>10</sup> <https://www.globalresearch.ca/20595-dead-1-9-million-injured-50-serious-reported-european-union-database-adverse-drug-reactions-covid-19-shots/5751904>

<sup>11</sup> <https://openvaers.com/index.php>

<sup>12</sup> <https://digital.ahrq.gov/sites/default/files/docs/publication/r18hs017045-lazarus-final-report-2011.pdf>

- g. *Vaccines generate resistant variants* – Viral variants of concern may emerge with dangerous resistance to the immunity generated by Covid-19 vaccines.<sup>14</sup>
- h. *Vaccinated people still spread Covid-19.*<sup>15</sup>
- i. *Vaccinated people were found to be 27 times more likely to experience symptomatic Covid-19 infection than those with natural immunity from Covid-19.*<sup>16</sup>
- j. *Fully vaccinated are most infected with Covid-19* – Most of the people infected with Covid-19 in Scotland<sup>17</sup> and Massachusetts<sup>18</sup> are fully vaccinated.
- k. *Vaccine mortality* – The Covid-19 vaccines are emerging as a very substantial source of morbidity and mortality.<sup>19</sup>
- l. *Vaccines wane in efficacy* – Covid-19 vaccines wane in efficacy over time, around 6 months, and boosters become necessary.<sup>20</sup>
- m. *Natural immunity to Covid-19* – even in people never exposed to this virus or SARS-CoV-1, provides stronger, longer-lasting immunity than the vaccines.<sup>21</sup>
- n. *Pre-existing antibody cross-reactivity* – A majority of uninfected adults show preexisting antibody reactivity against Covid-19.<sup>22</sup>

## 7. *Undisguised Scientific Censorship*

The World Health Organization openly partnered with social media<sup>23</sup>, Google, Facebook, Twitter, Instagram, TikTok and many others, and the mainstream media<sup>24</sup> of the world, directing them to, quote: “*filter out false information and promote accurate information from credible sources like the WHO and the CDC.*”<sup>25</sup> In the result, many leading scientists who oppose the Covid-19 narrative have been censored and crushed by an unknowledgeable media.

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<sup>13</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5906799/#!po=0.173010>

<sup>14</sup> <https://www.nejm.org/doi/10.1056/NEJMSr2105280>

<sup>15</sup> <https://www.ox.ac.uk/news/2021-08-19-vaccines-still-effective-against-delta-variant-concern-says-oxford-led-study-covid>

<sup>16</sup> <https://www.science.org/content/article/having-sars-cov-2-once-confers-much-greater-immunity-vaccine-vaccination-remains-vital>

<sup>17</sup> <https://theexpose.uk/2021/07/29/87-percent-covid-deaths-are-vaccinated-people/>

<sup>18</sup> [https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s\\_cid=mm7031e2\\_w](https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w)

<sup>19</sup> <http://orthomolecular.org/resources/omns/v17n15.shtml>

<sup>20</sup> <https://www.medrxiv.org/content/10.1101/2021.08.06.21261707v1.full.pdf>

<sup>21</sup> <https://www.science.org/doi/epdf/10.1126/science.abd3871>

<sup>22</sup> <https://pubmed.ncbi.nlm.nih.gov/33720905/>

<sup>23</sup> <https://www.who.int/director-general/speeches/detail/report-of-the-director-general-146th-meeting-of-the-executive-board>

<sup>24</sup> <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-technical-briefing-on-2019-novel-coronavirus>

<sup>25</sup> <https://www.who.int/director-general/speeches/detail/director-general-s-remarks-at-the-media-briefing-on-2019-novel-coronavirus---8-february-2020>

Despite this undisguised scientific censorship, the accumulating scientific evidence around Covid-19 speaks loudly for itself over the political narrative.

## **8. Closing Appeal**

The human rights and informed consent law that I have summarized in this letter, is very longstanding and oft-applied in Canada. This law will not be overthrown by the hasty ideological decisions of human rights tribunals and transitory governments chasing the passing winds of public opinion in these turbulent times.

Long after the governments of the day are gone and the media accord pushing this global vaccination program has been broken up, the labour union movement, and NPF in particular, should remain standing, unmoved from its core values and *raison d'être* – of protecting workers' civil rights and liberties in the context of employment. If NPF abandons its values and its workers in these troubled times, then what purpose remains to it, and who will stand up for these workers?

My clients recognize, with regret, the vehement hostility that the NPF leadership is likely to face from the true believers in forced vaccination, and the fearful within your membership. However, we respectfully submit that NPF is nevertheless bound to throw off these pressures and support my clients, its member, against the vaccine mandate, and is equal to the task.

The Treasury Board of Canada and its master the Canadian Government cannot carry off this tyrannical mandatory vaccine program without the cooperation of the labour union movement. Yet, it would be unconscionable for the labour union movement to lend its weight and influence to these abhorrent government policies. Whatever the financial, political and relational costs – and they may be great – NPF must confront the Government on these policies.

NPF cannot sustain its current conflict of interest between its political loyalties and its duty to uphold its members' rights. Let politics go and support your members. For about 35 years the Canadian labour union movement has been largely in accord with successive provincial and federal governments. Almost every cause the unions had fought for over the preceding centuries was adopted at least to some degree by the governments and protected by statute.

That accord has just been shattered by the governments. That relationship is broken. The Government is no longer on your side. And my clients call upon you, their union leaders, to realize that. Realize that through the vaccine mandates governments have launched oppression against workers unprecedented and unheard of in the history of the union movement. Realize that the governments are equally contemptuous of your interests who are complying with the mandates, as they are of my clients' interests. This program won't stop with 3<sup>rd</sup> and 4<sup>th</sup> doses of vaccine – you can be sure that this government tyranny will soon enough reach out for you and your personal interests. You cannot comply your way out of tyranny. The governments are absolutely violating the trust built up over decades

Not the least reason NPF should disengage with the government with respect to this mandatory vaccine policy is that such a patently illegal, dangerous and devastating policy is sure to attract liability to its perpetrators and promoters, of a magnitude equal to the massive harms being caused by the policy. NPF should take every precaution to avoid incurring this liability to its membership. I reiterate that NPF's membership has never empowered its union to wander into this minefield of liability – of supporting a vaccine mandate – much less, to stay there after fair warning.

My clients implore NPF to take up their cause, which is your duty, against a ruthless employer bent on the decimation of their civil rights and freedoms, and possibly their very lives and health.

I would be happy to discuss these matters with you at your convenience. I look forward to hearing from you.

Yours truly,

Herb Dunton  
Barrister & Solicitor

c.c.

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