

Lee C. Turner
e: lturner@doakshirreff.com
t: 250.979.2531

Legal Assistant: Alex Hill
e: ahill@doakshirreff.com
t: 250.979.2557

Our File: 135576-1
March 2, 2022

Via Email: AG.minister@gov.bc.ca; david.eby.mla@leg.bc.ca

Ministry of Justice and Attorney General
6th Floor, 1001 Douglas Street
Victoria, BC V8W 2C5

Attention: Legal Services Branch

Dear Sirs/Mesdames:

Re: Dr. Bonnie Henry's Announcement of the Pending Expansion of the Government's COVID-19 Vaccination Mandate to include Psychologists (the "Announcement")

We represent a large group of B.C. psychologists who are very concerned about the Announcement and the harmful effect it will have on themselves, their staff, their patients and the general public if they are required to be vaccinated for COVID-19 as of March 24, 2022 in order to be able to continue to work as a psychologist. Thousands of patients will be left without a psychologist at a time when we are in the middle of a mental health crisis in B.C.

Our clients have worked safely throughout the pandemic, without any evidence of increased risk of infection or transmission between themselves and their staff or their patients. Many of them have only seen their patients remotely and continue to do so. No scientific information or data has been provided by the Government to demonstrate that unvaccinated psychologists pose any greater risk of infection, or transmission of COVID-19 to their colleagues, staff or patients, beyond what would exist for psychologists who have received 2 doses of the vaccine, let alone for those that only work remotely.

Dr. Henry has acknowledged that with the Omicron variant, the response of the Government and the public must change. On January 21, 2022, she publicly stated (at 13:19 to 13:55 of [the video linked here](#)):

“As we have learned more and more about Omicron and how it is different from the other strains of SARS-CoV-2 that we have seen. I absolutely recognize this is a shift and it means we have to change our way of thinking that we have been working on so intently together for the last 2 years. But we are all familiar with these new measures. They are much more like how we manage other respiratory illnesses even - influenza, RSV, or enteroviruses that cause the common cold.”

On January 25, 2022, Dr. Henry publicly stated (at 00:28 and 20:54 of [the video linked here](#))

“We do continue to see a gradual decline in our case rates over time and a leveling off of the test positivity.... Omicron has changed and forced us to respond differently. And this is a transition. But I do believe we will have a gentler summer. That we will get to a place where we no longer need many of the measures and restrictions we have in place right now.”

Dr. Bonnie Henry has acknowledged that the COVID-19 vaccines do not prevent infection or transmission of the virus. In preamble G. of her November 18, 2021 health order that was concerned primarily with the Delta variant, and which

was thought to be less transmissible than the Omicron variant, she admitted that vaccinated people could still be infected with, and transmit the virus.¹ She admits in her most recent February 16, 2022 health order that is primarily concerned with the Omicron variant, that this is still the case.²

As early as April 2021, the US Centre for Disease Control announced that “a total of 10,262 SARS-CoV-2 vaccine breakthrough infections, i.e., in fully vaccinated persons, had been reported from 46 US states and territories,” although about 10% (N = 995) of these individuals had been hospitalized, and 2% (N = 160) had died. The CDC also indicated that this number was probably an “undercount,” and proceeded to announce that beginning in May, it would no longer investigate breakthrough cases other than among individuals who were hospitalized or died,³ effectively guaranteeing that the “undercounting” would continue, if not increase.

On January 18, 2022 Dr. Cyrille Cohen, the head of immunology at Bar Ilan University and a senior member of the advisory committee for Vaccines for the Israel Government admitted in an interview that he and his colleagues in the medical field believed that the vaccines could prevent transmission, but they were surprised to discover that the vaccines were not protecting us. They were not causing what they call ‘sterilizing immunity’ (at 5:09-5:37 of [the video linked here](#)). He also said that we have to recognize that the virus is better at immunising the population than the vaccine is. (see 7:41 - 8:00 of the video). Dr. Cohen said that it is no secret that their vaccine green pass system in Israel is not necessarily designed to prevent transmission, but rather it is to encourage people to get vaccinated, and he does not see any point for maintaining the green pass moving forward, especially in the Omicron era. (see 8:50 to 9:15 of the video.) These statements are remarkably similar to what Patty Daly, Chief Medical Health Officer for Vancouver Coastal Health said on October 31, 2021 when she admitted the B.C. Government’s mandatory vaccination policy was not designed to prevent transmission but rather to create an incentive to improve vaccination coverage and get higher vaccination rates (at :20 to 1:43 of [the video linked here](#)). Israel is one of the most vaccinated countries in the world. More recently, the COVID-19 case counts in Israel demonstrate even after triple vaccination, that infections have been surging. The peak in cases and deaths with Omicron was much higher than the highest previous peak (see tables at end of letter).⁴ This information confirms the vaccines are not effective at preventing infection or transmission.

Careful inspection of the recent COVID-19 cases counts and vaccination status in recent data from Public Health Ontario also shows higher rates of COVID-19 in the double vaccinated population than the unvaccinated population, even when adjusted per capita.⁵ Careful inspection of data from COVID-19 Alberta statistics reveals that around half of the people with COVID-19 after double vaccination tend to acquire it within 3 months.⁶

There is good evidence to suggest that natural immunity is much stronger and durable than any limited protection offered by the vaccines. [A comprehensive paper](#) written by many of Canada’s top scientists and academics in immunogenetics, immunotoxicology, viral immunology, molecular virology, pathobiology, neuroscience and neurology, referencing numerous peer-reviewed published studies, confirms this fact. There are at least another 150 scientific studies from around the world that support this conclusion.⁷ Even Bill Gates, a well-known investor in and advocate for vaccines, said at the Munich Security Conference on February 18, 2022:

Sadly, the virus itself, particularly, the variant called Omicron, is a type of vaccine, that is it creates both B cell and T cell immunity and its done a better job of getting out to the world population than we have with vaccines.” ... What that does is that it means that the chance of severe disease, which is mainly

¹ <https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-hospital-and-community-vaccination-status-information-preventive-measures.pdf>

² <https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-order-gatherings-events.pdf>

³ CDC. (2021) COVID-19 Vaccine breakthrough infections reported to CDC — United States, January 1–April 30, 2021. *Morb Mortal Wkly Rep.* 70(21).

⁴ <https://www.theglobeandmail.com/world/article-israel-having-trouble-repeating-its-world-leading-success-in-fighting/>

⁵ <https://www.publichealthontario.ca/en/data-and-analysis/infectious-disease/covid-19-data-surveillance/covid-19-data-tool?tab=summary>

⁶ <https://web.archive.org/web/20220101000507/https://www.alberta.ca/stats/covid-19-alberta-statistics.htm#vaccine-outcomes%20%20Retrieved%20January%2011,%202022.%20See%20Figure%2012.>

⁷ <https://brownstone.org/articles/79-research-studies-affirm-naturally-acquired-immunity-to-COVID-19-documented-linked-and-quoted/>

associated with being elderly, having obesity or diabetes, those risks are now dramatically reduced because of that infection exposure.”⁸

An article published in the Lancet in January 2022 indicates that recent studies show that there is no significant difference in transmission of the virus between vaccinated and unvaccinated persons.⁹ Another study published in the Lancet on February 7, 2022¹⁰ concluded that natural immunity after recovery from infection of COVID-19 provides far superior protection than vaccination. It also concluded that systemic vaccination does not prevent transmission from vaccinated individuals to non-vaccinated individuals.

On February 1, 2022, the BC Centre for Disease Control admitted the same. In their [Clinical Practice Guide for the Use of Therapeutics in mild-Moderate COVID-19](#) which was updated on February 11, 2022, the BC CDC confirms that prior infection with COVID-19 alone is equivalent to 2 doses of the vaccine.¹¹

The BC Centre for Disease Control published statistics for British Columbia from January 25-February 24, 2022 on their [COVID-19 Regional Surveillance Dashboard](#), under the “Vax Donut Charts”, that suggest the vaccines are not effective at preventing transmission, hospitalizations, critical care admissions or death from COVID-19. While there are more vaccinated people in B.C., the unvaccinated are being tested at much higher rates than the vaccinated. Despite this the vaccinated make up 81% of the cases (which are rapidly declining over the last 2 months), 68% of hospitalizations, 58% of critical care and a 71% of deaths in the province over this date range.

The UBC Board of Governors announced on February 28, 2022 that they are of the view that regular rapid testing of asymptomatic individuals no longer has utility. They are of the view that the evolution of the virus in the presence of the omicron variant now indicates that a different public health and safety approach should be taken. Accordingly, effective March 1, 2022, they will no longer require regular rapid testing or vaccine declarations except as needed to comply with Public Health Orders issued by your Government.¹²

If the BC CDC considers a person with a previous infection to be equivalent to someone with 2 doses of the vaccine, and given that BC’s vaccine mandates require 2 doses of the vaccine in order to work, why does our government refuse to consider whether someone has had a prior infection? Why does the Government continue to treat unvaccinated psychologists with a prior infection differently than they do those who have had 2 doses of the vaccine? In light of the BC CDC’s position, and the announcement by UBC’s Board of Governors, why would the Government want to expand vaccination mandates to include all health care professionals, even those in private practice?

Many countries have abandoned their vaccine requirements or are in the process of doing so, including: Austria, Iceland, United Kingdom, Scotland, Ireland, Denmark, Sweden, Mexico, El Salvador, Finland, Switzerland, the Netherlands, Belgium, the Czech Republic, Norway, Italy, Germany, South Africa, Jordan, Israel, Cypress and others. With Alberta¹³, Saskatchewan¹⁴, Manitoba¹⁵, Ontario¹⁶, Québec¹⁷, PEI¹⁸ New Brunswick, and Nova Scotia¹⁹ also starting to remove vaccine mandates or announcing that they will be doing so shortly, why is BC going in the opposite direction? What science is BC relying upon that is different from that which is informing other Governments?

⁸ <https://www.washingtonexaminer.com/news/bill-gates-omicron-did-a-better-job-moving-faster-than-covid-19-vaccines>

⁹ [https://www.thelancet.com/journals/laninf/article/PIIS1473-3099\(21\)00768-4/fulltext](https://www.thelancet.com/journals/laninf/article/PIIS1473-3099(21)00768-4/fulltext)

¹⁰ [https://www.thelancet.com/journals/lanrhe/article/PIIS2665-9913\(22\)00038-8/fulltext#%20](https://www.thelancet.com/journals/lanrhe/article/PIIS2665-9913(22)00038-8/fulltext#%20)

¹¹ <https://phmpt.org/wp-content/uploads/2021/11/5.3.6-postmarketing-experience.pdf>

¹² <https://broadcastemail.ubc.ca/2022/02/28/changes-to-ubcs-covid-19-rapid-testing-program/>

¹³ <https://edmonton.ctvnews.ca/alberta-ditches-proof-of-vaccine-program-at-midnight-masking-for-students-monday-1.5772684>

¹⁴ <https://ca.news.yahoo.com/organizations-pivot-covid-19-vaccine-110000688.html>

¹⁵ <https://www.cbc.ca/news/canada/manitoba/manitoba-covid-19-pandemic-restrictions-1.6347862>

¹⁶ <https://toronto.citynews.ca/2022/02/17/vaccine-policies-no-longer-necessary-march-1/>

¹⁷ <https://ca.news.yahoo.com/quebec-announces-plan-drop-vaccine-183437287.html>

¹⁸ <https://www.cbc.ca/news/canada/prince-edward-island/pei-freedom-convoy-charlottetown-1.6348335>

¹⁹ <https://atlantic.ctvnews.ca/nova-scotia-will-begin-easing-covid-19-restrictions-on-monday-1.5774726>

Below are the dates for the removal of existing mandates in other provinces. B.C. is the only province without a plan.

Prov.	All C19 Restrictions Lifted	Vaccine Pass Lifted	School Mask Mandates Lifted	Prov. Mask Mandates Lifted	Source
BC	
AB	Mar. 1	Feb. 8	Feb. 13	Mar. 1	https://www.cbc.ca/news/canada/edmonton/alberta-covid-19-step-2-restrictions-lifted-1.6365902
SK	Feb. 28	Feb. 14	Feb. 28	Feb. 28	https://torontosun.com/news/national/saskatchewan-ends-all-covid-19-health-measures
MB	Mar. 15	Mar. 1	Mar. 15	Mar. 15	https://winnipeg.ctvnews.ca/manitoba-ending-all-covid-19-restrictions-by-march-15-1.5777396
ON	...	Mar. 1	https://barrie.ctvnews.ca/it-s-the-time-medical-expert-supports-ontario-s-move-to-lift-restrictions-1.5781198
QC	...	Mar. 14	Mar. 7	...	https://montreal.ctvnews.ca/here-is-a-breakdown-of-what-s-reopening-in-quebec-1.5774263 https://montreal.ctvnews.ca/quebec-to-lift-mask-mandate-in-classrooms-as-of-march-7-teachers-say-they-feel-disrespected-1.5791013
NB	Mar. 14	Mar. 14	Mar. 14	Mar. 14	https://globalnews.ca/news/8643046/nb-covid-19-update-feb-24-2022/
NS	Mar. 21	Feb. 28	Mar. 21	Mar. 21	https://www.thecoast.ca/halifax/no-masks-no-limits-no-pov-as-nova-scotia-lifting-all-covid-restrictions-march-21/Content?oid=28156746
PEI	Apr. 7	Feb. 28	Apr. 7	Apr. 7	https://globalnews.ca/news/8639843/prince-edward-island-eliminating-vaccine-passport-covid-19/ https://www.princeedwardisland.ca/en/information/health-and-wellness/moving-on-transition-plan-to-living-with-covid-19
NLD	Mar. 14	Mar. 14	Mar. 14	Mar. 14	https://www.cbc.ca/news/canada/newfoundland-labrador/covid-nl-feb-24-2022-1.6362827 https://atlantic.ctvnews.ca/newfoundland-and-labrador-dropping-masking-vaccination-passport-measures-march-14-1.5784179

Let us examine all cause mortality data from the randomized control trial data (i.e., gold standard evidence) from Pfizer released to the FDA involving over 40,000 participants.²⁰ Experimental data clearly shows that the vaccine group did not save any more lives than the placebo group: “From Dose 1 through the March 13, 2021 data cut off date, there were a total of 38 deaths, 21 in the COMIRNATY group and 17 in the placebo group. None of the deaths were considered related to vaccination.” (p. 23 first full paragraph). In other words, the Pfizer inoculation did not save lives in this experimental study, and it is unclear if the higher number of deaths in the vaccinated group was statistically significant or not. Unfortunately, the control condition was prematurely abandoned, which is especially concerning from an ethical perspective given these preliminary findings. Therefore, the extreme steps of mandating a vaccine to all health professionals, or any segment of the population for that matter, are not justified by the Public Health Officer by pointing to the major risk to public safety as the available data do not support this claim.

The US FDA has been compelled by Court Order²¹ to release clinical data provided by Pfizer to the FDA to support their emergency use authorization for the vaccine. Documents released on November 17, 2021²² pursuant to the Court Order raise serious concerns about the safety of the vaccines that should not be ignored by the B.C. Government.

²⁰ <https://www.fda.gov/media/151733/download>

²¹ https://www.sirillp.com/wp-content/uploads/2022/01/ORDER_2022_01_06-9e24e298ae561d16d68a3950ab57077b.pdf

²² <https://phmpt.org/wp-content/uploads/2021/11/5.3.6-postmarketing-experience.pdf>

Data published by the UK Health Security Agency on February 22, 2022 shows that the fully vaccinated account for 9 out of every 10 COVID-19 deaths in England, and 4 of 5 deaths among the triple-vaccinated. This data does not support statements made by Dr. Bonnie Henry that the vaccines are reducing the severity of symptoms in infected individuals and in fact discloses a disturbing trend.²³

A Freedom of Information request made to the BC government on November 10, 2021, requested information to support statements made by Dr. Bonnie Henry in her October 21, 2021 Hospital and Community (Health Care and Other Services) Covid-19 Vaccination Status Information and Preventative Measures public health order. The request sought information and data showing the risk of unvaccinated and vaccinated hospital physician staff spreading SARS-CoV-2 to patients and other medical staff among other things. The BC Government replied on February 10, 2022 to advise that no such information or data could be found. We have attached a copy of the Government's response to our letter.

A Freedom of Information request made to the BC Government regarding hospitalization figures from January 1, 2015 up to and including March 31, 2021 resulted in a response from the BC government demonstrating that hospitalization numbers have actually decreased since the beginning of the pandemic from what they were in the 5 years before the pandemic.²⁴ This information contradicts the statements of Dr. Bonnie Henry that BC hospitals experienced a significant increase in the number of hospitalizations as a result of Covid 19 patients that was overwhelming the health care system.

If the B.C. Government intends to proceed with expansion of vaccine mandates to include psychologists in private practice, as well as all to other healthcare providers, our clients would appreciate receiving the science and information that the Government is relying upon to justify its decision. Although Dr. Bonnie Henry stated in her March 1, 2022 news conference, that BC is not an outlier concerning these policies, the information referenced in our letter suggests otherwise.

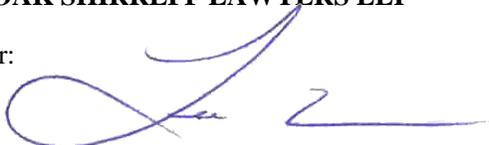
Given that Dr. Bonnie Henry announced that this new health order was to be issued more than a week ago (but has not been), we would appreciate a quick response from the Government.

We look forward to hearing from you.

Yours truly,

DOAK SHIRREFF LAWYERS LLP

Per:



Lee C. Turner

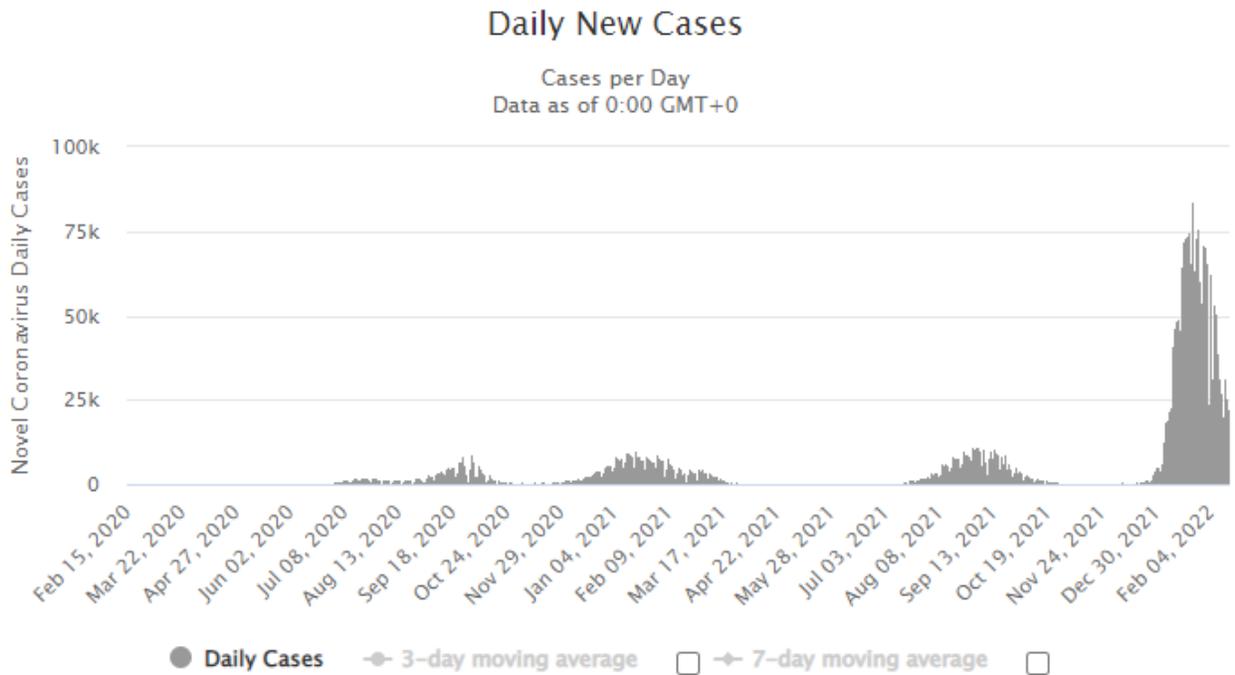
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LCT/lct

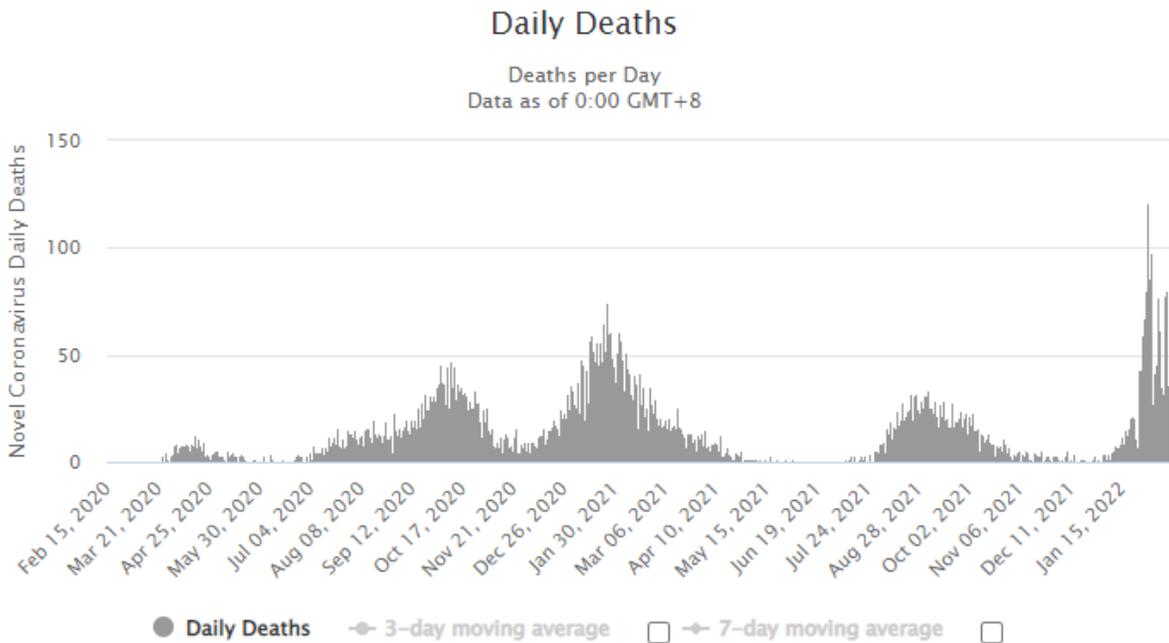
²³ <https://www.wnd.com/2022/03/official-data-fully-vaccinated-people-account-9-10-covid-deaths/>

²⁴ http://docs.openinfo.gov.bc.ca/Response_Package_HTH-2021-13906.pdf

Daily New Cases in Israel



Daily New Deaths in Israel





File:

February 10, 2022

Sent via email:

Dear:

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Health. Your request is for:

Records regarding the Order of the Provincial Health Officer Hospital and Community (Health Care and Other Services) Covid-19 Vaccination Status Information and Preventive Measures – October 21, 2021 from page 3 and page 4: Records showing information regarding the risk of unvaccinated hospital physician staff spreading SARS-CoV-2 to patients and other medical staff. Specifically records showing the number of infections to patients or staff caused by vaccinated physicians compared with unvaccinated physicians; The names or initials of vaccinated and unvaccinated physicians who have infected patients or staff, if for privacy reasons, the names or initials cannot be provided, then provide the qualifications, role and nature of contact the physicians had with the patients they infected; The dates that these vaccinated and unvaccinated physicians infected patients or staff; The details of how these infections and the disease transmitters were verified; The acute care (not long term care) hospitals where these vaccinated and unvaccinated physicians to patient or staff infections occurred; The departments where these vaccinated and unvaccinated physicians who infected patients or staff occurred; Whether these vaccinated or unvaccinated physicians who infected patients or staff were wearing PPE correctly; The consequence of these infections, e.g. mild illness and patients or staff recovered or severe illness leading to death etc. (Date Range for Record Search: From 3/1/2020 To 10/1/2021)

.../2

Although a thorough search was conducted, no records were located in response to your request. The Ministry indicated that they do not hold such specific information and data. Your file is now closed.

If you have any questions regarding your request, please contact Nicola Lutte, the analyst assigned to your request, at 250 387-2877. This number can also be reached toll-free at 1 833 283-8200. Please provide the FOI request number, found at the top right of the first page of this letter, in any communications.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,



Nicola Lutte, FOI Specialist
On behalf of Darlene Kotchonoski, Manager
Justice / Health, Information Access Operations

Enclosure

How to Request a Review with the
Office of the Information and Privacy Commissioner

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250 387-5629 Fax 250 387 1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.