

## Letter from OCLA to KFL&A MOH re: "Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected".

**From:** McLaren, Jeff <jmclaren@cityofkingston.ca>  
**To:** 'Joseph Hickey | OCLA' <joseph.hickey@ocla.ca>, moorek@queensu.ca <moorek@queensu.ca>, kflaphi@kflaph.ca <kflaphi@kflaph.ca>  
**Cc:** Mayor of Kingston <mayor@cityofkingston.ca>, Oosterhof, Gary <goosterhof@cityofkingston.ca>, Chapelle, Simon <schapelle@cityofkingston.ca>, Osanic, Lisa <losanic@cityofkingston.ca>, Hill, Wayne <whill@cityofkingston.ca>, Doherty, Bridget <bdoherty@cityofkingston.ca>, Kiley, Robert <rkiley@cityofkingston.ca>, Holland, Mary Rita <mrholland@cityofkingston.ca>, Neill, Jim <jneill@cityofkingston.ca>, Stroud, Peter <pstroud@cityofkingston.ca>, Hutchison, Rob <rhutchison@cityofkingston.ca>, Boehme, Ryan N. <rboehme@cityofkingston.ca>, mayor\_smith@centralfrontenac.com <mayor\_smith@centralfrontenac.com>, rvandewal@southfrontenac.net <rvandewal@southfrontenac.net>, mayorhiggins@xplornet.com <mayorhiggins@xplornet.com>, denisdoyle@kos.net <denisdoyle@kos.net>, councillormartintwsp@gmail.com <councillormartintwsp@gmail.com>, billmacdo@outlook.com <billmacdo@outlook.com>, councillorrevill@gmail.com <councillorrevill@gmail.com>, thehiggs100@hotmail.com <thehiggs100@hotmail.com>, info@greaternapanee.com <info@greaternapanee.com>  
**Subject:** RE: Letter from OCLA to KFL&A MOH re: "Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected".  
**Date:** Monday, June 29, 2020 10:21 AM  
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This letter from the Ontario Civil Liberties Association directed against the public health order mandating mask wearing in public buildings is troubling for many reasons.

First, it seems that the OCLA has forgotten what liberty is for. The OCLA may benefit from rereading some of the founding documents of our modern western liberal tradition. I suggest starting with John Locke's "Second Essay Concerning Civil Government" in which he points out that liberty is a means to an end; not an end in itself. Liberty is a means of protecting, supporting, enhancing, and sustaining life. As is the order to wear masks. As it is meant to protect life it is in the spirit of liberty.

Second, it seems that the OCLA has lost its sense of what liberty is. I suggest that you start by reread Isaiah Berlin's "Four Essays on Liberty" in which he clearly explains the difference between freedom TO and freedom FROM. Hopefully you will see that there are a lot of liberties that are being eroded and/or denied today that I see OCLA have demonstrated no concern over. Which is evidence in my mind that the OCLA has lost sight of what is really important.

Third, the letter received from the OCLA seems to have been a cut a paste of a similar letter from the ACLU directed at the WHO. They really should have done better, because this was really lazy work considering we live in Canada. In Canada, "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." Further the Supreme Court of Canada, in R. v. Oakes [1986] 1 S.C.R. 103 speaks of how this line should be interpreted and tested. I believe the Ontario Health and Protection and Promotion Act has met these criteria until the Supreme Court of Canada tells us otherwise.

Fourth, as for the purported lack of evidence, expert opinion is evidence and overwhelming consensus of expert opinion is compelling. Additionally you may look at some other liberal democracies like South Korea, Taiwan, and Singapore that have a culture of wearing face masks as further evidence of enhanced protection of populations.

I have admired the OCLA and their mission and I really hope the OCLA gets their priorities straight because they are chasing crumbs rather than feasting on really egregious violations of civil liberties.

Jeff McLaren – Councillor Meadowbrook-Strathcona

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P.S. I also make myself available every Sunday at the Chit Chat Café in the Frontenac Mall from 4:00 to 5:00 pm to hear your concerns, please join me sometime. Until the pandemic is over these drop in sessions are on hold. Please call or email me

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**From:** Joseph Hickey | OCLA <joseph.hickey@ocla.ca>

**Sent:** June 27, 2020 1:46 PM

**To:** moorek@queensu.ca; kflaphi@kflaph.ca

**Cc:** Mayor of Kingston <mayor@cityofkingston.ca>; Oosterhof, Gary <goosterhof@cityofkingston.ca>; Chapelle, Simon <schapelle@cityofkingston.ca>; Osanic, Lisa <losanic@cityofkingston.ca>; Hill, Wayne <whill@cityofkingston.ca>; Doherty, Bridget <bdoherty@cityofkingston.ca>; Kiley, Robert <rkiley@cityofkingston.ca>; Holland, Mary Rita <mrholland@cityofkingston.ca>; McLaren, Jeff <jmclaren@cityofkingston.ca>; Neill, Jim <jneill@cityofkingston.ca>; Stroud, Peter <pstroud@cityofkingston.ca>; Hutchison, Rob <rhutchison@cityofkingston.ca>; Boehme, Ryan N. <rboehme@cityofkingston.ca>; mayor\_smith@centralfrontenac.com; rvandewal@southfrontenac.net; mayorhiggins@xplornet.com; denisdoyle@kos.net; councillormartintwsp@gmail.com; billmacdo@outlook.com;

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Ontario  
Civil Liberties  
Association

Dr. Kieran Moore, Medical Officer of Health  
Kingston, Frontenac, Lennox & Addington (KFL&A) Public Health  
Kingston, Ontario

Dear Dr. Moore,

Please find attached a letter from the Ontario Civil Liberties Association (OCLA) re: "Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected".

Please provide us with your response so that we can inform our members and the public.

Yours truly,

Joseph Hickey, PhD  
Executive Director  
Ontario Civil Liberties Association (OCLA) <http://ocla.ca>  
613-252-6148 (c)  
[joseph.hickey@ocla.ca](mailto:joseph.hickey@ocla.ca)

CC: Members of Kingston, Frontenac County, and Lennox & Addington Councils