

# Letter from OCLA: Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected

**From:** [Councillor Perks <Councillor\\_Perks@toronto.ca>](mailto:Councillor_Perks@toronto.ca)  
**To:** ['Joseph Hickey | OCLA' <joseph.hickey@ocla.ca>](mailto:joseph.hickey@ocla.ca)  
**Subject:** RE: Letter from OCLA: Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected  
**Date:** Friday, July 03, 2020 6:57 AM  
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Joseph,

Thank you for your email. The vote at council on this item passed unanimously.

Here is a copy of the media release for your review:

## News Release

June 30, 2020

### City of Toronto makes masks or face coverings mandatory in enclosed public spaces

To protect the health and safety of our communities, today, Toronto City Council voted unanimously in favour of requiring masks or face coverings in all enclosed public places as of July 7 to help stop the spread of COVID-19. The measure heeds advice from the Medical Officer of Health, who recommended City Council use its authority to legislate for the protection of the health, safety and well-being of persons in Toronto to enact a temporary bylaw requiring businesses and facilities to have a policy that ensures masks or face coverings are worn by the public in the enclosed spaces under their control to prevent a resurgence of COVID-19 cases.

With the help of all residents, Toronto has made significant progress in the fight against COVID-19. We are now in Stage 2 of the Province of Ontario's reopening framework, with many businesses and community settings reopening and many activities able to resume with COVID-19 precautions. While the number of new COVID-19 cases in Toronto continues to trend downward, we continue to see new cases and learn from the experiences of other jurisdictions.

A growing body of scientific evidence suggests the use of masks and face coverings is an inexpensive, acceptable, and non-invasive measure to help control the spread of COVID-19. COVID-19 is spread through contact with the respiratory droplets produced by someone who is infected when they cough, sneeze, or even when they laugh or speak, including by individuals who may not have symptoms – known as being asymptomatic. Evidence suggests wearing a mask reduces the likelihood of droplets infecting those around an individual.

The new bylaw will require businesses to adopt a policy to ensure masks or face coverings are worn in indoor public spaces under their control. The new bylaw will apply to all indoor spaces that are openly accessible to the public, including:

- retail stores
- convenience stores
- malls, shopping plazas
- grocery stores, bakeries, farmer's markets (enclosed areas)
- restaurants, bars (when permitted to open for indoor service)
- indoor recreational facilities, gyms, swimming pools (when permitted to open)
- libraries
- community centres
- community service agencies
- personal service settings
- churches, mosque, synagogue, temples and faith settings
- art galleries, museums, aquariums, zoos
- banquet halls, convention centres, arenas, stadiums, and other event spaces
- real estate facilities such as open house, presentation centres
- common areas in hotels, motels and short-term rentals (e.g. lobbies, elevators, meeting rooms)
- entertainment facilities including concert venues, theatres, cinemas, casinos
- business offices open to the public

The bylaw will include exemptions for those who cannot wear a mask for medical reasons, children under the age of two, and other reasonable accommodations. The bylaw will also permit the temporary removal of a mask or face covering when receiving services, having a meal, or engaging in athletic or fitness activity. The bylaw will not apply to apartment buildings and condominiums, child care facilities and schools, and areas that are not enclosed (i.e. restaurant patios).

This new bylaw will expire at 12:01 a.m. on the first day after the completion of the first Council meeting following summer recess (currently scheduled for September 30 and October 1, 2020), unless extended by Council. The Medical Officer of Health will review the recommendations regarding masks and face coverings on a monthly basis and report if any changes are required before September 30. The full Council decision is available online: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC22.3>.

City of Toronto and Toronto Public Health staff are in the process of creating updated signage and guidelines to support businesses. Initial enforcement of the bylaw will focus on education and otherwise be complaint-based. Additional information for businesses and facility operators will be available on <https://www.toronto.ca/facemasks/> in the coming days, prior to the bylaw coming into effect.

Prior to today's Council decision, the TTC Board had voted to make masks or face coverings on TTC vehicles and premises as of July 2. Mask or face coverings are already mandatory on the City ferry to Toronto Island Park, as well as in certain business settings, like salons and tattoo parlours, as prescribed by orders under the provincial Emergency Management and Civil Protection Act.

Face masks and coverings do not replace the need to keep a distance of two metres or six feet from others, wash hands often, and stay home when sick. A fact sheet on how to properly and safely wear and care for a non-medical mask is available on toronto.ca at <https://www.toronto.ca/wp-content/uploads/2020/04/97f8-COVID-19-Guidance-for-Use-of-Face-Masks-and-Coverings-by-Public.pdf>.

The City's website is updated daily with the latest health advice and information about City services, social supports and economic recovery measures. Check <https://www.toronto.ca/covid-19/> for answers to common questions before contacting the Toronto Public Health COVID-19 Hotline or 311.

So I can file your email, please provide your home mailing address.

Be safe and all the best,

Meri Newton  
Executive Assistant  
Councillor Gord Perks  
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If you wish to receive weekly updates about Ward 4 and city wide issues, please subscribe to Councillor Perks' weekly electronic newsletter at [www.gordperks.ca](http://www.gordperks.ca)

Communicating the councillor or councillor's staff at the City of Toronto on certain matters (e.g. all communication covering sales information, pricing and business development) may require you to register as a lobbyist. To help determine if you are required to register, you may refer to the interactive tool on the Office of the Lobbyist Registrar website. You may also contact the Office of the Lobbyist Registrar by phone at 416.338.5858 or by email at [lobbyistregistrar@toronto.ca](mailto:lobbyistregistrar@toronto.ca)

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**From:** Joseph Hickey | OCLA [mailto:joseph.hickey@ocla.ca]

**Sent:** July 2, 2020 11:17 PM

**To:** Mayor Tory <Mayor\_Tory@toronto.ca>

**Cc:** Councillor MFord <councillor\_mford@toronto.ca>; Councillor Holyday <Councillor\_Holyday@toronto.ca>; Councillor Grimes <Councillor\_Grimes@toronto.ca>; Councillor Perks <Councillor\_Perks@toronto.ca>; Councillor Nunziata <Councillor\_Nunziata@toronto.ca>; Councillor Pasternak <Councillor\_Pasternak@toronto.ca>; Councillor Perruzza <Councillor\_Perruzza@toronto.ca>; Councillor Colle8 <Councillor\_Colle8@toronto.ca>; Councillor Bailao <Councillor\_Bailao@toronto.ca>; Councillor Cressy <Councillor\_Cressy@toronto.ca>; Councillor Layton <councillor\_layton@toronto.ca>; Councillor Matlow <councillor\_matlow@toronto.ca>; Councillor Wongtam <councillor\_wongtam@toronto.ca>; Councillor Fletcher <councillor\_fletcher@toronto.ca>; Councillor Jaye Robinson <councillor\_robinson@toronto.ca>; Councillor Minnan-Wong <councillor\_minnan-wong@toronto.ca>; Councillor Carroll <Councillor\_Carroll@toronto.ca>; Councillor Filion <councillor\_filion@toronto.ca>; Councillor Bradford <Councillor\_Bradford@toronto.ca>; Councillor Crawford <councillor\_crawford@toronto.ca>; Councillor Thompson <councillor\_thompson@toronto.ca>; Ward 22 <Ward\_22@toronto.ca>; Councillor Lai <Councillor\_Lai@toronto.ca>; Councillor Ainslie <councillor\_ainslie@toronto.ca>; Councillor Ainslie <councillor\_ainslie@toronto.ca>

**Subject:** Letter from OCLA: Mandatory face mask policies have no scientific basis, violate civil liberties, and must be rejected



Ontario  
Civil Liberties  
Association

Dear Mayor Tory and Members of Toronto City Council:

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  
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