



Ontario
Civil Liberties
Association

"The OCLA takes a vigorous and highly principled approach to defending free speech rights, which is an approach that is sorely needed in Canada today."

—John Carpay,
President,
Justice Centre for
Constitutional Freedoms

"I am very pleased to learn of the Ontario Civil Liberties Association, and wish it the greatest success in its work, which could not be more timely and urgent as elementary civil rights, including freedom of speech, are under attack in much of the world, not excluding the more free and democratic societies."

—Noam Chomsky,
Institute Professor, MIT

"Freedom of expression is our most fundamental and most precious freedom. It has been under attack in Canada for years. The Ontario Civil Liberties Association has taken a position on freedom of expression that is both courageous and principled. The OCLA now stands alone and its position should be supported by all Canadians who cherish democracy and freedom."

—Robert Martin,
Professor of Law,
Emeritus,
Western University

ocla.ca



August 11, 2020

By Email

Dr. Brenda Copps, President
College of Physicians and Surgeons of Ontario (CPSO)
bcopps@mcmaster.ca
c/o inquiries@cpso.on.ca, feedback@cpso.on.ca, media@cpso.on.ca

Cc: Ontario Minister of Health; Members of Provincial Parliament; Dr. Kulvinder Gill

Re: CPSO's investigation and public statement about Dr. Kulvinder Gill's tweets on COVID-19 are harmful to the Ontario public

Dr. Copps:

The Ontario Civil Liberties Association (OCLA) is aware that one or more complaints have been submitted to the College of Physicians and Surgeons of Ontario (CPSO) regarding tweets made by Dr. Kulvinder Gill, a medical doctor practicing in Ontario. This was reported yesterday by the CBC.¹

In particular, a complaint was submitted on August 6, 2020 by Dr. Alexander Nataros of British Columbia. Dr. Nataros has provided the OCLA with his complaint, which is attached.

Yesterday's CBC article quotes the following response from the CPSO:

"It's important that physicians recognize the influence they may have on social media, particularly when it comes to public health. The CPSO believes questioning the value of vaccinations or countering public health best practices during COVID-19 represents a risk to the public and is not acceptable behaviour," wrote a spokesperson for the CPSO.

"Physicians who are found to be spreading misleading medical information that may bring harm towards patients can face practice restrictions or suspension for their actions."

This is an astonishing statement by the CPSO that imposes a chill on the freedom of speech of medical doctors in Ontario. If doctors may not publicly "question the value of vaccinations" or "counter [in their publicly-stated opinions] public health best

¹ "Ontario doctor subject of complaints after COVID-19 tweets", CBC News, August 10, 2020: <https://www.cbc.ca/news/canada/toronto/kulvinder-kaur-gill-tweets-cpso-1.5680122>

practices during COVID-19” then they are stripped of their ability – and indeed their responsibility – to independently evaluate whether the prevailing health practices serve the best interests of their patients, and the public is deprived of the authentic opinions of medical professionals.

This attack by the CPSO on the free speech and professional responsibility of medical doctors is occurring in a context where:

- We are experiencing sweeping draconian public health measures that are unprecedented in modern times,²
- The winter burden of all-cause deaths in 2020 in many Western countries is in line with its value in past years,³ and
- Compensation payments for vaccine injuries amount to hundreds of millions of dollars per year in the United States alone.⁴

Rash actions in times of perceived crisis can lead to disastrous consequences. This is why we must, as a society, consider a diversity of competing views and democratically decide the best course of action.

The CPSO is harming the public by making a direct attack on the pursuit of truth regarding public health in relation to COVID-19, through its public statement quoted above and its decision to investigate Dr. Gill’s tweets.

We ask that you immediately dismiss the investigation into Dr. Gill’s tweets and issue a public statement confirming you have done so and affirming the authentic freedom of expression of all Ontario medical doctors.

Sincerely,



Joseph Hickey, *BSc, MSc, PhD*
 Executive Director
 Ontario Civil Liberties Association (OCLA) <http://ocla.ca>
joseph.hickey@ocla.ca

Encl.: August 6, 2020 complaint to the CPSO by Dr. Alexander Nataros

² OCLA letter to the Director General of the World Health Organization, June 21, 2020: <http://ocla.ca/wp-content/uploads/2020/06/2020-06-21-Letter-OCLA-to-WHO-DG.pdf>; OCLA Report 2020-1, “Criticism of Government Response to COVID-19 in Canada”, April 2020, by Denis G. Rancourt: <http://ocla.ca/wp-content/uploads/2014/01/OCLA-Report-2020-1-Criticism-of-Government-Response-to-COVID19.pdf>

³ Denis G. Rancourt, “All-cause mortality during COVID-19: No plague and a likely signature of mass homicide by government response”, June 2020: [https://www.researchgate.net/publication/341832637_All-cause_mortality_during_COVID-](https://www.researchgate.net/publication/341832637_All-cause_mortality_during_COVID-19_No_plague_and_a_likely_signature_of_mass_homicide_by_government_response)

[19 No plague and a likely signature of mass homicide by government response](https://www.researchgate.net/publication/341832637_All-cause_mortality_during_COVID-19_No_plague_and_a_likely_signature_of_mass_homicide_by_government_response)

⁴ “Vaccine Injury Compensation Data”, Health Resources and Services Administration, August 2020:

<https://www.hrsa.gov/vaccine-compensation/data/index.html>

From: Alexander Nataros [REDACTED]
Date: August 6, 2020 at 10:35:57 AM PDT
To: "ir@cpso.on.ca" <ir@cpso.on.ca>
Subject: Complaint re Dr. Kulvinder Kaur

Dear CPSO,
As a CPSCB-registrant full service family physician clinic/hospital with 1500 patient practice, I am shocked this morning to see the misinformation spread by one of your registrants during this COVID-19 global pandemic - see Twitter screenshots below re Dr. Kulvinder Kaur.

This is a threat to my own patients' health and, I imagine, to the health of Ontarians within your jurisdiction.

I respectfully ask that you investigate.

Sincerely,

Alexander E. Nataros
BSc MD CCFP
[REDACTED]

