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## **Trudeau's Discriminatory Travel Ban Finally Heads To Trial**

In October of 2021 Prime Minister Justin Trudeau imposed upon Canadians a discriminatory and unscientific requirement to be vaccinated for Covid-19 before being able to board planes, trains or ships travelling within or out of Canada.

The restrictions implemented by Trudeau effectively prevented millions of Canadians from moving freely around in their own country and travelling abroad to work or to visit loved ones.

Two months later, in December of 2021, Shaun Rickard and Karl Harrison filed an application in the Federal Court to challenge the restrictions imposed by Trudeau. Inspired by Shaun and Karl three other similar applications were filed subsequently by the Hon. Brian Peckford (and others), the Hon. Maxime Bernier and a courageous young Quebec attorney, Nabil Ben Naoum. All four cases would be managed by Shaun and Karl's young and brilliant lawyer, Sam Presvelos.

Over the next 6 months – including 6 weeks of cross examination of as many as 25 witnesses – there were around 15,000 pages of evidence assembled which showed that the Prime Minister had lied to the Canadian people about his so-called 'health measures', which had in fact been imposed only to create a 'wedge issue' and to aid his general election campaign in the Summer and Fall of 2021.

Faced with the reality of the overwhelming evidence, three of Trudeau's ministers held a press conference on June 14<sup>th</sup> 2022 to announce that his travel mandate would be suspended. Immediately afterwards Trudeau's lawyers filed a motion to strike the legal proceedings on the basis that they were deemed moot.

The Federal Court supported Trudeau's motion and, while Shaun and Karl appealed the decision, the Federal Court of Appeal also decided that the matter was moot and that there would be no trial of this matter despite enormous public interest from the Canadian people. Close to 20,000 people attended the hearing via Zoom.

Brian Peckford and Maxime Bernier appealed to the Supreme Court of Canada, which refused to hear their appeals.

Shaun and Karl decided instead upon a different strategy, one that they felt had a better chance of a positive outcome.

Earlier in the proceedings in the Federal Court in Ottawa, Sam Presvelos had been successful in getting agreement from the Trudeau lawyers that if Shaun and Karl were to file an action for damages, then the government would not oppose use of the large and valuable evidentiary record from the earlier case.

In November of 2023 Shaun and Karl filed their claim for damages against the Trudeau government. Preliminary proceedings were protracted, and Trudeau's lawyers filed a motion, in July 2023, to strike the claim entirely.

A year later, in November of 2024 Sam Presvelos represented Shaun and Karl in the Federal Court in Toronto to fight the motion to strike the claim. The outcome is perhaps not what Trudeau expected. The case will go to trial!

The claim was made in relation to a breach, by the Trudeau government, of the rights afforded to Shaun and Karl under Sections 6(1), 7, 12 and 15 of the Charter of Rights & Freedoms. The Court's ruling found as follows:

Section 6(1)            **The claim can proceed to trial for Karl but not for Shaun on the basis that Shaun was not a Canadian citizen, but a permanent resident, when the travel mandate was in place. (Canadian permanent residents are not protected under Section 6(1) of the Charter of Rights and Freedoms.)**

Section 7                **The claim is struck subject to appeal. (Appeal has been filed)**

Section 12            **The claim is struck subject to appeal. (Appeal has been filed)**

Section 15            **The claim can proceed to trial for both Shaun and Karl**

Therefore, the Federal Court has decided that it will hear the case as to whether mobility rights were infringed and whether so called "unvaccinated" Canadians are in fact a protected group against whom Trudeau discriminated.

Shaun and Karl are now pursuing an appeal in relation to the ruling on Sections 7 and 12. Such an appeal is unlikely to be heard for several months. If that appeal is successful then the government lawyers may appeal further to the Supreme Court, and that hearing would take place some months later.

There are also political issues to consider. A federal election will take place in 2025 and a new government may likely take a different view of these legal proceedings.

It has been a long journey for Shaun Rickard, Karl Harrison, Sam Presvelos and the thousands of Canadians who were also impacted and who have generously supported the case. This fight for justice is enormously important to millions of Canadians and the eventual outcome, if successful, may shape how future governments in Canada are allowed to impose restrictions in relation to public health concerns, and therefore protect generations to come.

The fight ahead may well be long and financially demanding. If you are able to support Shaun and Karl in this final, critical stage of this landmark legal battle against the Trudeau government you can do so by donating to their legal fund through the Institute for Freedom & Justice at [www.freedomandjustice.ca/donate](http://www.freedomandjustice.ca/donate).

***The Institute for Freedom & Justice is a registered Canadian charity (#85481 6162 RR0001), therefore a tax receipt can be issued.***

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