

COURT FILE NUMBER

2103 14553

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL DISTRICT

EDMONTON

APPLICANT

DAVID THOMAS DICKSON

RESPONDENT

HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ALBERTA

DOCUMENT

SUPPLEMENTAL AFFIDAVIT

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

David Dickson

Redacted



I, David Thomas Dickson, of the City of Spruce Grove, Alberta, SWEAR AND SAY THAT:

- 1) This affidavit is supplementary to an affidavit I swore in this action on October 18th, 2020 (the "Original Affidavit").
- 2) On October 19th, 2021, during the Alberta Government COVID 19 update, the Chief Medical Officer of Health ("CMOH") and a registered physician within the Province of Alberta, made mention of further restrictions being placed on residents of Care Homes. This included items outlined in Order 49-2021. Attached hereto and marked as Exhibit "P" is a copy of that Order.
- 3) Dr. Hinshaw stated;

"Starting on Monday, all visitors will be required to wear a mask in all indoor areas of the building, including in residence rooms.

This applies to all visitors whether they are unvaccinated or partially or fully vaccinated.

The only exception will be in cases where there are significant communication challenges, such as a resident being hard of hearing or an individual with dementia.

If you feel your mask will limit your ability to communicate with your loved one, please reach out to your site operator to discuss this.

The second change relates to quarantining and testing.

We want to make it harder for the virus to enter these facilities.

To increase protection, all long term care and designated supportive living residents, regardless of their vaccination status, must be quarantined temporarily when being admitted to a facility from acute care or returning from a hospital state that was longer than 24 hours.

This quarantine will last only until they receive a negative PCR test.

While this quarantine period is expected to only be a few days long, while awaiting test results, I know this can be very difficult for residents and families.

This is intended to help prevent the virus from entering these facilities where we know it can possibly spread quickly and put many at risk.

*I will also be sending a letter out **strongly, encouraging families and friends who were not fully vaccinated to not visit or attend to residents in person.***

I know this will impact residents in different ways, but it is very important to help protect residents and staff from COVID-19.

Fully vaccinated Albertans who have no signs of illness can continue to see their loved ones who are residents in these facilities as often as they wish.

While this is a recommendation in the letter, I will also reinforce that operators have the authority to implement additional mandatory measures in their facilities as appropriate in consultation with their residents and families.

This could include requirements for proof of vaccination or rapid testing for visitors entering the site. Operators have worked incredibly hard throughout this pandemic, and their goal is always to protect the health of our loved ones who live in these facilities.

*It is essential that all visitors to continuing care facilities follow all rules in place, whether set provincially or **locally.**"*

- 4) I do verily believe that, as with other matters, this is a blatant attempt on the part of the Government of Alberta to 'outsource' the mandating of vaccinations as a way of bypassing Bill 66 Section 11.
- 5) The mother of Karen Dickson (my wife, "Karen") has been a full-time resident of the Capital Care Dickinsfield care home for more than a decade after suffering a full aphasia stroke. Capital Care is a wholly owned subsidiary of Alberta Health Services. Capital Care Dickinsfield is her mother's home. During the time since care homes were locked down in March of 2020, my wife and I have been full time advocates for residents in these care homes including, but not limited to, my wife's mother. On many occasions, we have had to intervene to assist family members and residents who most likely would have died otherwise due to the implementation of the protocols put in place by Dr. Hinshaw and her proxies.
- 6) Karen and I have worked with other residents and the elderly in this and other care homes in the Edmonton region and also with many hospital patients. In fact, Karen is currently listed as the

Designated Support Person (DSP) for one senior at the Glenrose Hospital and multiple residents at Capital Care Dickinsfield.

- 7) Based on the aggressive and coercive statement by Dr Hinshaw on October 19th, 2021, follow up letter she has stated she will send, and Order 49-2021, it is highly likely that Karen (and others) will be refused access to the vulnerable people who rely on their 'in person' presence no later than October 25th, 2021. At this time, these residents will be forced to be abandoned by the persons most committed to their care just because of a vaccination status. Due to the concerns related to this application, neither Karen nor I are able to get vaccinated, despite us both being fully vaccinated in the past.
- 8) Even if the concerns raised in this application related to informed consent could be addressed, the timeline being imposed by Dr. Hinshaw would ensure removal of access for a minimum of six to eight weeks (or longer). This creates an unacceptable risk to the physical and mental welfare of those who rely on this critical 'in person' support. All of this is happening without proper notice or publicly available information to support Dr. Hinshaw's decision.
- 9) Being originally from England, Karen and I are both fully vaccinated against tuberculosis. I also have had the five-year pneumococcal vaccine due to my own health issues. We are as far from 'anti-vax' as anyone could be. However, the concerns raised in this application present an impossible barrier to providing informed consent for vaccination against COVID 19 for either of us to contemplate at this time.
- 10) Due to the concerns raised in my originating affidavit, asymptomatic testing is also not a reasonable option.
- 11) The timing of this highly aggressive and unsupported change by Dr. Hinshaw is unfathomable. The last Order (Order 37-2021) for care homes was signed by Dr. Hinshaw on July 13th, 2021. No other Orders have been written to change the approach taken in care homes during the worst of the fourth wave of COVID 19 in Alberta. However, now with active cases and hospitalisations plummeting (more than halved since September 26th, 2021), Dr. Hinshaw deems it necessary to remove access for people like my wife (and many others in her position) before the end of this month. In addition, some of the most trusted professionals in the care homes and hospitals will be removed from the direct care roles in these environments by the end of October 2021 due to the vaccine mandates. This is despite these professionals working throughout almost two years of this pandemic without being forced in an uninformed way to take a highly concerning vaccine.
- 12) Additionally, correspondence from Capital Care in September and October 2021 confirms that there are almost no residents without full vaccination.
- 13) Included in the Capital Care mail out to the family of residents on October 6th was the statement:
 - a) **"As of September 27, 96 per cent of Capital Care residents are fully vaccinated (two doses of COVID-19 vaccine), and 72 per cent of residents have received a third dose."**
- 14) Included in the Capital Care mail out to the family of residents on October 14th was the statement:
"As of October 11, 95 per cent of residents are fully vaccinated (two doses of COVID-19 vaccine) and 78 per cent of residents have a third dose of vaccine. As well, 97 per cent of staff

have at least one dose of vaccine. All Capital Care staff are required to be fully vaccinated by October 31, 2021."

- 15) I do verily believe that the steps being taken by Dr. Hinshaw and the Government of Alberta, using coerced proxy, are designed to force Alberta into 100% vaccination compliance. This is clearly contrary to Bill 66 section 11 by both the Letter of the Law and the Spirit of the Act.
- 16) Further to this, on October 19th, 2021, the public reporting of vaccinations by the Alberta Government was surreptitiously modified to include new age categories of zero to four years and five to eleven years. Attached as Exhibit "Q" are screenshots of the Alberta Government website showing these changes along with additional information regarding reported Adverse Events Following Immunization (AEFI) for COVID 19 from the Alberta Government and Health Canada.
- 17) On October 19th, 2021, during the Alberta Government COVID 19 update, Dr. Verna W.Y. Yiu ("Dr. Yiu") the Chief Executive Officer ("CEO") of Alberta Health Services ("AHS") and a registered physician within the Province of Alberta, made clearly misleading and potentially false statements regarding the reported vaccination status of AHS employees and the impact of the mandatory vaccination policy on staffing levels at AHS.

"I would also like to talk briefly about our mandatory vaccination policy, which we announced in August, just as the 4th wave was starting. As of this morning, approximately 92% of our full time and part time AHS employees have submitted proof of having two doses of COVID-19 vaccinations.

Approximately 92% of physicians working in AHS have done the same. And more than 97% of our ICU staff are fully immunized.

7% of our staff have yet to submit their proof of vaccination and we are actively working to confirm their vaccination status."

- 18) Attached as Exhibit "R" is information from the internal COVID 19 vaccination tracking system at AHS.

SWORN BEFORE ME at
Devon__, Alberta, this _21st_ day)
of ____ October _____, 2021)

Redacted

Commissioner for Oaths in and
for the Province of Alberta

A Commissioner for Oaths
for the Province of Alberta
appointment expires 2022/03/22

) **Redacted**

) David Thomas Dickson