

2021

MAY 14 2021

HALIFAX, N.S.

Hfx. No. 506040

Supreme Court of Nova Scotia

Between:

The Attorney General of Nova Scotia representing Her Majesty the Queen in Right of the Province of Nova Scotia, the Department of Health and Wellness, and the Chief Medical Officer of Health

Applicant

and

Freedom Nova Scotia, John Doe(s), Jane Doe (s), Amy Brown, Tasha Everett, and Dena Churchill

Respondents

INJUNCTION ORDER

BEFORE THE HONOURABLE JUSTICE SCOTT NORTON IN CHAMBERS:

**WHEREAS** a Notice of Application in Chambers (*ex parte*) for a *quia timet* injunction was filed by the Attorney General of Nova Scotia on May 12, 2021, pursuant to the *Health Protection Act* 2004, c. 4, s. 1;

**AND WHEREAS** a hearing was held in respect of that application on May 14, 2021, with Duane Eddy representing the Attorney General of Nova Scotia;

**AND UPON** reviewing the materials filed herein;

**AND UPON** reviewing the affidavit of Dr. Robert Strang, Chief Medical Officer of Health, and the affidavit of Hayley Crichton;

**AND UPON** hearing submissions of counsel for the Attorney General of Nova Scotia;

**IT IS ORDERED THAT:**

1. The application is granted without costs to any party.
2. For the purpose of this Order an "Illegal Public Gathering" has the same meaning and definition as set out in the Public Health Order titled "Restated Order #2 of the Chief Medical Officer of Health Under Section 32 of the *Health Protection Act*, 2004, c.4, s.1" dated May 13, 2021, issued by Dr. Robert Strang.
3. The Respondent and any other person acting under their instruction or in concert with the Respondent or independently to like effect and with Notice of this Order, shall be restrained anywhere in the Province of Nova Scotia from :



- a. organizing an in person gathering, including requesting, inciting, or inviting others to attend an "Illegal Public Gathering";
- b. promoting an Illegal Public Gathering via social media or otherwise;
- c. attending an Illegal Public Gathering of any nature whether indoors or outdoors as set out in the Public Health Orders, as amended, and issued by Dr. Robert Strang, Chief Medical Officer of Health, under section 32 of the *Health Protection Act*.

4. Any member of any Police Service, as defined in the *Police Act* 2004, c. 31, s. 1, or any peace officer as defined in the *Criminal Code*, RSC 1985, c C-46 (collectively, "Law Enforcement"), is authorized to use reasonable force in arresting and removing any person who has notice of this Order and whom Law Enforcement has reasonable and probable grounds to believe is contravening this Order. Upon arresting any person pursuant to this Order, Law Enforcement may detain such person until they may be dealt with in accordance with this Order.

5. Any member of Law Enforcement who arrests, detains, or removes any person pursuant to this Order (hereinafter, the "Offending Party"), is authorized to:

- a. bring the Offending Party, as soon as possible, before a Justice of the Supreme Court of Nova Scotia, and the Offending Party will be required to show any reason why there should be no finding of Civil Contempt at a hearing before a Justice of the Supreme Court of Nova Scotia;
- b. issue a summons that requires the Offending Party to appear before a Justice of the Supreme Court of Nova Scotia, as soon as possible, and the Offending Party will be required to show any reason why there should be no finding of Civil Contempt at a hearing before a Justice of the Supreme Court of Nova Scotia; or
- c. release the Offending Party from arrest upon that person agreeing in writing to undertake to both:
  - i. appear in person before a Justice of the Supreme Court of Nova Scotia at such time and place as may be fixed for the purpose of being proceeded against for contempt of court, or for fixing a date for such a proceeding; and
  - ii. obey the Public Health Order issued by the Chief Medical Officer of Health, dated May 13, 2021, as amended.
- d. detain such person in custody until such time as it is possible to bring that person before this Court.

6. Service of the Order shall be made upon the individual named Respondents via posting copies of the Order to their respective email addresses and on-line social media accounts. In addition, a copy of this Order shall be posted as is possible on all social media platforms associated with the Respondent Freedom Nova Scotia and Worldwide Rally for Freedom and Democracy. A person shall be deemed to have Notice of this Order upon the Order being published on the Government of Nova Scotia's COVID-19 internet website: <https://novascotia.ca/coronavirus/>, the Order is published in a public forum by the Government of Nova Scotia, or if it is read to them.

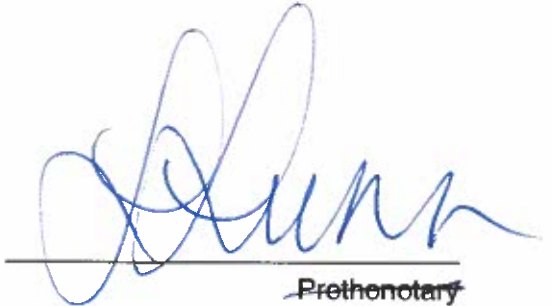
7. The provisions of this Order are additional to and do not limit, exclude, or derogate from:

- a. any powers of Law Enforcement, including but not limited to their powers under the *Criminal Code* and/or applicable provincial legislation; and
- b. any powers under the *Health Protection Act* and Public Health Orders issued under the *Health Protection Act*.

8. This Order shall remain in force until varied or discharged by a further Order of the Court.

9. The Respondents and anyone with notice of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects such person, in accordance with the process provided in the *Civil Procedure Rules* but no such motion shall in any way excuse that person from compliance with the terms of this Order.

Issued at Halifax, Nova Scotia on May 14, 2021.

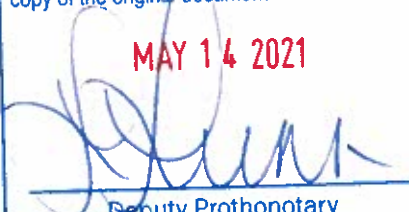


Prothonotary

**LORRAINE LUNN**  
Deputy Prothonotary

IN THE SUPREME COURT  
COUNTY OF HALIFAX, N.S.  
I hereby certify that the foregoing document,  
identified by the seal of the court, is a true  
copy of the original document on the file herein.

**MAY 14 2021**



Deputy Prothonotary

**LORRAINE LUNN**  
Deputy Prothonotary