

**Ministry of Health
and Long-Term Care**

Public Health Branch
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Telephone/Telephone:
Facsimile/Telecopieur:

January 10, 2000

Ms. Lori Stoltz
Goodman and Carr
Suite 2300
200 King Street West
Toronto ON M5H 3W5

Dear Ms. Stoltz:

Re: Vaccination Risk Awareness Network

Thank you for your letter written on behalf of your client, the Vaccination Risk Awareness Network ("VRAN"). We understand from your letter that VRAN's membership includes, among others, health care providers including practitioners of alternative medicine along with people who have decided to discontinue vaccinating their children concluding, as you state, "that the risks vaccines pose outweigh the benefits."

In your letter you refer to what you assess to be the Ministry's "pro-vaccination policy." In my view, the Ministry of Health and Long-Term Care would be amiss, both medically and scientifically, if it disregarded the overwhelming evidence of the health benefits related to immunization as an effective and efficient public health measure in the prevention of diseases.

Immunization has been repeatedly demonstrated to be one of the most effective medical interventions we have to prevent disease. It is the best way to prevent illness and death caused by certain infections. Effectiveness has been documented in both research trials and in the general population. It has been estimated that immunizations currently save three million lives per year throughout the world.

In Ontario, the provisions of the *Health Protection and Promotion Act* ("HPPA") and the *Immunization of School Pupils Act* ("ISPA"), among others, reflect the medical and scientific evidence supporting immunization as an effective and efficient intervention to prevent certain diseases in the population.

The *Health Care Consent Act* ("HCCA") requires, in subsection 10(1), that a health practitioner who proposes a treatment for a person shall not administer the treatment, and shall take reasonable steps to ensure that it is not administered, unless he or she is of the opinion that the person is capable with respect to the treatment, and that person has given consent; or he or she is of the opinion that the person is incapable with respect to the treatment, and the person's substitute decision maker has given consent on the person's behalf in accordance with the Act. Consequently, as you indicate in your letter, individual physicians, or, more accurately, the health practitioners proposing the treatment, are responsible for providing patients, parents and legal guardians of children who may be vaccinated with the necessary information to secure their informed consent.



The purpose of the HPPA, set out in section 2 of the Act, is to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario.

Paragraphs 5.2 and 5.3 of the HPPA provide, in part, that every board of health must superintend, provide or ensure the provision of health programs and services, including health promotion, health protection and disease prevention, control of infectious diseases, reportable diseases and provision of immunization services to children and adults.

The purpose of the ISPA, set out in section 2 of the Act, is to increase the protection of the health of children against diseases that are designated diseases under the Act. As you know, "designated diseases" under section 1 of the ISPA means diphtheria, measles, mumps, poliomyelitis, rubella and tetanus.

The duty of parents is clearly set out pursuant to section 3(1) of the ISPA. Under these provisions, parents of pupils must cause them to complete the prescribed program of immunization relating to each designated disease. Exceptions to the general parental duty within section 3(1) are set out in the subsections of section 3, and include exceptions where statements of medical exemption, conscience or religious belief have been filed with the proper medical officer of health.

Every person who contravenes section 3 is guilty of an offence and on conviction is liable to a fine of not more than \$1,000, pursuant to the offence provisions within section 4 of the Act.

Medical authorities in every nation in the world strongly support routine vaccination of children. The World Bank has stated immunization should be the first among the public health initiatives in which governments around the world invest. In Canada, the Canadian Paediatric Society, the National Advisory Committee on Immunization, the Canadian Public Health Association, the Canadian Medical Association, and the College of Family Physicians of Canada all support immunization.

On balance, the scientific literature continues to demonstrate that risks of vaccine preventable diseases far outweigh the risks of immunization. Today, few parents have had direct experience with the suffering that vaccine preventable diseases can cause and fail to recognize that these diseases can still be a threat to healthy Canadian children. Parents need to be informed about the risks of these diseases and the potential negative implications of withholding immunization.

Thank you again for your letter.

Yours truly,



Colin O. D'Cunha, MBBS, MHSc, FRCPC
Director, Public Health Branch and
Chief Medical Officer of Health