

October 25, 2016

Patricia Perkel, Executive Director
National NewsMedia Council
37 Front Street East, Suite 200
Toronto, Ontario M5E 1B3

RE: Breach of Journalistic Standards – Ottawa Sun and Windsor Star

Dear Ms. Perkel:

Thank you for your response on October 19, 2016 to my formal complaints pertaining to inaccuracies in the Windsor Star and Ottawa Sun with regard to vaccine requirements for school entry in Ontario.

Your reply fails to acknowledge that the Windsor Star and Ottawa Sun have misinterpreted the law and the legal parameters of the Immunization of School Pupils Act with its clearly stated provisions allowing for legal vaccine exemptions. The Act outlines the “prescribed” vaccines required for school entry, and simultaneously gives legal provisions to refuse any or all vaccines.

For the National News Media Council to continue to hold the position that the statements from the Windsor Star (“*It’s provincial law that all children by (sic) immunized against infectious disease*”) and Ottawa Sun are accurate indicate the NewsMedia Council themselves are unclear about what is legally required in the province of Ontario with regard to vaccinations and school entrance.

Let me explain again what is required.

What is legally required in the Province of Ontario is **documentation** that students have received all “prescribed” vaccines as stipulated by the Immunization of School Pupils Act (ISPA), OR **documentation** of legal exemption based on conscience, religion or medical reasons.

Legal exemptions from vaccination are clearly laid out in the Act in section 3, subsections 2, 3 and 4. <https://www.ontario.ca/laws/statute/90i01>

The legal requirement for school entry is an **administrative** requirement to provide **documentation**, and is **NOT** a **medical** requirement to be vaccinated.

To state - “*It’s provincial law that all children be immunized against infectious disease*” is simply inaccurate.

The failure of the Windsor Star, Ottawa Sun, and NewsMedia Council to recognize and accurately articulate this distinction suggests either a misunderstanding of the provincial regulations on this matter, or an intentional effort to deceive the public. I

sincerely hope this is a misunderstanding.

In my formal complaint I referenced government documentation that very clearly presents this information:

*“Unlike some countries, immunization is not mandatory in Canada; it cannot be made mandatory because of the Canadian Constitution. Three provinces (now two) require proof of immunization for school entrance: Ontario and New Brunswick . . . But, exceptions are permitted on medical or religious grounds and reasons of conscience; **legislation and regulations must not be interpreted to imply compulsory immunization.**”*

[Immunization in Canada](#); May, 1997; Vol 23S4
Canadian National Report on Immunization - 1996

The final statement is unambiguous and not open to editorial opinion. It states: ***“legislation and regulations must not be interpreted to imply compulsory immunization.”***

I request that you require the editors of the Windsor Star and Ottawa Sun to read the Act, or demand their legal department read it, and that they acknowledge that the Act, as it represents the law in Ontario, clearly provides for legal vaccine exemptions. Further, that they have a duty to interpret the full meaning of the law to their readers.

An accurate statement on this matter would be:

*“For school admission, two provinces in Canada require proof of certain prescribed vaccines **OR** proof of exemption for conscience, religion or medical reasons. This requirement for documentation does not and must not be interpreted to imply vaccinations are compulsory. Ontario is one of the provinces that require documentation for school entry.”*

I further request that you require the Windsor Star and the Ottawa Sun to make a **public correction** of the inaccurate statements in these articles and **apologize** for any misunderstanding this may have caused.

Any failure to do so undermines confidence in the Windsor Star and Ottawa Sun to be credible sources of information as pertains to the topic of vaccinations.

Sincerely,

Ted Kuntz

cc.

Marty Beneteau – Windsor Star

John Fraser – NewsMedia Council

Anne Marie Owens - Postmedia.com
Michelle Richardson - Editor in Chief, Ottawa Sun
Edda West – Vaccine Choice Canada