

British Columbia – An Assessment of New Mandatory Reporting Regulations

As of July 1st, 2019, a new mandatory [‘Vaccination Status Reporting Regulation’](#) came into effect in British Columbia. The newly introduced regulations to the BC Public Health Act mean that it is now mandatory for parents to report the vaccination status of their children attending school and daycare. There are three mandatory requirements:

1. Mandatory disclosure of the child’s vaccine status. For parents who do not vaccinate according to the recommended schedule, a written, signed and dated statement providing their reason for not vaccinating for each scheduled vaccine is required.
2. Mandatory attendance at an **“information session”**. Regulations taking effect in September 2020 demand that parents who choose not to vaccinate or who vaccinate selectively or choose an alternate vaccine schedule are forced to attend, **“together with their child”**, the **“information session”**.
3. Mandatory meeting with a medical officer of health or a public health nurse following the vaccine **“information session”**. Rather than provide parents with a simple form that exempts their child from vaccines based on broadly accepted Charter rights of conscience, personal belief and religion, parents and children will have to face a medical interrogator, which could be construed as an additional intimidation and shamming tactic.

These three mandatory requirements are being imposed despite the fact that public health officials already have access to everyone’s medical records in the province and thus already know which children are in compliance with the [provincial vaccine schedule](#) and those who are not.

A number of parents who do not vaccinate according to the provincial vaccine schedule have contacted us with letters from their local public health units that contain their child’s vaccination status. What is self-evident is that Public Health already has the necessary information on vaccine status for these children.

Since health officials already have access to every child’s medical record, it begs the question whether these new Regulations are a sincere request for information, or an effort at coercion and instilling fear in parents.

Furthermore, introducing the **threat of large fines and/or imprisonment** for non-compliance with administrative requirements of reporting vaccination status, submitting written statements on reasons for not vaccinating, as well as attending mandatory information sessions and meetings with a health official is especially draconian.

These new regulations make it increasingly challenging for BC citizens to exercise their legal right to medical decision-making and protecting the privacy of their medical records. As well, there is the real potential to undermine the medical ethic of informed consent, thus threatening our most basic liberties.

Any efforts to impose vaccine products by coercion alters the relationship between a government and its citizens and **undermines trust in both government and the medical profession.**

To recap – what the new Regulations mean comes down to this:

Sec 5(2): mandates the vaccine status report or proof of vaccination,

Sec 6: mandates a written and signed statement if your child is not fully vaccinated including the reason for not vaccinating with all or some vaccines,

Sec 7(3)a: mandates attendance at information session **with** your not fully vaccinated child (!) and meeting w/public health officer/nurse also **with** your child!

By not complying with any one of these three mandatory Regulations would constitute an infraction and would put families at risk of being subjected to undue harsh retaliation and punishment by the state.

In a legal opinion received from a Canadian Constitutional Law Specialist on the new BC Regulations, we learned that;

“The new Regulations, in concert and through ss.107 and 108 of the Public Health Act, impose draconian measures, as well as monetary fines of up to \$200,000.00 and up to six (6) months in jail, and flagrantly violate:

(a) a person’s freedom of conscience and belief contrary to s.2 of the Charter;

(b) a person’s freedom and security of the person to their physical and psychological integrity, over the control and decisions over their own body, contrary to s. 7 of the Charter, with a law that is “overly broad”, which is contrary to the tenets of fundamental justice under s.7 of the Charter, in not allowing for any personal or individual exemptions;

(c) violates the right to equal treatment under the law, contrary to s.15 of the Charter, in that the Regulations and Act do not apply to Indigenous persons, which clearly vitiates the validity and valid objective of the law with respect to its purported purpose.”

The **threat of fines and imprisonment** for non-compliance to a mandatory reporting regulation are especially drastic as this is an administrative process only that will not reduce the public risk of contracting a communicable disease.

Further, it is being applied in a coercive and discriminatory manner. The government press release on this mandatory reporting regulation states: *“Most parents are already in compliance with this requirement, so they will **not need to do anything further when the new school year starts.**”*

However, the parents who have received letters from their local public health units containing an immunization status record for their child actually indicate that further action is required **even though the record is on file and they are thus in compliance**. Further actions include the directives to make a copy of the file, take it to their child's school (which is noted in the letter) and call the public health unit for an appointment. These letters are only being sent to **parents if their child has not received all recommended vaccinations**. Why are these parents singled out since the records are already on file and they are in compliance with the reporting regulation?

In a June 28 [Global News Report](#) regarding this new legislation, Health Minister Adrian Dix is quoted as saying, *"It's a significant change. The first year will involve engaging with parents to ensure we have a full record."* He also said, *"we think mandatory reporting makes sense for everyone: schools, parents and communities."*

Vaccine Choice Canada disagrees with the Health Minister's opinion that *"mandatory reporting makes sense for everyone."* Although the new Regulations do not make vaccination mandatory, we see this as a step in that direction. [Dear BC Parents](#) outlines our concerns with the new Regulations and we hope it inspires BC parents to take action against government imposed medical tyranny.

We also provide additional resources and information on our Dear BC Parents page that parents can print off and take to their MLA to help them articulate why they are opposed to the new regulation. As well, we encourage parents to exercise their right to medical records privacy and the right to make voluntary and informed medical decisions for their families.

BC parents should also know that, in Ontario, *"parents are now refusing to attend education sessions, sign affidavits and are continuing to send their children to school even when they have received a notice of suspension."*

We will continue to encourage and support BC parents to stand strong in their convictions and to resist coercion in the face of these new heavy-handed Regulations.

Researched and written by Vaccine Choice Canada, July 29, 2019