



December 15, 2017

**Re: Inaccurate and Deceptive Statements from the Ministry of Health**

Dear Media of Ontario

It has come to our attention that the majority of mainstream media are disseminating inaccurate and deceptive statements pertaining to vaccination requirements for school attendance in Ontario.

Below is a sampling of the media messages that are in error:

Guelph Mercury: <https://www.guelphmercury.com/news-story/7965651-guelph-students-without-updated-immunization-records-face-suspension-in-january/>

Global News: <https://globalnews.ca/news/3882560/elementary-students-with-incomplete-immunization-records-could-face-suspension-in-2018/>

Bayshore Broadcasting;  
[http://www.bayshorebroadcasting.ca/news\\_item.php?NewsID=97817](http://www.bayshorebroadcasting.ca/news_item.php?NewsID=97817)

The obvious uniformity to these reports suggests each of these announcements is based on the same source. Upon further investigation we now understand that the source of these statements is the **Ontario Ministry of Health** and local public health units.

The Ontario Ministry of Health is disseminating inaccurate and misleading statements about vaccine requirements for school attendance. Typical alerts issued by Public Health Units, under the direction of the Ministry of Health, include statements such as:

*Students **need to get** any missing vaccines and update their records with Public Health by January 26, 2018 to be in compliance with the Immunization of School Pupils Act.*

*To attend school, students in Ontario **need to be immunized** against diphtheria, tetanus, polio, measles, mumps, rubella, meningococcal disease and pertussis (whooping cough). Students born since January 1, 2010 also **need to be vaccinated** for varicella (chicken pox).*

This information is inaccurate and misleading.

### **Vaccination is Voluntary**

The fact is **all vaccinations in Canada are voluntary**. These public announcements fail to inform the public that Ontario's parents have the legal right to exempt their children from any and all vaccinations for school or day care for reasons of conscience, religion or medical concerns.

The [Public Health Agency of Canada's Communicable Disease Report Volume: 23S4 - May 1997](#) makes this legal right absolutely clear (emphasis ours):

*“Unlike some countries, **immunization is not mandatory in Canada; it cannot be made mandatory because of the Canadian Constitution...** [Two] provinces 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.**”*

In Ontario, the [Immunization of School Pupils Act](#) (ISPA) requires up-to-date documentation of complying with certain designated vaccines **OR** a statement of exemption based on conscience, religion or medical reasons. The ISPA requirement is an **administrative** requirement, not a **medical** requirement.

Further, vaccines such as HPV and Hep B are not designated in the ISPA and there is no requirement these vaccines be administered; nor is there a requirement for parents to obtain an exemption for these vaccines.

To make the statement that certain vaccines are “needed” for school admission is false and clearly meant to deceive the public. These public statements issued by the Ministry of Health appear to be an intentional misrepresentation of the legal requirements pertaining to vaccinations and school admission in Ontario.

*Any action that is dictated by fear and coercion of any kind  
ceases to be moral.*

~ Mahatma Gandhi

A factual and honest statement would be the following:

*Ontario's Immunization of School Pupils Act (ISPA) requires that children and adolescents attending primary or secondary school be appropriately immunized against designated diseases, or have completed a valid exemption. Exemption forms are available at: <https://www.ontario.ca/page/vaccines-children-school#section-4>*

The Ontario government recently added an additional requirement of insisting parents attend an “education session” before allowing them to access their legal right to an exemption. This represents further encroachment on our legal rights by the Ontario government.

The Ontario Ministry of Health regularly fails to disclose information about legally available vaccine exemptions, and routinely insinuates that vaccination is mandatory for school entry when it is not.

Disseminating false and deceptive information about the requirements of the ISPA is a fraudulent way to coerce families to vaccinate. It is clear the Ministry of Health has no intention of honouring the medical ethic of informed consent and their own Health Care Consent Act.

*Informed consent involves the basic human right to consent or refuse a medical treatment or procedure, including vaccination.  
The consent must be voluntary.*

*If a patient, or parent of a patient, is coerced or threatened in any way into consenting for vaccination (including statutory or government mandated exclusion from school), then the “consent” obtained is actually coerced consent, not informed consent.*

~ Physicians for Informed Consent

### **Mandatory Vaccination Violates Rights and Accords**

In spite of numerous claims made by both public health agencies and the media that vaccines are required, vaccination is voluntary in Canada. Mandatory vaccination would be a violation of our Canadian Charter of Rights and Freedoms, as well as numerous international Conventions to which Canada is signatory including the **Nuremberg Code and Helsinki Accords**.

These conventions defend the basic human right to Informed Consent and reject the moral argument that the creation of alleged benefits for the many justifies the sacrifice of the few.

Mandatory vaccination would also be a clear violation of the **Universal Declaration on Bioethics and Human Rights**; Article 6 – Consent:

*“Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be expressed and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.”*

Mandatory vaccination is a violation of each of the following:

1. Ontario's [Health Care Consent Act](#), which stipulates "*No treatment without consent*" and lays out the elements of consent required for treatment:

- The consent must be informed.
- The consent must be given voluntarily.
- The consent must not be obtained through misrepresentation or fraud.

2. **Canadian Medical Law** enshrines the individual's right to voluntary, informed consent to medical risk taking as a foundational medical ethic.

The dishonest and deceptive statements disseminated by the Ontario Ministry of Health are a violation of its own Health Care Consent Act.

### **MOH Provides Deceptive and Dishonest Information**

The Ministry of Health and Long Term Care is guilty of disseminating false, inaccurate, and deceptive information pertaining to the safety and effectiveness of vaccination.

I direct your attention to the Ministry of Health online document – **Healthy Choices, Healthy Children: Why Vaccinations Are A Healthy Choice for A Strong Immune System!**

<http://www.health.gov.on.ca/en/pro/programs/immunization/myths.aspx#>

If the intention of this online document is to provide Ontario parents with accurate and up-to-date information about the safety, effectiveness and necessity of the current designated vaccination schedule it fails miserably. The document contains numerous inaccuracies and makes many statements and claims about vaccine safety and effectiveness that are not supported by the evidence.

If this document represents the best and most up-to-date information available from the Ontario Ministry of Health, the Ontario Medical Association and the Pediatric Alliance of Ontario, it indicates that health consumers in Ontario are being given inaccurate, deceptive, and dishonest information with which to make their vaccination decisions.

This level of deception, dishonesty and inaccuracy negatively impacts the ability of Ontario parents to make well-informed decisions pertaining to the medical practice of vaccinations. It also undermines the trust and confidence in these institutions to provide reliable and verifiable information and to act in the public's best interest.

Our response to this document can be read at:

<https://vaccinechoiccanada.com/media/ontario-ministry-of-health-disseminates-myths-about-vaccine-safety/>

In 2012 and again in 2016 Vaccine Choice Canada filed a formal complaint with the Ombudsman of Ontario regarding the dishonest and deceptive information being disseminated by the Ontario Ministry of Health. This formal complaint can be viewed here:

<https://vaccinechoiccanada.com/in-the-news/ombudsman-complaint-ontario-ministry-of-health-deceiving-canadian-parents/>

Unfortunately, the level of dishonesty and deception by the Ministry of Health has not decreased. Given the persistent nature of the dissemination of inaccurate statements, it is clear these efforts to misinform the public are intentional.

### **Ontario Needs Responsible Journalism**

We at Vaccine Choice Canada encourage the media to be more discerning of the information being disseminated by the Ministry of Health and refuse to participate in this deception. The public relies on the media to provide accurate and reliable information, especially as pertains to matters of health. Blindly trusting the Ministry of Health to act in the public's best interests is clearly not warranted.

Sincerely,



Ted Kuntz, Parent of a vaccine injure child  
Vice President, Vaccine Choice Canada

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