



## **ADVISORY: WEBCAST OF COURT PROCEEDING**

**Thursday, April 7, 2022**

Members of the media and the public are advised that the following proceeding in the Nova Scotia Court of Appeal will be livestreamed on the Courts of Nova Scotia website on Monday, April 11, 2022:

**CA-507668 - The Canadian Civil Liberties Association Vs.  
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 and Freedom Nova Scotia, John Doe(s),  
Jane Doe(s), Amy Brown, Tasha Everett and Dena Churchill**

On May 12, 2021, the Province of Nova Scotia filed a Notice of *Ex Parte* Application seeking an injunction in anticipation of a public protest against COVID-19 public health restrictions. The protest was to be held on May 15, 2021, on Citadel Hill in Halifax.

In applying for the injunction, the Province sought to prohibit individuals from organizing, promoting, or attending "Illegal Public Gatherings", as defined in the Public Health Order under the *Health Protection Act*. Because the application was brought on an *ex parte* basis, the only party to appear in court and provide evidence and submissions was the Province.

A Supreme Court Justice granted the injunction on May 14, 2021. Two weeks later, on May 27, 2021, the Canadian Civil Liberties Association (CCLA) filed a Notice of Motion seeking public interest standing. Specifically, the CCLA sought an order setting aside the decision and a discharge of the Injunction Order.

The CCLA was granted standing and a hearing was scheduled for June 30, 2021; but before that could happen, the Province filed a motion to have the Injunction Order discharged on the basis that it was "no longer necessary". The CCLA opposed the motion on procedural grounds but did not disagree that a discharge was appropriate. The Court subsequently granted the discharge on June 22, 2021.

The CCLA is now appealing the Injunction Order on several grounds, including that the issuing judge erred in granting the injunction order without any consideration that the order infringed the Charter rights of all Nova Scotians.

The appeal proceedings are scheduled for a half day beginning at 10 a.m. AST on Monday, April 11. This matter will be heard by a three-member panel comprised of Justice Duncan Beveridge, Justice Joel Fichaud and Justice Peter Bryson.

The panel of judges and counsel will appear in person in Courtroom 502 at the Halifax Law Courts. All court participants are reminded to review the Court of Appeal's [Practice Directive for Appeal Proceedings during the COVID-19 Pandemic](#).

The public can watch the livestream on the Courts of Nova Scotia website [here](#).

As per the Nova Scotia Courts' [copyright policy](#), webcasts of court proceedings may not be broadcast or re-broadcast by embedding them in another website or by any other means. However, portions of the webcasts (audio and video) may be re-broadcast as part of conventional news coverage. Hyperlinks to the live webcast page and the page of archived videos on the Courts of Nova Scotia website are permitted.

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