



April 27, 2020

Ms. Abby Dushman
Director, Criminal Justice Program
Canadian Civil Liberties Association
900 – 90 EGLINTON AVENUE E.
TORONTO ON M4P 2Y3

Dear Ms. Dushman:

Thank you for your letter of April 17, 2020. I have shared your letter with the Chief Public Health Officer (CPHO) for the Northwest Territories.

I appreciate you sharing your views on the CPHO's Prohibition of Gatherings and Closures of Certain Business order of April 11, 2020. I agree that any action taken that infringes on peoples' constitutional rights and freedoms must be calibrated to minimize any such infringement. This is a guiding requirement for the CPHO in her exercise of authority under our *Public Health Act*, as expressed in section 2.

I also agree that this authority must be exercised with as much clarity and precision as reasonably possible in the circumstances. I trust you will acknowledge that the present circumstances are an emergency response to an evolving global health crisis and that the potential threat to northern communities and the NWT's health system cannot be understated. That said, we will continue to work towards the greatest possibly clarity and precision in this and in all future orders.

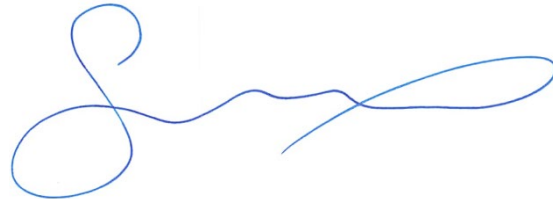
This is an unprecedented global pandemic. The highly transmittable nature with which the virus spreads, new evidence that asymptomatic spread is occurring at a much higher rate than previously thought possible, the experiences seen across jurisdictions that the virus can lead to significant and immediate health system capacity challenges, and the devastating effects on a growing percentage of the population warrant extraordinary measures. Many of our citizens suffer high rates of underlying health conditions that make them potentially more vulnerable to the worst impacts of COVID-19. The Northwest Territories covers a vast land mass where the delivery of government services, including health services, can be challenging under normal circumstances. There are many small remote communities that do not have full-service hospitals, and in some cases no health facilities at all, and there is no access to emergency health services without the need for a medevac via aircraft to a larger community.

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The CPHO has put measures in place, considering all of the circumstances of the pandemic and our unique challenges in the north, to protect the public health of the Northwest Territories and decrease the risk to our residents presented by COVID-19. As you note in your letter, public health management is deserving of deference to the local experts. The Department of Justice has been advising the CPHO as she navigates this pandemic and will continue to do so. The pandemic is presenting unprecedented challenges, and we will continue to seek an appropriate balance that will both protect individual rights and meet the pressing public health concerns that confront us.

Once again, thank you for your letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Caroline Wawzonek'. The signature is fluid and cursive, with a large initial 'C' and a long, sweeping tail.

Caroline Wawzonek
Minister of Justice

c. Ms. Shaleen Woodward, Principal Secretary

Mr. Martin Goldney, Secretary to Cabinet
Deputy Minister, Executive and Indigenous Affairs

Ms. Charlene Doolittle, Deputy Minister, Justice