



NATIONAL CITIZENS INQUIRY

Toronto, ON

Day 2

March 31, 2023

EVIDENCE

Witness 1: Rick Nicholls

Full Day 2 Timestamp: 00:55:10–01:24:34

Source URL: <https://rumble.com/v2fm8wg-national-citizens-inquiry-toronto-day-1.html>

[00:00:00]

Genevieve Eliany

I'll ask the first witness to state and spell his name for the record, please.

Rick Nicholls

Thank you very much. My name is Rick Nicholls, R-I-C-K N-I-C-H-O-L-L-S.

Genevieve Eliany

Could you promise or affirm to tell the truth, please?

Rick Nicholls

So help me God, yes, I do.

Genevieve Eliany

Great.

Mr. Nicholls, if you could start with a general introduction of who you are and your role between 2011 and 2022, please.

Rick Nicholls

Happy to do so. I was elected first to the Ontario Legislative Assembly in October of 2011. And I served three terms, ending obviously June 2nd of 2022. Throughout those three terms, for the first ten years, I was a member of the Progressive Conservative Party of Ontario and held numerous positions. First, in opposition as different shadow cabinet ministers. But also in my second term, I was appointed one of the deputy speakers in opposition for the Ontario Legislative Assembly. And then later, in my third term, I was appointed the Government Deputy Speaker for the Ontario Legislative Assembly.

Genevieve Eliany

Thank you. We'll start with your general position on vaccines. Could you tell us about your hesitancy?

Rick Nicholls

First off, I want to make it very clear that I'm not an anti-vaxxer. However, having followed reports of what was happening around the world and the vaccine injuries and even deaths that were being reported, I had made the decision, along with my wife, that we would not have this substance injected into our bodies. Simply because of the fact that we weren't certain of what the outcome would be. And I held true to that and maintained my integrity throughout the entire ordeal.

Genevieve Eliany

How did you voice your concerns with the legislature when you were at work?

Rick Nicholls

Well, first of all, we would have caucus meetings and throughout those caucus meetings at various times there would be the Chief Medical Officer of Health for Ontario, started with Dr. Williams, and then after he had retired, Dr. Kieran Moore. And they would be giving presentations, as well as other doctors giving presentations, to caucus. And there was an opportunity, because it was all on Zoom, to ask questions. I would ask questions about the efficacy of these particular vaccines—especially having heard of the injuries that were being reported throughout the world and even within the province themselves. And of course, some people even more locally were experiencing side effects from these vaccines, but no one would ever come forward and say, "Well, it was the vaccine that caused that."

Genevieve Eliany

How would you describe the general response to your concerns at the legislature?

Rick Nicholls

Well, you know, I think it was mixed. I think it was mixed. There were several opportunities where I voiced my concerns. And sometimes— As you know, on Zoom you can have a full picture of everyone, or most people anyway, sitting in and listening to the Zoom. And there was one individual, who was the campaign manager for Re-elect Doug Ford 2022, who was sitting in on the caucus meetings. And one time I recall when I was asking questions of the medical advisor or the medical people there, I caught him just kind of shaking his head as if to say, "I totally disagree."

Other than that, I would have sidebar conversations with some of my other colleagues and some were supportive. There were a few that actually said, "Yeah, we did not want to get the vaccine," for various reasons—for their own personal reasons.

Genevieve Eliany

What were the consequences for you personally with the Conservative caucus?

Rick Nicholls

Well, obviously, I had been approached. I recall one day, I was driving back from the legislature back to Chatham, which is my hometown. And I received a phone call and it was Premier Ford. We talked and his basic comment to me was— Because he had known that there were a number of caucus members and myself that were vaccine hesitant, not wanting to get vaccinated.

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He called me and he basically said, “Rick, please do me a favour, get vaccinated.” To which I responded and said, “Premier, that’s going to be a little challenging for me, a little bit difficult for me.” And I gave him my reasons, to which he replied, “Look, I don’t need an answer right now. By all means think it over and let me know.”

Well, then I proceeded to get a phone call the following day from one of the pollsters from the Party. And then on the Monday I received a phone call from the campaign chair for the for the PC Re-elect Doug Ford campaign. Now this gentleman was also a co-founder of a company called Rubicon Strategies, who by the way— They’re a lobbyist firm and they represented Big Pharma. Pfizer was one of them; Johnson and Johnson AstraZeneca were others. And he said to me— In a very unapologetic way, he said: “You’ve got 72 hours. You either get vaccinated or you will be removed from the PC caucus.”

And I thought—wow. I said, “You’re threatening me? You’re an unelected official and you’re threatening me?” I said, “Well, I’ll tell you what I’ll do. I will talk to my doctor and see whether— To get his input.” Well, of course, he basically said the following day, “Rick, you know, you’re healthy, you’re good, the vaccines are safe and effective, I see no reason why you shouldn’t get vaccinated.” To which I responded, “Well, thank you very much. I hold a different opinion.” And so that was on the Tuesday.

On the Wednesday, I drove up to Toronto and prepared my notes. And on Thursday, I went before the cameras in the media studio at Queen’s Park and very succinctly and very directly made the comment that I would not be receiving these vaccines—fully knowing, as had been indicated earlier in the week, that if I didn’t get vaccinated by Thursday, 72 hours, I would then be removed. And of course, I knew what the consequences would be. I was good at my end. And unfortunately, the government was good on their end. And about 5:30 a press release was put out, stating that I had been removed from caucus.

Genevieve Eliany

Ultimately, you ended up leaving the Conservative Party, is that right?

Rick Nicholls

That’s correct. When I was removed from caucus, I then sat across the aisle as an Independent. And that was my stand for several months until I was approached by another conservative party. I had many discussions with them, and decided to support their leader. And then I joined the party and was appointed as deputy leader, and that was the Ontario Party.

Genevieve Eliany

[Inaudible 00:08:02] ... It was like, sitting across from your former colleagues in the legislature?

Rick Nicholls

Yes, I was. And it's interesting: at first, everybody had to wear a mask, except for one day. You could still talk with a mask on but I didn't like that, because it sounded very muffled. But it's interesting how even when someone has a mask on, you can kind of read body language and facial expressions. And I was seeing a lot of serious looks from my former colleagues as I sat in opposition as an Independent, and then as a member of the Ontario Party. And that, to me, spoke volumes. But I was the one that put my political career at risk by holding on to my integrity and staying strong and realizing that I wasn't alone.

There were millions of people throughout Canada, as well as even in the States, that sent emails. And I had phone calls from people standing by and saying, "Rick, we support you. We admire your courage." I thought, well, I just want to do the right thing—not just for myself and my family but also for others who were feeling the same way. We're, as one might say, somewhat vaccine hesitant.

Genevieve Eliany

Would you say that your colleagues—or that you had the impression that your colleagues might be fearful that, if they spoke out, they would suffer the same consequences that you suffered?

Rick Nicholls

You know, that thought has gone through my mind quite often. And of course, sometimes people will put money or careers ahead of doing the right thing. And so they claim that they received the vaccines: two shots, and some three, and maybe even four.

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But sadly, I've talked to many people who have come up to me afterwards and said, "Rick, you know, I got the two shots, but I am not getting any more shots." Because more and more data was coming out. Despite the fact that the Minister of Health would continually say to me when I would challenge her in the legislature during question period— You know, the canned phrase was: "These vaccines are safe and effective, protect your family, protect your friends, get vaccinated."

Genevieve Eliany

We'll shift gears now to some of your direct legislative experience. Can you tell us where and when orders and bills were generally discussed?

Rick Nicholls

Initially, bills are discussed in caucus and they're brought forward. But it's kind of like at a 5,000-foot level and, generally speaking, the minister presenting the bill—that would be a government bill—would give an overview of what it is and capture the highlights of that particular bill. Then after the presentation was made by a minister, then everyone in caucus had an opportunity to ask questions. And then once that was sufficient, then after that the bill would be read for the first time, introduced in the legislature, and then there would be debate at second reading. And then from there, after the debate there would be a vote. And assuming usually government bills always pass, they would then go into committee and hopefully come out of committee with even stronger recommendations to

make the bill even better. Then it would come back for a third reading and that's the final reading. There'd be debate and then a vote.

Genevieve Eliany

You mentioned the readings. Can you comment on how the timing of readings changed during the pandemic?

Rick Nicholls

Well, that's an interesting question. A lot of times— First of all: the government, the *Emergency Act* as an example, and that's the one that I got very vocal about sitting in opposition. That particular bill passed the second reading. And there was a timeline on that, that said that basically, from a previous reading: they had to extend the *Emergency Act*. And the date, I believe, was around December the 1st. So this is now taking place about a week before and, interestingly enough, in an evening sitting where there's not many MPPs there, just those who are on house duty. And I wasn't on house duty but I stayed in my office because I felt that something might be up that week. And I was late in my office on Monday night and Tuesday night. And on Wednesday night, suddenly I hear the Solicitor General come on and she starts talking about a bill. And I went, why would she be talking about a bill at third reading? Then it occurred to me that she's talking about this motion to extend the *Emergency Act* into—I believe it was late March of 2022. So I had some red flags pop up in my head. I went down, sought clarification, went back up to my office. And at that point in time, I finished up my notes because I wanted to speak to it.

And I got there— Had I been 10 seconds later— Because if no one stands to do further debate on a particular bill, then the speaker is then asked to ask three times—further debate; further debate; and then, further debate. And no one else stands, it forces a vote. And of course, I walked in. And if I'd been 10 seconds later, I think I would have missed out on the third further debate. I got there at the second one. I got over to my seat and then I stood and I had an opportunity to raise my concerns as to why I would not support the extension of that particular motion. I also made it very clear that— Since the Minister of Health was constantly saying these vaccines are safe and effective, I raised the issue that if they are that safe and effective then they should not give Big Pharma what I would call—if you want to use the Monopoly example—a “get out of jail card free” card. Because right now under those orders, Big Pharma were protected. Any vaccine injuries or deaths that occurred, they could not be sued. So I said, “Well, if you're so confident, then remove that from the bill.” That didn't happen.

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After I was finished, no one else stood up and that forced a vote. The procedure is the speaker says, “All those in favor say ‘aye,’ opposed, say ‘nay.’” I said, “nay.” I was the only one that said, “nay.” He said, “I heard a ‘nay,’ I heard a ‘no.’ In my opinion, the ‘ayes’ have it.” Had there been five people—myself and four others—stand that would have forced a recorded vote. Unfortunately, I was the only one there that opposed it. Therefore, the bill passed third reading on a voice vote.

Genevieve Eliany

We've heard that you didn't get much notice about this debate. How much time typically did MPPs have to review new orders and legislation and anything that was to be passed in the House?

Rick Nicholls

Well, the House leaders—both on the government side and in opposition—are given a heads-up as to what bills are going to be introduced. Typically, it's somewhat short notice but at least the House leaders— Especially in opposition, they let their people know so that those who want to speak to it can speak to it and get their speaking points all in a row and can present during debate.

Genevieve Eliany

But was there time to review the legislation in detail?

Rick Nicholls

No. Oftentimes, again, during a caucus meeting, details are brought forward and a review. If, for example, in opposition—if the opposition requests a meeting to review the bill, that is often granted. But then shortly thereafter and then suddenly during proceedings, when the speaker asks for orders of the day, that's when a particular bill is introduced and they start right into debate on it actually at second reading.

Genevieve Eliany

And of course, ultimately, you're always told how to vote by the party, right?

Rick Nicholls

Yes, we are. We are. Typically, it would be political suicide for someone to oppose. Now, that's not to say that— There were times, even when I was in opposition, where the government would bring forth a bill— That would be the Liberal government at that time. And there'd be a number of us actually in caucus say, "No, we can't support this particular bill." So then, and I remember our leader at the time said, "Well, look, it would look bad on us if a bunch of us stood in favor, and we had a number of caucus members stand opposed. So do us a favor, just don't show up for the vote." And so that was often the case for that. But when in government, if someone was vehemently opposed to a particular bill then they would be asked not to show up for the vote.

Or sometimes— It happened actually with one individual: No one knew that this individual was vehemently opposed to a bill that was being brought forward. It wasn't the bill that we're talking about now. And this individual silently voted against it because we had— Because of COVID, the voting structures were different. We had to go into our various east wing, west wing, to vote. We just kind of walked through when the clerks would check our names out. This individual went on the "nay" side and voted—but then also issued a press release indicating how they were opposed to this particular bill. Well, that basically spelled the demise of this individual from caucus. Well, that person was removed as well, but for different reasons.

Genevieve Eliany

Okay, thank you very much. We're out of time, so I very much appreciate your testimony today. Thanks again.

Rick Nicholls

Thank you very much. Thank you for the time.

Genevieve Eliany

I believe we may have a question from the commissioners, is that right? Before you leave us, Mr. Nicholls, one moment. Apologies, Commissioners.

Commissioner Kaikkonen

Good morning. I just have a quick question. The Solicitor General that you're referring to, is that Sylvia Jones?

Rick Nicholls

Yes. That's correct.

Commissioner Kaikkonen

Did Sylvia Jones, in discussions with caucus,

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ever speak about the people who were demonstrating out of her office, outside her office repeatedly, who were opposed to vaccines? Did that ever come up in her decision-making powers?

Rick Nicholls

Unfortunately, I don't have an answer for that. I do not know for sure. I know that there were demonstrations and a number of ministers were being targeted. She may have been targeted but I don't recall her specifically talking about the protesters outside of her office.

Commissioner Kaikkonen

So basically, just as a follow-up, her decision-making was coming from the health folks—her peers in the health and not necessarily her constituents?

Rick Nicholls

Yes, I'm confident of that. As a matter of fact, even locally for myself, I had constituents that voiced concerns. Some were definitely in favour of it but there were also many that were fearful. I didn't think that it was appropriate that even businesses who had no medical background would in fact mandate these vaccines for people that didn't want it. Vaccinate or terminate: that was the way it went. I was totally against that. To me, that was coercion. And people lost their jobs because of it and that just is not right.

Commissioner Kaikkonen

And you would also know that Sylvia Jones is not a medical doctor?

Rick Nicholls

That's correct. She is not. She and the Minister of Health, Christine Elliott—who by the way is not a medical doctor either—but she was the Minister of Health, were very close throughout the entire COVID. Because the rules, sorry, the responsibilities, of the Solicitor General and of course the responsibilities of the Minister of Health. But again, they were

taking their lead from the Chief Medical Officers of Health, Dr. Williams and Dr. Moore. I also firmly believe that the College of Physicians and Surgeons were muzzling doctors and saying, “This is what you’re going to do. This is how you’re going to do it.” And I believe that they in fact were providing some direction to the Chief Medical Officers of Health as well. There’s a lot of advisors out there— But what I found was that with many people, you try to talk to them about it. And I have an adage and it’s called, “Don’t confuse me with facts. My mind is already made up.”

And there was no real discussion about whether or not these mandates were going to be well-received. Obviously, they weren’t. because there was demonstrations going on throughout the province, actually—even after I was removed from caucus.

Commissioner Kaikkonen

Thank you.

Rick Nicholls

Thank you very much.

Commissioner Drysdale

Good morning, Mr. Nicholls. Thank you for coming here to testify. I have a few short questions.

Rick Nicholls

Certainly.

Commissioner Drysdale

How long were you a sitting member of the Ontario legislature?

Rick Nicholls

Well, from October of 2011 through to August 19, 2021, when I was removed from caucus.

Commissioner Drysdale

And you said that you were a member of caucus. For my information and perhaps for some of the folks listening, can you describe to me what you mean by caucus?

Rick Nicholls

Okay, those are the elected MPPs who were in fact—who won their seat sitting as a member of the Progressive Conservative Party of Ontario. That’s caucus. Every MPP of the party, they comprise caucus. They are elected officials. But every once in a while, there’d be some unelected people in there sitting in on those meetings as well.

Commissioner Drysdale

You had mentioned to me that, or you mentioned in your testimony, that you felt your position was threatened by an unelected official.

Rick Nicholls

That's correct.

Commissioner Drysdale

In your time in the legislature, was that a common practice—for unelected officials to come in and threaten your position as an elected official?

Rick Nicholls

Well, I can't speak for others. All I can do is speak for mine. And I certainly didn't appreciate the coercion, the threats from this unelected official telling me that if I didn't comply with getting the vaccines— By the way, his company— Although he had stepped aside as the co-founder and president of Rubicon Strategies, he in fact was very, very threatening. And as a result, I had to deal with that. And I was not about to comply to his direction.

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He's not a medical doctor either.

Commissioner Drysdale

You were elected in a certain riding, or a certain area in Ontario, to represent the people of that riding. Is that not correct?

Rick Nicholls

Yes, sir, it is. Chatham-Kent—Leamington is my riding. I proudly represented the people even after I was removed from caucus, after August 19, 2021. I continue to do my very best to support the people, the constituents in my riding.

Commissioner Drysdale

Well, having said that, you had also said that when certain bills were coming down the pipe—and you may be opposed to those bills—and being on opposition, seeing as you're the elected representative in your riding: How is it that members can say they represent the people in the riding when the party tells them how they will vote universally? In other words, are you representing the party or are you representing the people?

Rick Nicholls

Therein is the million-dollar question. Again, so what would happen is that when a bill is presented to caucus, there are talking points that are also provided. And those talking points assist greatly in the preparation of the big talking points. And of course, it's up to the individual—that being the elected official, the MPP—to basically "sell" those talking points. Not only in debate. Obviously back in my riding, I had great staff and we would have meetings. And I would say, "Okay, here is how we're going to present this or talk about it." But there were times when some of those talking points, I didn't agree with. And candidly, between myself and maybe a person I was talking with who was quite upset, I'd have a candid discussion with them regarding those talking points.

Commissioner Drysdale

The last question. Just before you came on, we listened to a video by Premier Ford. And I believe he said in that video that they would not go against any directives or information they got from the health officers. As a member of the caucus, do you recall being involved in any discussions where the caucus weighed the risks and benefits of the vaccine, the lockdowns, the mandates, et cetera? You would expect health officers to make a certain decision or a certain recommendation. And then you would expect the politicians to review the social, financial, economic implications of those, debate them, and then make a decision as to adopt them or to adopt modifications or not to adopt them at all. So were you involved in any of those risk–benefit conversations?

Rick Nicholls

Well, again, one of the things that I would challenge during caucus meetings was the efficacy of the vaccines. I challenged on several occasions the reasons: Why are we subjecting 12- to 17-year-olds with this vaccine? When we're seeing two things: first of all, younger people don't necessarily normally come down with COVID. And I would challenge them: Why are we doing it? What proof do we have that these vaccines are safe and effective? Where are the trials? And I would just get some answer that, as far as I was concerned, I wasn't satisfied with. And then when they also all of a sudden wanted to go down to the 5 to 11-year-olds—Oh boy. I'll tell you I questioned that and challenged the doctors in our in our caucus meetings. But, again, it would seemingly fall on deaf ears. It's the old story: Don't confuse me with facts, our mind is made up.

Commissioner Drysdale

Thank you very much for your service and your courage in coming and representing the people of your riding and the people of Ontario.

Rick Nicholls

Thank you, sir. I truly appreciate the kind comments. Thank you.

[00:29:24]

Final Review and Approval: Jodi Bruhn, August 16, 2023.

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