



## NATIONAL CITIZENS INQUIRY

Red Deer, AB

Day 1

April 26, 2023

### EVIDENCE

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**Witness 2: Catherine Christensen**

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[00:00:00]

**Leighton Grey**

Good morning, my name is Leighton Grey. I'm a lawyer here in Alberta, also licensed to practice in Alberta and Saskatchewan. I appear formally as an agent, as my friend Mr. Buckley indicated. It's my pleasure to be here. I'm going to have the opportunity to question the next witness.

It's a lawyer named Catherine Christensen. Just to set up her testimony, she is going to be giving evidence in a way of an expert, a legal expert. She is going to provide expert testimony concerning the impact of COVID-19 measures on Canadian military members, which is a group of Canadians that's probably not talked about enough in this context, especially those coerced into taking the vaccine as well as those who refused the vaccine.

And she's going to give evidence about the abuse of power that she's witnessed by the Chief of Defence Staff and the chain-of-command, which she will indicate, is shocking. So firstly, Ms. Christensen, welcome to the National Citizens Inquiry. Thank you for being here today.

**Catherine Christensen**

Thank you.

**Leighton Grey**

Okay. Could you firstly state your full name for the record?

**Catherine Christensen**

Certainly. It's Catherine Mary Christensen. C-A-T-H-E-R-I-N-E M-A-R-Y C-H-R-I-S-T-E-N-S-E-N.

**Leighton Grey**

Alright, are you prepared to swear an oath to tell the truth?

**Catherine Christensen**

Yes.

**Leighton Grey**

Okay. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

**Catherine Christensen**

I do.

**Leighton Grey**

Ms. Christensen, I understand that you are a lawyer with several years of representing military members and veterans, and that you have special knowledge, expert knowledge of the military policies, legal process, and procedures. In that capacity you've represented hundreds of military members and continue to do so, who are adversely affected by the ongoing mandate of the Canadian Armed Forces. Is that correct?

**Catherine Christensen**

That's correct.

**Leighton Grey**

You're also the founder of something called the Valour Legal Action Centre [Valour]. I know that you have a presentation that you're going to give, but just to set that up, I understand you've founded this Valour Legal Action Centre, which is a non-profit organization providing access to legal services for members and Veterans of the Canadian Armed Forces, is that right?

**Catherine Christensen**

That's correct.

**Leighton Grey**

And there's actually a board that's part of Valour, if we can call it Valour going forward, and the board accepted the challenge of representing military members facing threats and sanctions related to the COVID-19 mandate implemented by the Chief of Defence Staff in October of 2021. Is that correct?

**Catherine Christensen**

That's correct.

**Leighton Grey**

And this is kind of an interesting point and I think would be unknown to most people, and that is that members of the Canadian Armed Forces are actually prohibited from speaking negatively about the Canadian Armed Forces or about the chain-of-command and the Government of Canada.

**Catherine Christensen**

That is correct.

**Leighton Grey**

And so they're effectively censored or gagged from telling the Canadian public about what has happened and continues to happen within the ranks of the Canadian Armed Forces.

**Catherine Christensen**

That's correct. Fortunately, I'm not in the chain-of-command, so I can speak for them.

**Leighton Grey**

Right, and this is where you come in. So with that, I know that you have a presentation. Are you prepared to enter into that now?

**Catherine Christensen**

Yes, I am.

**Leighton Grey**

All right, please do so.

**Catherine Christensen**

First of all, I'd like to apologize to the commissioners because I know that my brief was about a thousand pages, so I apologize for the reading, but that's just the small tip of the iceberg, actually.

**Leighton Grey**

I read it too and there's no need for an apology.

**Catherine Christensen**

Thank you. Commissioners, thank you for the opportunity to appear on behalf of Canadian Armed Forces, military members and veterans that were affected by the COVID-19 policies brought in by the current Chief of Defence Staff, General Wayne Eyre.

A few housekeeping matters before I begin. My clients have signed releases allowing me to testify today. As I said, I'm not in the chain-of-command and the Code of Service Discipline does not apply to me, which is allowing me to speak on behalf of currently serving members and newly released veterans. The documents in support of my brief and my presentations today are all publicly available or were received through Access to Information and Privacy requests, and I currently represent almost 360 men and women who proudly wore the uniform of Canada. There are thousands more that my team and I have spoken to over the past two years.

I am a lawyer from St. Albert, Alberta. I was a registered nurse before I went to law school. In law school, while taking military law from two JAG [Judge Advocate General] officers,

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I identified that military members needed legal services, which recognized their unique circumstances and way of life. My professors encouraged me to pursue a legal career associated with the Canadian military, as I understood it so well for a civilian. Upon being called to the bar, I hung my own shingle and began my representation of members and veterans of the Canadian Armed Forces. I wouldn't trade my practice for any other clients. I'm honoured to stand with these men and women who have served and continue to serve Canada.

By the fall of 2021, I was keenly and personally aware of the pressure to vaccinate to keep a hard-won career. I also knew from years in our courts that any attempt to question vaccination policy was going to be a big challenge despite the court being our last bastion of democracy to hold government overreach to account.

In October 2021, I was approached by hundreds of Canadian Armed Forces members about the directive from the Chief of Defence Staff mandating the injections. I was fully prepared to tell them that it was likely to be an Afghanistan of fights. And then I began to be told the stories of what was happening in the ranks, of what commanding officers were doing to their own people. These members asked me to bring my skill set and knowledge to their fight, and I couldn't let them stand alone.

If there's one thing that the best of the Canadian military is known for, is taking on a tough fight while undermanned, under-gunned, and under-equipped. Telling this dedicated group that what needed to be done in the face of adversity was all they needed. We got organized, we created teams, we equipped for the legal skirmishes, and we prepped for small advances and setbacks.

The members and veterans who voiced concerns about a mandated COVID-19 vaccination program are an outstanding group of people. They're highly decorated, they're exceptionally trained and experienced, and they have a moral code that has withstood the ultimate test of "just following orders" mentality that was supposed to die after World War II. I would put my life into the hands of any one of them. They are the finest Canada has to offer, and they've been sacrificed on a political altar.

Our military members were used to set an example for the population of Canada for a one hundred per cent vaccination rate come hell or high water. Let's be clear: the directives from the Chief of Defence Staff were not about stopping the spread or mitigating risk to the ranks or operational effectiveness. The Chief of Defence Staff stated the purpose is to show, quote-leadership-unquote, to Canadians. That's not the purpose of our armed forces, nor should it be.

The two Chiefs of Defence Staff ahead of this current serving Chief of Defence Staff did not bring in a mandate. The documentation shows they were very aware it could not be done and no doubt understood the risks of a medical treatment decimating the entire Canadian military if something went wrong. Setting up these men and women to be guinea pigs for an experimental medical treatment and then hiding the damage from it would be a war crime if it was done to prisoners of war. It certainly was a war crime in World War II, yet General Eyre did it to his own people, and he thinks he's untouchable to answer for it.

A military with leaders who see themselves above the law is a dangerous thing. History teaches us that, and it's a lesson not to be forgotten. And this experiment has gone wrong. A weakened military already suffering from not enough people in the ranks then lost

thousands more to the mandate and likely thousands more to come who were permanently damaged from the injections. The count will only rise as time moves forward.

And what happens to those who followed the orders and took the injections and are now permanently disabled? Veterans Affairs Canada is telling them, “No, not service related.” Once again, veterans will face a procedural system that fails them and are forced to go to the court for deserved compensation. Is it any wonder that the Canadian Armed Forces has a significantly accelerated recruitment problem under the current leadership?

Why have the people of Canada not heard what the Canadian Armed Forces did to some of their best people in the name of COVID-19? As has been said, it’s because members of the Canadian Armed Forces are gagged from speaking out by their own Queen’s Regulations and Orders. The Armed Forces haven’t caught up to call them King’s Regulations and Orders yet. They can’t speak out, which made them the perfect population to control.

The Chief of Defence Staff has shown that

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he is willing to sacrifice the entire military and their families under his command for political gain. Indeed, he received a promotion immediately after the mandate was brought in. Vice-Admiral Topshee was promoted to Commander of the Navy after he forced a third booster mandate on the Royal Canadian Navy. These were political appointments for a job well done at the expense of the members they are expected to lead and whose well-being should be paramount for them to protect.

In Canada, it should be noted that we have an additional check for our military that no one even thinks about: Soldiers, sailors, and aircrew do not serve at the pleasure of the Prime Minister, in this case Justin Trudeau. He has no power over our military. They serve at the pleasure of the King of Canada. Technically, the King can turn the military on the government or the police. Keep in mind, the King has the power to dismiss the Prime Minister or dissolve Parliament through the Governor General. His Majesty is the last line of defence. To King Charles, I would say, “Your Canadian military is in deep distress, and your troops need you to intervene before it is too late for Canada.”

The Oath of Service upholds the mission of the Canadian Armed Forces. Quote-to defend our country, its interests and values while contributing to international peace and security-unquote, as well as assist in times of true emergency such as extensive flooding or forest fires. It is a myth that putting on a uniform for military service strips a member of all rights of a citizen and removes bodily autonomy. Members who understood they were still Canadian citizens with high legal protections were vilified by an ignorant and misinformed chain-of-command who pushed an agenda that all legal avenues are closed to the member when the oath is taken. This is categorically not true.

The Chief of Defence Staff under the *National Defence Act*, section 126, can order members of the Canadian Armed Forces to receive a vaccination. Yet General Eyre chose not to use this legislated power to implement the COVID-19 mandate. Instead, he issued Directive 1 in October 2021, which was poorly written and did not follow the Canadian Armed Forces’ own policies. Chaos ensued with implementation as each commanding officer put their own interpretation on what was to be done. Yes, you heard that correctly, the Chief of Defence Staff failed to produce a force-wide directive that could be acted on in one clear manner.

So then we had Directive 2, which addressed some blatant errors of Canadian Armed Forces policy in Directive 1. Still not clear enough, though, and we ended up with Directive 2 amended, which was issued.

Thrown into this mix was an *aide-mémoire* regarding remedial measures leading to what is called a 5F release, and then the Chaplain General's direction on religious accommodations trying to justify why nobody was going to get a religious accommodation, no matter how sincere their belief. Remedial measures or punishments were being handed out before accommodation requests could be applied for or granted. There was no intention to allow for religious or medical reasons to not take the injections. The right to refuse did not exist in the Canadian Armed Forces according to the chain-of-command.

By the time Directive 3 came out just over a year later in 2022, the carnage and inconsistencies were blatant. Make no mistake; Directive 3 did not remove the mandate from the Canadian Armed Forces. The mandate still exists, even as the rest of the world's militaries have been removing their mandates.

The chain-of-command can order troops into situations potentially fatal or have life-changing risks. That is without question. However, the presence of COVID-19 was not one of a deadly battle of bullets and missiles against an enemy on a battlefield. The members of the Canadian Armed Forces were at very low risk from the virus, as demonstrated, for example, by their service in high outbreak environments like nursing homes with zero Canadian Armed Forces fatalities. To date, there has been no COVID-19 death in the Canadian Armed Forces.

The true damage to the Canadian Armed Forces has come from the injections themselves, the consequences of an experimental gene therapy and the mandate. COVID-19 did not decimate the Canadian Armed Forces. The leadership did it from within.

What has been the cost of COVID-19 mandates on the Canadian Armed Forces?

[00:15:00]

I could quote you the statistics that the Government of Canada would like you to have. To say those are inaccurate is a diplomatic evasion from the reality. From a financial perspective, the cost to the Canadian taxpayer is estimated to be at least three billion dollars in lost training, experience, and expertise. Plus, there have been significant administrative costs to implement the mandate and its consequences.

The cost to members and their families add to the total. Years of service gone, benefits gone, pensions gone or reduced, injured members denied earned benefits of a medical release, denied unemployment insurance benefits, and blocked from some forms of employment due to the release category of 5F. The true cost in dollars may never be fully known.

Institutionally, the Canadian Armed Forces have lost people. Thousands of people are pouring out of the service since 2020, and they are not being replaced by new recruits. Where few recruits do join, who's left to train them? It isn't generals and admirals who train the ranks. It's the non-commissioned officers and the junior officers, and their ranks have been essentially wiped out. Some of the finest battle-experienced members were driven out of the Canadian Armed Forces when they need them the most.

The media has covered the gutted state of our military ranks where even the best sound bite from the defence officials cannot hide the sad state of our military.

How do I even begin to explain the human cost of COVID-19 mandates on the people and families of the Canadian Armed Forces? Do I talk about the young soldier made to stand in the bitter cold of a Canadian winter for three months while his fellow troops taunted him?

Do I talk about pregnant women in uniform, hounded in their homes and charged with AWOL after being hospitalized, even while the leadership had a policy to not vaccinate a pregnant member with any vaccine?

Do I talk about young, healthy people wanting nothing more than to serve their country being driven out and told they were morally weak and no better than alcoholics, drug addicts, rapists, and domestic violence abusers?

Do I talk about previously healthy men and women now facing medical emergencies and injuries that have left them disabled for life?

Do I talk about the member who was only weeks from a full pension after 35 years of service, including multiple deployments without a single blemish on her record, who lost it all while her husband was dying of cancer?

Do I talk about the shunning and ejection of some of our finest snipers and special operations soldiers that the Canadian Armed Forces was only too happy to brag about to the media a few years ago and now discard like yesterday's garbage?

Do I talk about the young women who have been sexually assaulted but stayed in uniform only to find senior leadership forcing them into yet another physical assault? To quote one of them, "Being forced to take this into my body by a superior officer was like being raped over a desk at basic training all over again."

Do I talk about the jeering taunts of non-commissioned officers bragging about coercing another member into taking the shot? "Got another one, boys."

Do I talk about chaplains who are punished for trying to speak up for the religious beliefs of their members? Do I talk about young mothers who desperately need their careers who are terrified that they have put their babies at risk just so they don't lose their place in the ranks?

Do I talk about the chaplain, now denied his role as a chaplain as punishment for standing up for his people, whose family in Poland were victims of the Nazis, and who could not stomach the coercion and forced experiments on unwilling bodies?

Do I talk about the doctors who asked how to report vaccine injuries and were ordered not to report or stay silent or to report the symptoms as something else other than a vaccine injury?

Do I talk about pilots, already isolated from their peers, who were denied attending the funeral of a close colleague after his suicide even though the funeral home had no restrictions in place?

Do I talk about members who have given 20, 25, 30, 35 years of their life to the Canadian Armed Forces and were denied a depart with dignity ceremony like their peers?

Do I talk about the commanding officer whose staff were told to leave a room if he entered it, thereby handcuffing his ability to lead?

And finally, do I talk about the vindictive postings now being handed out as punishment for those who somehow managed to avoid the purge?

[00:20:00]

The list goes on and their voices have been silenced until today. Canada needs to know that the men and women of the Canadian Armed Forces did not let Canada down. All they wanted was to serve in order to protect the freedom and rights the Canadians hold dear, and their predecessors fought for, in the past.

The blame lies in the current leadership of the Canadian Armed Forces, the Chief of Defence Staff, the Surgeon General, the Chaplain General, and the Judge Advocate General, who determined there was nothing wrong with offering the Canadian military up to a medical experiment with no value to operational readiness, and with a cost the members have only started to pay.

The members affected by the mandate tried to use the processes open to them. They have filed thousands of grievances that will all end up on the desk of the Chief of Defence Staff as the final authority. What are the chances of fairness when the one giving the order is the one who decides if it was reasonable or not?

The Ombudsman's office, which has no power to hold the chain-of-command to account, has refused to even speak to anyone concerning the mandate. There is a covenant between the chain-of-command and the members of the Canadian Armed Forces that those in command will look out for the well-being of those who serve under them. That if ordered to surrender their life, the member does so knowing that it was a just cause for the sacrifice. It is the foundation of trust necessary in any chain-of-command.

That trust is gone in the Canadian Armed Forces due to the actions of the senior leadership in reaction to COVID-19. When that trust is gone, there is no military. Canada sits defenceless. I can tell you about what has happened. I can relay their stories. But you should meet some of Canada's best, who are subject to the draconian political agenda of the Chief of Defence Staff.

I have a video that will introduce some of these who have stood up to the unlawful order and paid a heavy price. There are some images you will note are blurred to protect those still serving from a guaranteed retaliation, because there is no safe place for unvaccinated members within the ranks of the Canadian Armed Forces under the command of General Wayne Eyre.

**[Video] General Wayne Eyre [Exhibit number unavailable]**

At the heart of everything we do is our people. You are key to our operational effectiveness, and if we are to succeed as an organization, to be the Military Canada needs and deserves, every member of the Canadian Armed Forces and broader Defence Team must feel welcomed, supported, empowered and inspired to bring their very best to the table each and every day.



### **Catherine Christensen**

You have just heard the Chief of Defence Staff, General Wayne Eyre, stating that the Canadian Armed Forces are inclusive and progressive. Yet when members stood up for their religious rights, medical rights, and human rights, they were met with fury and derision from the chain-of-command.

### **[Video] General Wayne Eyre**

So I'm not going to talk specifics about this one case. What I will tell you, we have absolutely no time for those that do not hold the values of the Army and the Canadian Armed Forces and the values of Canada close to their heart. So the values of diversity, inclusion, respect for others, teamwork, that's who Canada is. That's who we are protecting. And those that do not embrace those values, those that do not protect those values have no place in this organization. So when we find out that there is a case, we act decisively. We don't act rashly because another one of our values is respect for the rule of law, and due process is part of that.

### **Catherine Christensen**

In October of 2021, the Canadian Armed Forces brought in compulsory COVID-19 injections. What followed was chaos, uncountable losses, and the decimation of what little morale there had been in the ranks. Despised by their own leadership, after exemplary careers voluntarily serving Canada, they have taken a stand and paid the price. Let me introduce you to the men and women the Chief of Defence Staff says are unsuitable for further service in the Canadian Armed Forces, the ones whose moral code said "no" to an unlawful order and continue to step up a fight for a free Canada.

### **Canadian Armed Forces member testimony read by Catherine Christensen**

My choice was taken away from me. I did not want to leave. I gave everything to the Military and made it my life and they threw me away like I was nothing when I gave everything.

[00:25:00]

I just had to get my second shot.

I feel abused and violated. I hope you can use me as an example of what they still do to people who complied. It doesn't stop the hatred.

### **Canadian Armed Forces member testimony read by Catherine Christensen**

My ECG [Electrocardiogram] looked normal, but I insisted on a cardiac MRI [Magnetic Resonance Imaging], which was able to confirm the myocarditis.

### **Canadian Armed Forces member testimony read by Catherine Christensen**

I was in an explosion at Comox and two days later, they were disciplining me for the COVID mandate. They didn't care that I had a fresh traumatic brain injury, and that I was still trying to comprehend what had happened.

### **Canadian Armed Forces member testimony read by Catherine Christensen**

There are men in uniform downstairs demanding I sign papers. My family is terrified. What do I do?

### **Canadian Armed Forces member testimony read by Catherine Christensen**

This upcoming meeting with the Lieutenant Colonel feels really threatening to me. Is there anything I need to be worried about or prepared for? I was terrified for my safety yesterday.

[00:30:00]

### **Canadian Armed Forces member testimony read by Catherine Christensen**

What I see more, are people who walk on eggshells who seem like they regret. They followed an order in haste and now feel the consequences of a broken trust.

### **Catherine Christensen**

I have asked military members and veterans what they would do to repair the damage in the Canadian Armed Forces. I received pages of ideas from non-commissioned members and officer ranks: really productive, positive ideas because there was no fear of consequences for speaking up. It is unfortunate that there is so little faith and trust in their own chain-of-command that the Chief of Defence Staff cannot do the same. For the purposes of this inquiry, here are their top changes.

Bring in an Office of the Inspector General. Grievances and remedial measures move to this office outside of the chain-of-command, which has shown their willingness to abuse authority during COVID-19. Set up explicit and hard timelines for each stage of the grievance process with penalties for chains of command that do not adhere to them. Currently, as a note, it can take anywhere from four to ten years for a grievance system to get a final decision before we can have it sent for judicial review.

The Inspector General would have the power to investigate and lay charges of any rank, including the Chief of Defence Staff. The Inspector General's authority over the Chief of Defence Staff would remain if there was proven wrongdoing. This precedent has already been set with the revamping of the current military justice system.

The second suggestion is to strengthen whistleblower legislation. Under the Canadian Armed Forces disclosure process, the Chief of Defence Staff has designated the Chief Review Services as the proper authority for purposes under the Queen's Regulations and Orders. But who is the proper authority if the Chief of Defence Staff is the one behind the wrongdoing?

Third: Comprehensive health care for all Canadian Armed Forces members regardless of the component or subcomponent and class of service for life, with the ability to have full access to outside specialists for the care of vaccine injury.

Number four: The members I've spoken to want an apology. They want an apology from the Government of Canada. They want an apology from the Chief of Defence Staff. They want one from the Surgeon General, Chaplain General, the Judge Advocate General, and every commanding officer, and regimental sergeant major who pushed the mandate.

Fifth: Mandatory injury or illness reporting, tracking, and investigation with explicit timelines, with serious penalties for chains of command that neglect the required steps.

Sixth: Mandatory training for all commanding officers prior to assuming command. They should be able to review and test policy knowledge from the *National Defence Act* through all of the necessary policy, various administrative and health services instructions. They

should have instruction on procedural fairness, they should have instruction on safety and risk management, and there should be a transparency of directions and commands.

[00:35:00]

Back-channel orders shall be deemed to be unlawful. For example, accommodations were supposedly offered, but in reality, they were denying them all.

Seven: Review the *National Defence Act* and remove section 126. It's too vague and not used when it should be. It is bad law. Canadian Armed Forces members and Veterans should not have to sue to have bad law removed.

Eight: Revise the Chaplain Service. Chaplain Service badly failed members of faith. Each religion should answer to its own while respecting the long-standing duty to help all members as best they can be achieved under emergency or battlefield circumstances.

Nine: Implement a robust safety officer cadre at every level within the Canadian Armed Forces.

In conclusion, to paraphrase Robert Kennedy Jr., "Why do I choose to fight for those nobody else wants to?" Because that's who needs fighting for—the members and veterans of the Canadian Armed Forces who love what they did in service to Canada—deserve no less than to be heard. Thank you. This concludes my presentation. I'm now prepared to take questions.

**Leighton Grey**

Thank you, Ms. Christensen. That is a shocking and compelling and simultaneously heart-wrenching and heart-warming presentation. I thank you for providing that. I understand that you're prepared to have your presentation and the other exhibits entered in this proceeding?

**Catherine Christensen**

Yes.

**Leighton Grey**

Thank you for that. I have one arising question before I hand you over to the panel, I'm sure are eager to ask you some questions. I have the pleasure of representing many Canadians who, although not in the armed forces, were subjected to vaccine mandates through the operation of federal orders. And of course, they have this in common with the members whom you represent.

It was very clear in that case that there was a directing mind in Ottawa behind, for example, the Minister of Transport order, which required everyone who is in the public service in those industries to be vaccinated. You mentioned at the outset of your presentation this historical, and legal, and, indeed, constitutional line of distinction between the Prime Minister and his cabinet and direction of the Armed Forces. However, based upon what you've learned, based upon what we've seen in your presentation, do you have reason to believe, to suspect, or indeed to conclude that there is a political direct in mind? In other words, that this vaccine mandate is actually coming from the same source as, for example,

the Ministry of Transport order or the other federal such orders directing other people in the public service, the Federal Public Service to be vaccinated?

**Catherine Christensen**

Yes, I do. I have no doubt in my mind that this came from the Prime Minister's office. Part of the evidence or the support to that belief is that we seem to have a real trend where General Vance was Chief of Defence Staff when vaccines first emerged. He didn't bring in a mandate, and as you recall, he was removed under the cloud of a sexual misconduct allegation.

Admiral McDonald then took his place. Within a few weeks, he was under a cloud of suspicion for sexual misconduct—because I've seen his briefing note, and it clearly states that he could not bring in a mandate.

General Fortin was in charge of vaccine rollout in Canada. I suspect that he also said you couldn't bring out a mandate, which through the sworn testimony from the Peckford hearings, the Prime Minister's office was clear that this was coming from the Prime Minister, who was angry at being heckled and demanded that a mandate be brought in. That's sworn testimony from his Office. So then we get General Fortin accused of sexual misconduct.

We then have General Eyre come in as Acting CDS [Chief of Defence Staff] at the time. He is given a briefing note from General Cadieux that you can't do this, basically, and General Cadieux is then accused of sexual misconduct.

There's a real pattern there. And then he brings in the vaccine mandate; he goes from being Acting Chief of Defence Staff to full Chief of Defence Staff and gets a promotion that I see as a reward for being obedient to higher powers.

[00:40:00]

**Leighton Grey**

So that answer sort of flies in the face of what the Prime Minister said publicly yesterday, that he never forced anyone to be vaccinated.

**Catherine Christensen**

Yeah, well, then he shouldn't have had his office provide emails in sworn affidavits to Mr. Wilson, who represented Brian Peckford and parties in that lawsuit, because that is filed evidence with the federal court that indeed, it was a direction from the Prime Minister's office, and then they were struggling to justify bringing in a mandate.

**Leighton Grey**

Thank you, before I hand you over to the panel, the last thing I'm going to do is I want to share a quotation that was part of your presentation to the panel from our late Majesty Queen Elizabeth II, who said that "No institution should expect to be free from the scrutiny of those who give it their loyalty and support, not to mention those who don't."

Thank you. So I'll hand you now over to the panel, I'm sure they have questions, who would like to go first? Go ahead.

**Commissioner Massie**

Well, thank you for your testimony. And I must say I'm not very familiar with all of the administration of the army and so on. So I got a little confused about who's in charge in the end because you mentioned that it's not the Prime Minister— What I understand from the States is the President is the Chief of the Army, so he can call—

**Catherine Christensen**

Mm-hmm.

**Commissioner Massie**

He can send the order. In our system, it's not the Prime Minister, it's the Governor or the King or the Queen. But in reality, if I understand how it would work based on incentive, the army gets the budget from the government, right?

**Catherine Christensen**

Yes.

**Commissioner Massie**

So there is a potential at least to incentivize people in the chain-of-command to follow what the government seems to want.

**Catherine Christensen**

Correct. By the time you're getting to the level of that senior command where you've got Chief of Defence Staff, Commander of the Army, Commander of the Navy, and Commander of the Air Force, we're talking about politicians at that level. They may wear a uniform but they're politicians, and the Department of National Defence does have influence with the politicians that these officers are. And so I suspect that there are lots of meetings that go on between either the Assistant Deputy Minister or the Minister herself between these senior levels. And whether they comply or not is kind of up to them because the Commander in Chief of the Canadian Armed Forces ultimately is the King.

**Commissioner Massie**

So it's independent from the government to some extent.

**Catherine Christensen**

Yes, and this is why public service mandates or any kind of public service policies are not applicable to the Canadian Armed Forces. Members of the Canadian Armed Forces do not actually have what we would understand to be a contract of employment with the government. They serve at the grace of His Majesty the King, which is why they are actually completely independent, and they have a completely different applicable legal system that applies to them as well as the general legal system for a Canadian citizen. So they've got two systems working from a legal perspective.

**Commissioner Massie**

So are you aware of other situations in history where vaccines were mandated for the military forces?

**Catherine Christensen**

So they did bring in, when it was still, what they were told was voluntary— The only vaccine they were giving them was Moderna.

**Commissioner Massie**

I'm talking about previous vaccine.

**Catherine Christensen**

Previous vaccine? Yes. So under section 126 of the *National Defence Act*, they can indeed order the members to have a vaccine, the caveat being that if they do not take the vaccine and they have a reason not to take it, they would be charged under section 126. They would go to court martial and then an independent decision maker, a judge, would then decide if they had a reasonable excuse not to take the vaccine. This time, they didn't use section 126. I believe they didn't do it because I don't think that someone with a sincere religious belief that wanted an accommodation, I think they would have been successful challenging that in a courtroom, and they couldn't risk having success in a courtroom turning down their mandate. So instead they circumvented that whole court martial legal system of failing to— They quoted, chains the command have said to people "You're not following a lawful order."

[00:45:00]

But a directive is not an order. And how I best explain this is an order is "take that hill"; a directive is "this is how we're going to take the hill". So in a sense, they were never ordered to have a mandate, even though that's how the chain-of-command interpreted that directive, that this is an order, and you must follow. That's to be determined in a court.

**Commissioner Massie**

There was no coercion per se, only incentive?

**Catherine Christensen**

Well, I would like to say that there was no coercion, but there was coercion, definitely.

**Commissioner Massie**

My other question has to do— We've heard from other experts in the commission that it's very difficult to assess the actual level of vaccine injury in the population because the system doesn't seem to be able to do a proper monitoring. There's all kinds of obstacles. I guess that in the Armed Forces they must have had a reasonably good medical system in place that would track the health of the people. So they gathered data that would allow to follow untypical issues with the health that could actually eventually be linked to a vaccine injury.

**Catherine Christensen**

You would like to think that. First of all, the medical system is another system that needs revision in the Canadian Armed Forces. However, I have military doctors who provide sworn evidence that they were told not to report vaccine injuries, or if they asked how, they were told, “just be quiet.” They were told to diagnose them as other things, such as Guillain-Barré syndrome. When young men were collapsing in the shower after injections: “Oh, you’ve got Guillain-Barré syndrome, we’ll release you on a medical release,” if they were vaccine-injured.

It would have been an ideal group, and I think they did not track them on purpose, because they would have very quickly shown what was happening to an eighteen to forty-five group that were the most affected by vaccine injuries. That showed up really quickly.

The official statistics right now being issued for vaccine injuries in the Canadian Armed Forces, I can tell you I have more people in my files with vaccine injuries than are officially listed as vaccine-injured. The other thing I can tell you is that the best comparison I can make is to the population of the United States military. They seem to have had more recording of vaccine injuries. There was a base surgeon in Alabama who completely grounded all of her pilots because they were dropping dead in the sky from being vaccinated.

**Commissioner Massie**

So are we aware of any instances in the Armed Forces where people were actually killed by the virus following vaccination?

**Catherine Christensen**

I’m waiting for some of that information. I know of healthy young men who died in their sleep, but they are not releasing the autopsy results.

**Commissioner Massie**

So is there a chance with the current level of data gathering that we could actually in the future investigate what happened and find out exactly what was the extent of the issues?

**Catherine Christensen**

I believe so. Only in the last few weeks have I gotten someone to have doctors confirm that they were even vaccine-injured and put that in writing, who is a member of the Armed Forces. That was the first time in three years.

**Commissioner Massie**

Do you think that the level of vaccine injury in the Armed Forces was similar to the general population, more, less?

**Catherine Christensen**

I think it was more because of the age group that we’re dealing with, of Canadian Armed Forces, that the vaccine injuries are high in that age group.

### **Commissioner Massie**

Thank you.

### **Commissioner Drysdale**

Good morning and thank you for your testimony. Over the course of the committee hearings, one of the themes that I've been hearing over and over and over again is that the fundamental tenets, the fundamental beliefs of our society have been attacked, and I'll give you some examples from previous witnesses.

In the medical profession, we seem to have abandoned the tenet of informed consent. In other words, they didn't tell their patients prior to having them take an injection what the consequences might be. Also in the medical profession, the sanctity of the doctor-patient relationship has been attacked because the Government has stepped between the two,

[00:50:00]

and the doctors are no longer able to, or directed not to, report injuries, to discuss honestly with their patients what their side effects were.

We see the same thing in our justice system where the equality, in my understanding the very basic understanding in our justice system is that there's equality under the law. So in other words, whether you're Ken Drysdale or the government, you have equal standing before the courts, and they're supposed to rule equally.

Now what I think you've described here is also a basic attack on the fundamental footings of our military, and that is that the members must trust the commanding officers because if you have mistrust between the members and the commanding officers, why would they follow an order? Can you comment on that or other observations with regard to the fundamental tenets in our society that you may have seen?

### **Catherine Christensen**

Yeah, I absolutely agree with you that once that trust is broken, you can't have a military. Because what I'm hearing from the ranks is that, "We don't trust them anymore. They weren't looking out for us, they didn't stand up for us when they should have."

And even the ones who tried to protect members as best they could, didn't in the end. And there was an encouragement to humiliate, abuse people who didn't necessarily want to comply. And then at the same time, we get Directive 3 comes out last fall. And anyone who didn't manage to be released under the first directives was told to come back to work. And if I told you that they entered unfriendly territory by not having the vaccine but still being allowed to come back to work, there was a lot of resentment there.

Because there were so many members of the Canadian Armed Forces who opted to take the vaccine because they needed their job or they were close to a pension. Or they couldn't get promoted, they couldn't deploy. So now those people who complied have even less trust in the chain-of-command because why should they— "Now why should I follow an order? Because now they've allowed people to come back who you say didn't follow an order." It's a mess. When I say chaos, I mean there was chaos.

On the informed consent issue, that is a near and dear issue to my heart, having been a registered nurse for 22 years before I went to law school. I have dealt with angry surgeons



being called out to redo teaching with a patient before they would sign a consent for surgery because the patient told me they didn't quite know what was going on. And when I went to law school, I did independent legal research in informed consent. So I can tell you that there is no such thing as informed consent in this entire COVID-19 episode. There is not a single definition, legal, medical, moral, otherwise, that said anybody truly had informed consent.

And I think the more and more documentation that's being revealed by the pharmaceutical companies reinforces that they knew things that they didn't tell people. The general consensus for me is, as a lawyer I was horrified by what happened during the COVID-19 years. I was always taught that bodily autonomy was sacrosanct—as was described this morning—that people had the right to say that they wouldn't do anything medically unless they wanted to, that they had a right to be fully informed of what was happening. And there was none of that. We did lose our rights.

And my own profession of law, which is supposed to be the ones that stand up and say, "Hold on a minute. We have a constitution. You cannot do this." I know when I tried for an injunction that I was beating my head against the wall, we were basically told, "Well go use the grievance process." Sure, we'll use the grievance process. And in 10 years, when the Chief of Defence Staff who made the order decides that he made a good order, then we can go to the court.

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But the other thing was that the stories that I heard from members who approached me in October 2021 had actually gone to some other lawyers, a few of them. They were told, "Don't call my office again. Don't come near my office." They wanted nothing to do with them. And as a lawyer I can tell you that there are cases that I may not want to take. And there are diplomatic ways of saying you're not going to take the case: I don't practice that kind of law. My practice is too busy. You don't have to turn people away in a way that makes them sound like they're criminals or lesser citizens. So I was highly offended for my own profession that that was the response people were getting.

They were asking fair questions. They were asking for legal advice. Whether you gave them positive or negative advice isn't the point. The point is you won't even talk to these people. You won't even let them in your office. Yeah, so I was very disappointed in my own profession for turning people away who wanted to challenge it.

Our American friends are much better at challenging their government. They've had about 200 years more practice, and they just keep challenging. Even when things go wrong in the court, they just bring another case. And they just keep going.

And I think Canadian lawyers need to wake up and start sticking up for this Constitution. I took constitutional law for a year. I never imagined I was going to have to use constitutional law in what I was doing. But thank goodness I did. And I had a great professor because all of a sudden, all those cases and the concepts of our Constitution are very, very important.

### **Commissioner Drysdale**

If I understand you and your testimony earlier, you said that the Canadian Armed Forces brought in the mandates in October was it, of 2021?

**Catherine Christensen**

Yes.

**Commissioner Drysdale**

So that's two years ago. Do you have any idea how many members have either quit, been thrown out, retired early, or in any other way been removed from operational ranks?

**Catherine Christensen**

I can tell you my best guess, just from how many have talked to me or I've heard through the grapevine— There's a very good chain of communication in the Armed Forces and veterans community. I would estimate anywhere between three thousand and five thousand people were lost, and when you've got a military as small as ours, we're talking a huge hit. If you were a business and you lost ten to fifteen per cent of your people in one fell swoop, you'd be out of business and truthfully, in my opinion, the Canadian military right now is out of business. We couldn't mount a defence of our own country, let alone send people to NATO-involved [North Atlantic Treaty Organization] conflict right now.

**Commissioner Drysdale**

Well, I want to try to put that in perspective from my own understanding. So you believe that the numbers were somewhere between three and four thousand members, which is about 10 per cent of the operational force. Do you have any idea how many people we lost out of operational readiness when we participated in the Afghanistan war for 20 years?

**Catherine Christensen**

I believe it was 53 deaths in Afghanistan.

**Commissioner Drysdale**

So let me understand that. So after 20 years or so of military operations in Afghanistan against an identified foreign enemy, we lost 60 or so, 57 people in 20 years. And then we self-inflicted three to four thousand essentially operational casualties to our military ourselves.

**Catherine Christensen**

Yes. Yeah, we decimated our military with this. We are already undermanned badly. We should have close to a 100 thousand regular force and reserve force people. That's about the size of the military that Canada says that it needs. And from speaking to sources, we're down to about 40 thousand people right now.

**Commissioner Drysdale**

So our self-inflicted damage to our Canadian Armed Forces was more than Afghanistan.

**Catherine Christensen**

Way more: thousands more.

**Commissioner Drysdale**

I can't imagine you know this answer: How far back in our military past do we have to go before we find a comparable hit on our Canadian Armed Forces operational personnel?

**Catherine Christensen**

At a guess, World War II.

[01:00:00]

**Commissioner Drysdale**

What civilian or judicial overview is there of these command decisions?

**Catherine Christensen**

Well, we can go into the Federal Court and challenge— Sometimes we can do what's called a judicial review, or we can actually bring a claim. Interestingly enough, I was in Federal Court in February, not on a matter related to the vaccine mandate, but I had the Crown stand up and say to the Justice, "In Military matters, the court has no jurisdiction over the Chief of Defence Staff." The look on the Justice's face was priceless to me because our rule of law, which you heard the Chief of Defence Staff saying he follows the rule of law, means no one is outside the law. Certainly, even our King is under rule of law, and for the Crown to have this position that anything the Chief of Defence Staff is—he doesn't have to answer to our courts for—is something that I look forward to challenging.

**Commissioner Drysdale**

Can you make a brief comment about the availability of justice to the regular Canadian when it comes to these organizations? And I want to talk a little bit about or I'm going to preface that with, I read a report recently that the RCMP [Royal Canadian Mounted Police] were involved in an action, I think it was over 10 years ago, and that the commission investigating it finally came out with recommendations and essentially, the RCMP said "nope" to all of the recommendations.

And when I look at the civil courts in Canada, for instance, if your employer forced a mandate on an individual, the ability for that individual to access justice is almost impossible given the financial realities and the time periods. Have you got any suggestions for us on that?

**Catherine Christensen**

Well, the access to justice issue is huge, and especially if you're going to take on the Government of Canada, because one of their favourite strategies is to run you out of money. Over the years, because my practice has been military and veteran, I have seen things that are very concerning about the Canadian Armed Forces, but usually it was one or two people. And when it's one or two people, it can be written off as bad apples or people with issues.

But when I had hundreds of people come to me in October 2021 with this going on that was like wait a minute, they've got to pay attention now. And I happened to have listened to an American lawyer who did constitutional and government challenges all the time. And I had written to him and said, "How do you fund this? Like how do you constantly take on the

government and being able to have the staff and the people that you need to do it?" And he said, "Non-profit."

And this is why I created Valour Legal Action Centre, and we run on donations, and this is so that these people can bring these challenges forward because there's a long road to go.

Holding another commission, we've had a commission on the sexual misconduct issue. We've had a commission on the grievance system; it's four inches thick. I believe it was in my brief with four hundred and some pages Justice Fish did, said the grievance system is completely broken.

I honestly think that we need to use the American model of an Inspector General that goes outside of the chain-of-command and allows for more answers from people. And it would also allow challenges to some of these commands or some of these policies without requiring people to come up with half a million dollars to challenge the government.

**Commissioner Drysdale**

My last question: There's a popular saying that an army runs on its stomach. I don't believe that.

**Catherine Christensen**

Well, this Army doesn't because apparently, they're not feeding their troops.

**Commissioner Drysdale**

Well, what I believe is that, in my experience, and I've had fairly extensive experience with the Canadian Armed Forces, the Canadian Armed Forces runs on honour. It runs on a belief in the higher purpose, and it runs on the trust in the chain-of-command. We've talked— You and I have talked together about the 3,000 to 4,000 essentially casualties from the Canadian Armed Forces due to these mandates. Can you talk a little bit about the effect that these mandates have had on these basic fundamentals of honour, higher purpose,

[01:05:00]

and trust in command?

**Catherine Christensen**

I agree with you on the honour, and this is why I did say that I would trust my life with any one of these people. I know I'm sitting here with a big green wall behind me of people who are so happy that we're able to talk about this.

Without question, we lost the cream of the crop of the Canadian Armed Forces with this mandate. These were the people who are willing to stand up and say, "This is not a lawful order. You cannot do this and I'm not going to follow this order."

We used to have in the military what was called a strategic corporal, and Canada is well known and throughout the world for having the people on the ground who could think for themselves and think ways out of situations, and quite often with a good outcome. The Americans can tend to have a reputation for "shoot first and ask questions later." Our

military did not have that reputation. They could be in a firefight with a group one minute and the next minute act as peacekeepers and move on.

There was a reason the people of Afghanistan didn't want the Canadians to leave: because the reputation of our troops. So I would say morale was already bad. I already knew from talking to so many people because I only do military, so I get lots of information from all kinds of sources all the time. I already knew morale was bad and then this happened, and it's pretty much destroyed.

It almost is to the point where we need to start over because people don't trust orders anymore. People see the command as being against them. Like, "If I step out of line, I'm going to be gone." And the fact that they chose to use what's called a 5F, I've referred to that. That's a release category that was only made honourable not so long ago. There were lots of people serving that remember 5F as a dishonourable discharge. It has implications. You can't have a job in the public service if you've been released 5F. If you decide you want to go back in you can't get in unless the Chief of Defence Staff allows you in if you've had a 5F.

What are the chances Wayne Eyre's going to let people who were 5F back in? It's not going to happen. So the fact that they chose that one, when they could have chosen a medical release, or didn't fit the requirements of service because you weren't vaccinated, completely different categories, completely different connotations to it. And there were people who "voluntarily" released to avoid that 5F stigma that was going to be handed down to them.

**Commissioner Drysdale**

Thank you very much.

**Catherine Christensen**

You're welcome.

**Commissioner Kaikkonen**

Good morning.

**Catherine Christensen**

Good morning.

**Commissioner Kaikkonen**

When you refer to the fairness among federal institutions, are you aware of any examples whereby a Veterans Affairs employee coming to the end of their career lost their personal pension because of a personal and autonomous decision to be vaxxed?

**Catherine Christensen**

So do I know of anyone, a veteran who lost—

**Commissioner Kaikkonen**

A Veterans Affairs employee.

**Catherine Christensen**

No, I'm not aware of anyone in Veterans Affairs. In fact, it's looking like— Because Veterans Affairs is refusing to cover vaccine injury as a service-related injury, that has to then go through a system of the veteran applies, they're denied, it goes to an appeal, and if that's denied, then they can come to me. And within two years, we can bring it to the Federal Court for judicial review.

The reality is that the judicial reviews tend to go in the government's favour, but in my opinion, if they took Moderna as ordered, that's a service-related injury and there should be no question that they're covered for life, for any medical care that they need.

**Commissioner Kaikkonen**

And my second question, it is my understanding that both religious and medical accommodation are tenets of our democracy. So given your testimony and testimony of others prior to you, where do we stand now? Or is this just another example of the duty to accommodate being trampled by our federal government, in the Charter?

**Catherine Christensen**

I believe the duty to accommodate was trampled. Certainly, the case law coming out of the Supreme Court of Canada was completely ignored about accommodations.

[01:10:00]

There has been some suggestion that anyone with the rank of colonel and above was allowed an accommodation.

The public service employees had high percentages of accommodations granted. There are hardly any accommodations in the Canadian Armed Forces. In fact, it was rare, and it usually happened within those first few weeks of the mandate coming in, and then they were done.

I have lots of people who, in sworn affidavits, will say that their chaplains said, "Yes, their religion was sincere, they were sincere in their belief and should be accommodated," only to be turned down by the chain-of-command and said, "No, we're not going to accommodate you." That happened to a Catholic priest who was a chaplain. He was told his belief wasn't sincere enough to get a religious accommodation. Now if a chaplain who is a priest who is in uniform isn't an example of someone with sincere religious belief, nobody was going to get an accommodation, in that case.

**Commissioner Kaikkonen**

And my final question has to do with educating the public on the responsibilities and duties of the head of state. So as I understand it, the King, soon-to-be King, has the right to dissolve Parliament and to dismiss the PM [Prime Minister].

But how can this be done when the Governor General, for example, is appointed by the PM, albeit I believe through a nomination process, but ultimately the final decision rests with the PM? How do we change that?

**Catherine Christensen**

That's a good question. Honestly, our Governor General does need to become more politically independent because they are the last result of the legislative branch because laws don't become laws in Canada until the Governor General signs on behalf of the King.

To show how politicized that office has become: when one Governor General was dismissed rather quickly because she had abused her staff, the temporary Governor General they brought in was the Chief Justice of the Supreme Court. So for several months, Canada had the Chief Justice of the Supreme Court of Canada in charge of our judicial branch was also in charge of our legislative branch, and nobody said anything. And I'm going "What? This can't happen. How did this happen?" But it was a political appointment obviously.

So do I think our judicial branch also needs revamping? Yes. I do agree that we don't have a justice system. We have a legal system, and it does need to be held to account. I was very pleased to hear the justice of Manitoba saying that he was disappointed in his fellows of the judiciary that did not step up and say, "Hold on, we don't follow judicial notice just because the Government says it was true."

So that's a good question. How do we remove the Governor General's position from being political? Do we have a King that could do that? I don't know, because he has the power to refuse the recommendation for who's going to be Governor General and say, "No, that person cannot be Governor General, it's going to be this person." I mean, at one time, the monarch would usually have a son-in-law or a son would be appointed Governor General rather than a political suggestion.

**Commissioner Kaikkonen**

Thank you very much.

**Catherine Christensen**

You're welcome.

**Commissioner DiGregorio**

Good morning and thank you so much for being here today. I've heard both yourself and Mr. Grey earlier this morning, speak about this rule where service members are unable to criticize the chain-of-command or the armed services. And I'm just wondering, what's the source of that rule, what are your thoughts on that, and whether you have any recommendations on whether there need to be any particular exceptions to it or whether it is a good rule to have in place.

**Catherine Christensen**

Do I think it's a good rule? No, because I think it's been abused. This is where the suggestion came from to improve whistleblower legislation. I think that would help people feel protected to bring forward issues that should be brought forward. The problem is, if the issues brought forward is anyone going to do anything about it? Because that's a

chronic problem and not just in the Military. But it is part of their Code of Service discipline, *National Defence Act*, where you cannot, as a serving member, speak out against the Government,

[01:15:00]

or the Canadian Armed Forces themselves.

I have had someone who is a client of mine, posted an interview that I did without comment, good or bad, on a social media site. And they threatened to charge him with a service offence for speaking negatively about the Canadian Armed Forces, even though the opinion was mine, and he didn't say good or bad about it.

That's the vindictiveness that is in the chain-of-command right now to come after people. I'm sure they'll be watching to see if anyone posts my testimony today as part of that I would call a witch-hunt.

**Commissioner DiGregorio**

Is it applicable only when they are members of the service? What about after they've been discharged?

**Catherine Christensen**

When they're a veteran, they are allowed to speak out, and you're getting more and more veterans speaking out. Certainly, Veterans for Freedom is becoming more vocal since the Convoy and starting to voice opinions, so that's hopeful as well.

The challenge can be that if they don't know what's currently going on, if they happen to lose touch with people who are serving. But the other reality is that right now, the only chance they have of challenging anything is to hire lawyers, and lawyers are expensive. Trying to challenge something in a court is an expensive enterprise. Even if the lawyers do it pro bono there's still a lot of costs involved. If it wasn't policy that was closing their mouths, cost would be a factor as well.

**Commissioner DiGregorio**

Thank you.

**Leighton Grey**

Listen, I want to thank you for your passionate advocacy on behalf of members of our Canadian military. As a colleague I have to say I share your lament about the lack of response from members of our profession, but I know they're very grateful, all of them who've heard this, not the least of whom is a very distinguished retired colonel who's here today, and he's going to testify later in this proceeding. Thank you very much for your testimony.

**Catherine Christensen**

Thank you for giving me the opportunity and thank you from the members and veterans that are silently all standing behind me.



[01:17:45]

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