



NATIONAL CITIZENS INQUIRY

Winnipeg, MB

Day 2

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EVIDENCE

Witness 14: Shelley Overwater

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[00:00:00]

Alexander MacKenzie

Again, for the record, my name is Alexander MacKenzie. Shelley, would you give your full name to the Commission and spell it, please?

Shelley Overwater

Hi, I'm Shelley L. Overwater. It's S-H-E-L-L-E-Y. And then Overwater, just like it sounds.

Alexander MacKenzie

And, Shelley, do you swear that the evidence you will give to this Commission will be the truth, the whole truth, and nothing but the truth?

Shelley Overwater

Yes, I do.

Alexander MacKenzie

Thank you. Shelley, you reside in Morden, Manitoba. Is that correct?

Shelley Overwater

Yes, I do.

Alexander MacKenzie

And that is quite close to where your parents live.

Shelley Overwater

Yes. They lived about a block and a half from me, originally. Now my mom lives just down the street.

Alexander MacKenzie

Right. Your father is now deceased.

Shelley Overwater

Yes, he is.

Alexander MacKenzie

And you, you are a practising lawyer, yourself.

Shelley Overwater

Yes, I am.

Alexander MacKenzie

Getting your call in 2011.

Shelley Overwater

Yes, I did.

Alexander MacKenzie

And you practise now in Winkler

Shelley Overwater

Yes, I do.

Alexander MacKenzie

with one associate lawyer you met while practising at a firm that had a branch office in Morden and Winkler, but they are now closed.

Shelley Overwater

Well, the Winkler office is closed. They still have the other branches.

Alexander MacKenzie

Right. Thank you. And you yourself received vaccine in July of 2021?

Shelley Overwater

I think that was the second one, I believe. Me, my husband, my daughter, and my mom all got two each because we thought we were going to get to go to the U.S. for July long

weekend. And they weren't mandatory at that point. We didn't even think; we trusted that vaccines were safe, so we went and got them.

Alexander MacKenzie

And you had some special concerns about your daughter, Katie, is that right?

Shelley Overwater

Well, we found out after the second shot, which was, by the way, Moderna— Katie has epilepsy. My daughter has had epilepsy her whole life, pretty much. Anyways, that night she broke out in such a terrible fever, high fever, that of course she seized through. When I talked to the pharmacist who hadn't mentioned anything about it causing fever, I said, "You should let people with seizure disorders or epilepsy know that these shots could do this." So she said, "Oh, yes. I'll make sure of that." And then she phoned Manitoba Health. Then they phoned my daughter and said that she couldn't have a licence because of the seizures, right? So she basically did nothing except cause Katie some grief.

Alexander MacKenzie

So because she got the shot, she lost her learner's [licence].

Shelley Overwater

Well, she had a learner's at that point. But yeah, she only had it— Because of the epilepsy, she wasn't allowed to drive till she was older anyways. But that probably ensured she won't be driving.

Alexander MacKenzie

Okay. Now, you've been involved yourself in a number of the anti-mandate citizen initiatives that the Commission has heard about. Is that correct?

Shelley Overwater

Yes. That's correct.

Alexander MacKenzie

You were involved in the slow-rolls on Highway 75, and you joined the convoy from Portage to Steinbach, that is the Truckers' Convoy.

Shelley Overwater

Yes. I did.

Alexander MacKenzie

And you have done some pro bono legal work at the Emerson blockade.

Shelley Overwater

Yes. I spoke for them initially to the— The RCMP had special negotiators come out.

Alexander MacKenzie

And you spoke to them on behalf of the Emerson people.

Shelley Overwater

Yes, yes. I did

Alexander MacKenzie

And we may get time for you to discuss any questions the commissioners may have on those things. But we'll move along from them.

Shelley Overwater

No problem.

Alexander MacKenzie

Now, in addition, you represent a number of accused for charges for fines relating to COVID mandate breaches.

Shelley Overwater

Yes, I sure do.

Alexander MacKenzie

Those are both federal and provincial acts.

Shelley Overwater

Yes, they are.

Alexander MacKenzie

You're also representing parties in a number of litigations: some in the Manitoba Provincial Judges Court; one in the Manitoba King's Bench Court; and another one in the Ontario Supreme Court. Is that correct?

Shelley Overwater

Two in Ontario, now.

Alexander MacKenzie

Two in Ontario.

Shelley Overwater

Yes.

Alexander MacKenzie

Things change.

Shelley Overwater

Yeah.

Alexander MacKenzie

Now, COVID mandates have also affected you personally.

[00:05:00]

Is that correct?

Shelley Overwater

Yes.

Alexander MacKenzie

And you want to inform the Commission about several matters. In fact, one relating to your father.

Shelley Overwater

Yes.

Alexander MacKenzie

One relating to your own medical care.

Shelley Overwater

Yes.

Alexander MacKenzie

And one relating to your employment.

Shelley Overwater

Yes.

Alexander MacKenzie

Well, starting with your dad. Your dad's name was Patrick Rice. Is that correct?

Shelley Overwater

That's correct, Patrick Rice, yes.

Alexander MacKenzie

At the beginning of COVID, he was 89 years old, was he?

Shelley Overwater

Well, he was 89 and a half when he died.

Alexander MacKenzie

Okay. And when did he die, Shelley?

Shelley Overwater

He died December 19th, 2020.

Alexander MacKenzie

Can you tell us what his physical condition was?

Shelley Overwater

He was in excellent health. He didn't even need glasses or hearing aids. He had all his teeth. He still drove; he had his downhill ski pass ready to go to La Rivière, to Holiday Mountain, because he still skied. He also was the oldest skydiver in Canada.

Alexander MacKenzie

And that was all at the tender age of 89 years.

Shelley Overwater

Yes.

Alexander MacKenzie

In relation to his health, it was known, was it not, that he had an aneurysm?

Shelley Overwater

Yes, he did. It had been diagnosed probably around 2015 or so, and they had offered him some kind of surgical procedure. But at his age he decided not to bother. But they told him if it ever went, it would be quick. He wouldn't probably have time to get to a hospital, possibly.

Alexander MacKenzie

I see. And then in 2020, your father had a rapid test for COVID, and he had tested positive at a Winkler drive-through COVID testing station. Is that correct?

Shelley Overwater

Yeah, him and my mom went. They were recommended by the family doctor to go check. This would have been about the first of December, maybe. He tested positive; she tested negative.

Alexander MacKenzie

And that was about the beginning of December.

Shelley Overwater

Yes.

Alexander MacKenzie

And so, in obeying the rules, I take it your father quarantined himself.

Shelley Overwater

Yes, they were told to just go home.

Alexander MacKenzie

Did he have any symptoms?

Shelley Overwater

Not that I recall. He seemed fine. He seemed like Pat always seemed.

Alexander MacKenzie

And no coughs, no fevers.

Shelley Overwater

Not that I recall. I mean, he seemed fine. And when he died, it was three weeks after he'd had this test.

Alexander MacKenzie

Okay. So he had the test; he was asymptomatic in terms of anything to do with COVID.

Shelley Overwater

Yes, so was my mom.

Alexander MacKenzie

He had had an aneurysm in the past; it had been diagnosed. And then on December the 19th, can you tell us what happened on that day?

Shelley Overwater

I believe it was about five in the morning. My mom phoned and she said, “Pat fell and he’s mumbling.” I said, “Mom, call the ambulance.” Because she said he was mumbling, but he wasn’t speaking. So she called 911. We got ready to rush over there, me, my husband, and my daughter. I could hear the ambulance because I lived so close; I could hear they were lost. So I phoned 911 and said, “You have to go to—” blah, blah, blah.

When we got there, the ambulance was sitting there with the lights off, and there were two Morden police officers standing in the doorway. I jumped out of the car, and they said, “Your dad’s gone.” I thought they meant they’d taken him away already, but they meant he was deceased. This would have been, well, I guess 20 minutes, half hour after my mom initially called me.

Alexander MacKenzie

So that was about 5:30 in the morning.

Shelley Overwater

I would say, yeah, I believe so.

Alexander MacKenzie

On December 19th.

Shelley Overwater

Yes.

Alexander MacKenzie

And did you then go into the home?

Shelley Overwater

Oh, immediately. My mom was a mess, obviously. She was there with the two paramedics, I believe, and then the two officers were in there. They were asking her questions in her den. I went downstairs. At that point, we went downstairs, and he was still laying there on his back, and there was a little trail of blood to the bathroom door. So it was obvious, he’d gone to the washroom, come out, and something happened. He fell, must have bashed his arm on his way down. Mom heard the crash,

[00:10:00]

came running, and this is when she said he was like, “urrrurrurr.” And then he just died; his breath stopped. So he was dead before the ambulance even got anywhere near there; he was gone. So I wiped up the blood because I didn’t want my mom to see it. I got a quilt to cover him because he was still just laying.

Anyways, when I come back upstairs, she was on the phone, at some point there, later. And it was the provincial medical examiner she was on the phone with, a woman, telling my mom that it was clearly a COVID-19 death. At this point, no one had seen him: He had not gone to a doctor. He had not had any outside people look at him. The police weren’t taking

pictures. Like nobody had seen him, and he died in a few minutes. Oh, and then she told my mom that she must go that very day and get tested for COVID-19. So later that day, we had to—

Alexander MacKenzie

Before you get on to that, if you don't mind.

Shelley Overwater

Oh, not at all, sorry.

Alexander MacKenzie

Thank you. The medical examiner was suggesting to your mother that your father had died of COVID.

Shelley Overwater

Yes. No, she insisted. And she said they wouldn't be doing autopsies because they were afraid of getting COVID.

Alexander MacKenzie

So without any more information than that your father had died, they were absolutely not going to do an autopsy.

Shelley Overwater

No. No, absolutely not.

Alexander MacKenzie

And they were going to say

Shelley Overwater

Died of COVID-19.

Alexander MacKenzie

[from] everything you could tell, that it was a COVID death.

Shelley Overwater

Yes.

Alexander MacKenzie

Despite your father not having had any COVID symptoms.

Shelley Overwater

Not that I was aware of. And he died, like in 20 minutes. You don't die of a lung ailment in 20 minutes.

Alexander MacKenzie

And he had been diagnosed some time before with an aneurysm.

Shelley Overwater

Yes, yes. So I assumed it was that or a heart attack.

Alexander MacKenzie

Are you aware of how your father's death may have been reported in any local newspaper?

Shelley Overwater

Well, it was on the *Pembina Valley Online* because they were reporting the deaths by different regions. They would report Morden deaths, Winkler, and, of course, they showed December 19th, one male, 89, died of COVID-19.

Alexander MacKenzie

So he was reported in the newspaper as being dead from COVID-19.

Shelley Overwater

Well, *Pembina Valley Online* is like an online news service. But yes, that's where I saw it.

So I just thought, well, whatever, right? I phoned the funeral home because he went Saturday morning, the day he died; he went right to the funeral home. And I asked the owner if they had taken pictures. He said, "Absolutely not." They cremated him Monday. So he was in the funeral home, and he was cremated Monday. And the provincial medical examiner's office phoned my mom again during the week and kept telling her it was COVID-19. And at that point, my mom just gave up on arguing because what was she going to do about it exactly, right?

Alexander MacKenzie

Now, in your work as a lawyer on some of these things that we've mentioned, you've had occasion to see an affidavit that was filed. Is that correct?

Shelley Overwater

Yes. We were working on an appeal for some unnamed clients, and some of the evidence in the transcripts was from the church's case, you've heard about. One of them was an affidavit from this Dr. Loepky.

Alexander MacKenzie

Well, a person by the name of Carla Loepky.

Shelley Overwater

Yes, yes, I believe she was some kind of doctor.

Alexander MacKenzie

For the record, that is a document that was filed in a provincial court in Winnipeg in pocket number 558-30323, and there are ten provincial court pockets associated with that affidavit.

Shelley Overwater

Yes, sir.

Alexander MacKenzie

What did you see in that affidavit as you were doing your work as a lawyer?

Shelley Overwater

Well, there was 40 pages of CV. But then there was all these COVID-19 deaths in Manitoba, and they were listed individually. So just because I went through them and, of course, I get to December 19th, 2020: Morden, Manitoba, one male, COVID-19. And so I realized that this person had submitted this as affidavit evidence to the court. I mean as a lawyer, you would never—

Alexander MacKenzie

So what you saw in the affidavit was one death in Morden,

[00:15:00]

exactly on the day of your father's death.

Shelley Overwater

An 89-year-old male, which he was the only death in Morden that day.

Alexander MacKenzie

And it was put down as COVID.

Shelley Overwater

Yes, not COVID related. COVID-19, as it was said.

Alexander MacKenzie

I see. And insofar as that might be relied upon for developing statistics,

Shelley Overwater

Yep.

Alexander MacKenzie

what do you think of that?

Shelley Overwater

I think that they were padding, at the very kindest. I'd say they were padding their statistics. But I mean, to me, this was an out-and-out lie. They had no evidence to support that. They didn't even try to get any.

Alexander MacKenzie

In fact, they assiduously avoided getting any.

Shelley Overwater

Yeah, that's how it appeared to me. I mean, obviously, we're supposed to go to court with evidence, right? So you would just expect that. But apparently not.

Alexander MacKenzie

Thank you, Shelley.

Now, quite apart from your dad, is there anything else you'd like to add in relation to your father's situation?

Shelley Overwater

I can't think of anything other than I just couldn't believe they would browbeat my elderly, widowed mother into trying to get her to accept that. I was horrified.

Alexander MacKenzie

Thank you.

Now, quite apart from your dad, you've mentioned that you've had some medical issues yourself.

Shelley Overwater

Yes.

Alexander MacKenzie

And what is that? What sort of medical conditions did you have?

Shelley Overwater

Well, I have a history of high blood pressure where it would shoot up to like 200 over 110. Angina, chest pains. That kind of stuff.

Alexander MacKenzie

Ever given any medicines for them?

Shelley Overwater

Yeah, I've had nitro and whatever over the years. But my heart's fine. So I felt it was stress-related, probably came in around the time I went to law school. But yes, I have a history of it.

Alexander MacKenzie

In early '21, you consulted with a doctor, is that right, a Dr. Mansour?

Shelley Overwater

Yes, he was my family doctor, and I was experiencing these again. He told me that if it happened on the weekend or during the day when he couldn't be available, I should go to emergency at Boundary Trails Hospital, which was our local hospital.

Alexander MacKenzie

In March of 2021, what happened that day?

Shelley Overwater

So that morning, I felt my chest pains were bad. I was having trouble breathing, and I was feeling kind of dizzy. So I drove my truck by myself over to Boundary Trails. And I parked and I walked over to the emerge. door, and I went to enter the Emergency. A uniformed security guard was on the inside door, and he started yelling at me to wait outside.

Alexander MacKenzie

Okay, now, you drove yourself. You were feeling chest pains.

Shelley Overwater

Yes.

Alexander MacKenzie

You drove yourself from your home, which was about three miles, was it, from the hospital?

Shelley Overwater

Yes.

Alexander MacKenzie

You arrived there; I presume you parked your car.

Shelley Overwater

Well, I parked my truck, yes, and I walked—

Alexander MacKenzie

Your truck, pardon me. You walked to the front door of the hospital.

Shelley Overwater

Well, there's two doors.

Alexander MacKenzie

Emergency door.

Shelley Overwater

Yeah, well the far one is Emergency.

Alexander MacKenzie

Okay, thank you. And what was the weather like that day?

Shelley Overwater

Probably between 10 below and zero. It was cold. It was windy. It was gray. You know, it was like one of those prairie fun, late winter mornings.

Alexander MacKenzie

What was the nature of the discussion with the security guard inside the foyer behind the doors? What was the nature of it?

Shelley Overwater

Well, he just yelled at me to wait outside. And so, I believe I yelled back, "But I'm having chest pains." And he said, "Well, you have to wait." He yelled, "You have to wait." And so, I let go of the door because I was shocked. I didn't know they had security guards at the hospital, for one. So I had to stand there outside. And I'm thinking, well, this is great. If I drop dead, now I'm going to have to lay outside too. So I was becoming more stressed, obviously.

Alexander MacKenzie

And how long, again, did you stand outside?

Shelley Overwater

I think about 10 minutes. It wasn't probably that long. But still, it was scary because it's emerge., right? You go there for a reason.

Finally, he gestured I could go in, in between the two doors where he stopped me. First, I just used the hand sanitizer. Then he handed me a mask with a tong, and I had to sit on a chair with these plexiglass things, like a little cubicle.

Alexander MacKenzie

Like a cubicle.

Shelley Overwater

Yeah. I had to sit there until they said I could sort of distantly approach the lady at the desk; she had a big plexiglass, and all that, too.

[00:20:00]

Alexander MacKenzie

So then you went through some sort of reception process, is that correct?

Shelley Overwater

Yep.

Alexander MacKenzie

How did that go?

Shelley Overwater

It was pretty quick. I said I had chest pains, and I had to put my Manitoba Health on the tray so they wouldn't touch it. Then I had to go sit back down for a few minutes. And then these gowned and covered people came out and said, "We'll take you to the trauma room." I said, "Well, I can walk in." So I walked into this— It's kind of like an operating room, a trauma room, and they're behind me. So I walk in, and there's a bed there. So I go over to the bed and I look behind me, and they're all in the doorway, way far, and they started yelling at me questions.

Alexander MacKenzie

So they brought you to the room, had you go in, sit on the bed, stood at the door. How were they dressed?

Shelley Overwater

They were covered head to foot in those paper gowns and booties and masks and some of them had face shields. I think they had gloves and everything, like the whole nine yards, like you were in surgery. I was like, okay. They all stood in the door and then this doctor or these people are yelling, "What's your problem, what are you there for?" And so I said, "I'm having chest pains; I have a history. I have blood pressure. I think I'm having— My blood pressure's really shot up." And then the doctor said, he had a very South African accent, it was very distinguishing, and he said, "Well, those could be symptoms of COVID-19. We need to test you." I was like, "No, I have a history. I don't have COVID-19. I just want someone to check my—" And he said, "Well, no, no, this could be symptoms." So then we yelled back and forth about me being tested, and I refused. I said, "No, I won't be tested; you're not shoving anything up my nose, I don't have any— "

I should mention quickly, I've had pneumonia; I've had two lung infections. I had lung cancer surgery. I know all about lung ailments. And so, I was—

Alexander MacKenzie

Those are not recent though, those were—

Shelley Overwater

Well, those were prior to when I went in the hospital.

Alexander MacKenzie

But those symptoms that you describe—

Shelley Overwater

Well, no, what I'm saying is that I knew I didn't have a lung problem. I knew that. And so, for him to keep insisting I needed a COVID test was ludicrous.

Alexander MacKenzie

Right. But I'm wanting to make it very clear for the Commission that those were not current symptoms.

Shelley Overwater

No, no, not at all.

Alexander MacKenzie

Those were in the past.

Shelley Overwater

I apologize. Yes, they were all in the past. But I did have some understanding of what a lung ailment felt like.

Alexander MacKenzie

Yes, thank you. I understand that.

Shelley Overwater

Or a flu, I guess I could say.

Alexander MacKenzie

So how long did this stand off go on?

Shelley Overwater

Maybe 10 minutes. Then they said, "Okay, we'll be back." And then a girl came with a tray, like they carry the tray with all the stuff. I believe she checked my blood pressure with the stethoscope, maybe my oxygen level. I cannot remember positively right now, but she may have drawn a little blood, I'm not even sure. Then she started asking me about being tested for COVID-19, again.

Alexander MacKenzie

Just to be clear. So they did test your blood pressure; they did test your heartbeat.

Shelley Overwater

Yep, yep.

Alexander MacKenzie

They did do all that. Did they report those results to you right there on the spot?

Shelley Overwater

No.

Alexander MacKenzie

No. Okay, so what happened then?

Shelley Overwater

Then she left the room, and I waited there. Then they came—an attendant of some kind, I can't remember clearly—and said, "Well, we're going to put you in the recovery area, and we'll monitor you for an hour." And I said "Okay." So I followed them there, and they put you on a bed; there's curtains all around you. I think there was maybe three of us. I was struck by how many staff were going around with all their stuff on. I think there was three of us in that place. But so, I just laid there.

Alexander MacKenzie

Were you feeling anxious?

Shelley Overwater

I was scared. I was starting to get worried because not only were they not talking about what was happening to me, but they were getting— He had been really kind of aggressive and ugly about this deal. And I was starting to get nervous: like what are they going to do, hold me down now? I was nervous. So I was trying to force myself to breathe and calm myself because I didn't want them to have any excuse to keep me. Then, finally, the doctor because of his accent—obviously they're covered up right. But he came in and he said, "Well you might as well leave now seeing you refuse to be tested."

Alexander MacKenzie

Did he tell you of the results of the blood pressure test he'd done?

Shelley Overwater

No.

[00:25:00]

Alexander MacKenzie

Did they tell you of the results of the monitoring of your heart or your heartbeat that they'd done?

Shelley Overwater

No.

Alexander MacKenzie

Did they tell you anything about the condition you'd gone in for?

Shelley Overwater

No. They told me that they would have liked to have tested me for surveillance purposes, and seeing I was being stubborn, I might as well leave. And I said, "You got that right." But I was very anxious to get out of there. So I left and went home.

Alexander MacKenzie

And did you ever follow up with your doctor?

Shelley Overwater

Yeah. He checked me over and my blood pressure was high. He said, blah, blah, blah. And I said, "Don't ever send me there again, ever." I said, "You didn't tell me what it was going to be like, and I will not be tested for something I don't even have. So don't ask me." And that was the end of that. I didn't go back to the hospital till I had my knee surgery, as I told you, and that was only because I had to.

Alexander MacKenzie

Thank you, Shelley. Now, is there anything else you'd like to say about your adventure at the hospital?

Shelley Overwater

What can you say? I felt like I had woke up in the middle of George Orwell's *Nineteen Eighty-Four*. Or I was on the Gulag. I was like, this is unbelievable. This is a hospital. I felt like I was— I don't want to admit I've ever been in a cell, but that's what it felt like. It was very scary. And they were very rude, and that doctor, in particular, he was ugly.

Alexander MacKenzie

Okay. Thank you.

Now, as I mentioned earlier, you've also had some experience that's COVID related in a law office in which you worked.

Shelley Overwater

Yes.

Alexander MacKenzie

That was a satellite office of a larger firm, and that satellite office was in both Morden and Winkler. Is that correct?

Shelley Overwater

Yes, that's correct.

Alexander MacKenzie

When COVID started, the firm adopted a number of safety measures. Can you tell me what they were?

Shelley Overwater

Well, we had to— Obviously, the hand sanitizer, the masks, the plexiglass in the reception area. Initially, they wanted to meet the clients between the two doors at a little table that they had to sanitize every 10 minutes, I think. And we had to wipe down parcels and Lysol all the desks between each use.

Alexander MacKenzie

And how many people worked in these offices at those two locations, Morden and Winkler?

Shelley Overwater

I'd say there was roughly two or three lawyers on any given day, and there would have been five or six clerical staff. But we all kind of went around. Like not all the clerical staff. But the lawyers, we circulated to different offices, sometimes, depending what was going on.

Alexander MacKenzie

So how many people all together would circulate through those offices in a week or two weeks?

Shelley Overwater

Oh, I don't know, maybe a dozen or so. Then we got an articling student that ended up being at the Morden office, I should mention.

Alexander MacKenzie

And was anyone ill during that time?

Shelley Overwater

Well, because of my father's death, I had missed the two weeks over Christmas because they said that we had to quarantine.

Alexander MacKenzie

Because he had been a COVID death, or recorded as that.

Shelley Overwater

Well, yeah. And so, the firm— I would have gotten bereavement, anyways, and it was the holidays. We were closed a bunch of days. So yeah, I was off for the two weeks. Then we

had another girl. She had the two-week quarantine because she was sick for a week. And a lawyer who had a cough, and she was off for two weeks because of the mandated quarantine. That was in the entire time I worked there.

Alexander MacKenzie

Then in May of 2021, there were some changes in policy, is that correct? What were those?

Shelley Overwater

Well, at that point the managing partner and the other partner and the manager decided they were going to have to know the vaccination status of all the clerical staff and the articling student. And if they weren't going to discuss it—

Alexander MacKenzie

They had to disclose their vaccination status.

Shelley Overwater

Yeah. It was mandatory, yes.

Alexander MacKenzie

I see, and how did that go down with the staff?

Shelley Overwater

Well, it went down very badly because I sent an email to the lawyers and said, "What about, employment standards and the Charter and all those things?" And then there was one young girl,

[00:30:00]

20-years-old, who was our reception girl. Just a dear little girl who'd worked there two years, and she said, "Well, I refuse to put that in my body, and no one's going to force me, not even for a job." That was the first time I'd ever heard somebody say that. I was quite taken by it because she was such a young, nice girl. And then one of the clerical staff, whom I'm actually friends with and had been there three years, she disclosed that she hadn't been vaccinated. They asked the articling student who they had hired and couldn't say enough nice things about. And she said, "Are you asking me if I have COVID antibodies in my system?" And when they said, "No, we want to know your vaccination status." She said, "Well, I don't know that you have the right to ask me." Well, at that point, all heck broke loose, so to speak.

Alexander MacKenzie

Were there any inter-office communications, like emails. What sort of was the office buzz during that time?

Shelley Overwater

Well, we had a group email deal: so that's where everybody, lawyers and staff, in all the offices— And it started, this daily almost barrage of, "Well, I know someone who's sick with COVID. And can you believe how selfish these people are, these unvaccinated, and the whole common good," and blah, blah, blah. This went on and on. And in the meantime, all the staff from the other offices would drop the files off outside the back door and yell in the office because they couldn't come in because the unvaccinated were there.

And they were allowed to pick on the articling student. Everybody was mocking her and making fun. Then they decided she couldn't do any real law work because she was obviously—

Alexander MacKenzie

So what did they have her do?

Shelley Overwater

They had her do real estate reports. That's all she was allowed to do. She had to sit in the back with the clerical staff and do real estate and probably, every couple of days, she was yelled at by the partners. She wasn't allowed to come to the lawyer meetings.

But from June on, the lawyer meetings became me battling because I couldn't believe they were going to hold someone's career hostage. Because if they fired her in the middle of her articles, it's pretty hard to get a job, right? And she'd been in school for seven full years for this deal. And these other girls— I just could not believe people would take someone's livelihood like that. I was shocked. It had never occurred to me that they would mandate this stuff and force these vaccines. I didn't understand that that could happen.

Alexander MacKenzie

And I understand that at some point in October, there was an ultimatum.

Shelley Overwater

Yeah, well, the managing partner had told me he would let her finish her articles; this would have been, let's say middle of October. So he comes in—this is about the end of October—he comes in to the Morden office, and he asked me and the other lawyer into my office. He sat down and he said, "I just walked by them, and I'd fire them all today if I could." And I went, "Well, that's no surprise," right? Like tell me something, I don't know. He said, "I've made a decision. If they won't get vaccinated by November 19th, they're fired."

Then he started tapping the desk and he goes, "I've decided even the lawyers will have to submit proof." So at that point, I kind of lost my cool and I said, "Well, I gave you my word I was vaccinated because I'm not like you, I keep my word." And he said, "Well you still have to show proof." I said, "I'm not showing you anything." I said, "You can put me down as resigning on November 19th because I will not stay here then. I will go with the people you're firing." So the next day, [he] goes, "Oh, hey, was that serious?" I was kind of shocked at that, and I said, "Yes, I'm very serious." So I sent him my resignation letter and that was that, and off we went.

Alexander MacKenzie

And what did happen to the articles student?

Shelley Overwater

Well, what happened was we found a lawyer, another local lawyer; he just had three years in, and so he was allowed to finish her articles. So she went over there.

Alexander MacKenzie

And what did you do?

Shelley Overwater

Well, I went home in shock because I went, "What am I going to do?" But, anyways, they were leaving the Winkler building they were in. I knew that. They hated Winkler. So I phoned the owner of the Winkler building, and said, "Hey, how about renting to a different lawyer?" So I rented an office for January 1. But I ended up having a knee replacement, so I didn't actually start till later. In the meantime, the articling student finished her articles, and the lawyer said he wouldn't keep her. So she came over, and she said, "Would you consider working with me?" I said, "Right on, partner." So she's my partner in our little firm. We got another office we were able to rent. So we have two, like an office each in Winkler.

[0035:00]

Alexander MacKenzie

Is there anything else that I've missed relating to your employment situation?

Shelley Overwater

Well, I just wanted to say we were law firms, and we were essential workers. And no provincial health people ever walked into any law offices out there. They didn't, and they weren't going to. I understood that we had to do whatever in the hallways or in front of clients that were nervous. I get that. But we never, ever had a policy of asking clients if they were vaccinated or anything. It was just the people that worked there. But we'd all been there the whole time, and it was fine. And I couldn't believe— By then we already knew that people were still getting COVID-19, even with the vaccine. So there was no real reason other than they just got in a mood. I don't even know what to say. I was horrified. Yeah, I couldn't believe it. I mean the Supreme Court has said your livelihood is an integral part of— yada, yada. So you believe that when you're in law school. Apparently, it doesn't apply lately, anyhow.

Alexander MacKenzie

Okay. Thank you very much. Now, just a couple other small things. You and your mother both volunteered at a couple of homes for aging people in Winkler and Steinbach.

Shelley Overwater

Winkler and Morden. There's Tabor Home in Morden and Salem Home in Winkler, and we volunteered at both.

Alexander MacKenzie

Okay, and do you still volunteer there?

Shelley Overwater

No, when the lockdowns hit, of course, we weren't allowed to go there. But during the time, they got rid of a bunch of their staff, of course. And so, when they wanted volunteers to come back, they contacted us. We just said, "No, we can't in good conscience volunteer for a place that would just dump their employees for no good reasons." So we never did go back.

Alexander MacKenzie

So the employees that they, in your words, dumped, were not ones who were infected. They were ones who would not vaccinate. Is that correct?

Shelley Overwater

Right. Some of them were willing to do the testing. I think they wanted three a week, or I can't remember. To me, it was all nonsensical. The one place said, after it was all said and done, that if people gave a letter of apology, they might consider hiring them back. Yeah, go figure.

Alexander MacKenzie

And Shelley, from your work as a lawyer in these matters that I mentioned earlier, have you had occasion to consider any statistics relating to the fines that have been imposed on people in Manitoba? I believe you did have something on that.

Shelley Overwater

Yes, the Manitoba government—between the federal *Quarantine Act* and the provincial *[Public] Health Act*—they fined over \$9 million, as of lately. Now, I'm not saying they've collected; I'm just saying this is what it is. Five million of it is just the federal *Quarantine Act*.

What that was is when the mandate came in in January at the border, the United States border people had discretion. So some unvaccinated people were still allowed to go into the U.S. Well, when they came back, if they presented at the Canadian border, the screening technology was, "Are you vaccinated?" And of course, if you said, "No," you got an \$8,550 ticket. If you didn't answer, you got the \$8,550 ticket and a \$1,453 ticket. So I'm dealing with— I think I've got about 25, 26 of these we're challenging. But none of these people were symptomatic; none of them had priors; some of them got tickets as late as last fall, September of this last year.

Alexander MacKenzie

And what were the mandates when those tickets were being issued?

Shelley Overwater

Well, the border mandate because they were Canadian citizens entering Canada, and they didn't have a vaccine. Or they didn't have the ArriveCAN [app] or the PCR test. So it didn't

matter. Whatever it was, you were getting an \$8,550 ticket. So that's what happened. It didn't matter if it was— All my clients have no priors; they were all working citizens.

Alexander MacKenzie

What sort of jobs do they hold, typically?

Shelley Overwater

You're never going to guess. Most of them are truck drivers. Some of them are farm labourers. And then, interesting, I had a couple of clients that were actually vaccinated and they got tickets because they didn't have the PCR results because they couldn't wait that long for them.

[00:40:00]

So they made the mistake of saying, "But we have this," and they showed the Charter of Rights. And so, they were given \$8,550 tickets each for showing the Charter.

Alexander MacKenzie

And this may be a dangerous and last question from me in any event. But how do you feel about the way these things were handled both provincially and federally?

Shelley Overwater

You don't want to ask, really. No, I'm absolutely appalled. It's like the Canada— I'm old, right? The Canada I grew up in, this is not the Canada I live in today. I didn't buy into this; none of us did. It was like they ripped away the veil and said, "Haha, you think you have freedoms and rights," and all that. "You've got nothing." And I've never been so ashamed of— I mean, I'll tell you, I've been a separatist for a long time, anyways. But I've never been so ashamed of this country as I was when I saw them in Ottawa bludgeoning working people, like normal, everyday taxpayers. I'll never forget it.

Alexander MacKenzie

Thank you. Shelley, I'm going to ask the commissioners if they have any questions for you. No. Thank you. Thank you very much for attending.

Shelley Overwater

Thank you.

[00:41:34]

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