



NATIONAL CITIZENS INQUIRY

Ottawa, ON

Day 1

May 17, 2023

EVIDENCE

Witness 7: Kristen Nagle

Full Day 1 Timestamp: 06:55:30–07:17:37

Source URL: <https://rumble.com/v2oackw-national-citizens-inquiry-ottawa-day-1.html>

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Wayne Lenhardt

Our next witness is Kristen Nagle, and I think I have you on my screen. Kristen, can you hear me?

Kristen Nagle

Yes, I can.

Wayne Lenhardt

Okay, thank you. Oh, I was also told to say my name up here. I'm Wayne Lenhardt. So just as long as the commissioners don't make me take an oath!

Anyway, if you could say your name, please Kristen, and spell it for us. And then I'll make you take an oath.

Kristen Nagle

It's Kristen Nagel, K-R-I-S-T-E-N N-A-G-L-E.

Wayne Lenhardt

And do you promise that the testimony you'll give will be the truth, the whole truth, and nothing but the truth, so help you?

Kristen Nagle

Yes.

Wayne Lenhardt

Just to do a quick intro, you got your nursing degree in 2006, and your nursing licence. And you've been a nurse ever since. And things were going fine.

One item that should be mentioned is that, in 2018—interesting fact—the nurses union actually won a challenge to the wearing of masks during your employment, to the point you didn't have to do that anymore. Which is interesting as to what they did when COVID came along. Could you perhaps pick it up at 2018 and tell us what happened after that?

Kristen Nagle

Sure. It was several years of fighting with—our union fought for us—and it was because during flu season, from November till April, if you did not receive the flu shot you would have to wear a mask throughout your whole shift, whether you had symptoms or not.

So we fought for years. And finally in 2018, through our nurse's union, we won. The union proved that the masks were discriminatory and did not stop transmission of viruses. And we no longer had to wear a mask during flu season if we did not receive the flu shot.

Wayne Lenhardt

Two years later, what happened?

Kristen Nagle

Two years later I was shocked to see when they mandated the masks—not just masks but now goggles for virus that we had to wear throughout our entire 12-hour shift. We were handed four masks total for the shift to rotate through and everyone complied. After years of fighting to not have to wear a mask for this very purpose, right on the unit, everyone was back to putting on masks and this time, no end in sight.

Wayne Lenhardt

Okay, so what happened in your employment as the mandates came into force? Which would have been, what, 2020, 2021 in there? Just perhaps give us a timeline as you go.

Kristen Nagle

Yeah. March 2020 is when really things kind of got really heavy, I think—around the world, in Ontario, and in the workplace where I was working. I worked as a neonatal intensive care nurse. And yes, we had to wear the PPE—so the masks, the goggles—and a lot of restrictions were put in place on visitors.

Working in a neonatal intensive care unit, we have premature babies that are 23 weeks old. And sometimes they're in our unit up to 100 days or more. Parents had to wear a mask the entire time they were with their baby at their bedside. And we know from the 1960s Still Face Experiment that that's detrimental for a baby's development for anyone.

Parents were also— Only one parent was allowed at the bedside in 24 hours. A premature baby is a very scary, detrimental time, and they had to take in all that information by themselves and be alone and isolated at the bedside. They weren't allowed to share that with a partner.

If a mother had to have a C-section, even though there is a whole bunch of personnel in the room, the husband was not allowed to be in the room with his wife during the C-section. He was not allowed to witness the birth of his baby or support his wife. If the mother was put under general anesthetic, both parents missed the birth of their baby.

Sometimes we would have antenatal mothers and pregnant women that were in high risk, that were there for weeks, if not months at a time. They were only allowed one individual the entire time. They had to choose one individual that could come in and out of the hospital to see them, to visit them. And so that would mean going without seeing family, friends, loved ones, sometimes even their own children for that time.

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It was quite sad, what was happening. I was speaking out about it. I'm also a holistic nutritionist and a mother myself. And I was seeing the harms that was happening. And being a holistic nutritionist, I knew that there was preventative measures. You know, there's things that you could do. You could—there's vitamin D and C and, you know, a whole bunch of things you can do through nutrition and things like that on a holistic approach.

I was speaking out about this to my colleagues. I was living life normally outside of work. I was not living in fear because I knew that the measures that they had in place—the lockdowns, the masks, the isolation—were actually causing more harm than good. My colleagues did not like that I was living my life this way and would put in complaints about me to management, saying that I was not wearing proper PPE. Because when I was sitting at a desk by myself, I'd put the goggles on my head to do charting, so that I could see. Apparently, that was scary for them.

I ended up being suspended from work in November of 2020 for being insubordinate for not wearing proper PPE. Prior to that, I had spoken out in September of 2020 at City Hall as a delegate about the harms of masks on children. After doing that, I received a flood of emails from parents about how their children were coping, which they were not, through this. Remember, the schools were shut down. They closed down the playgrounds, they closed programs and activities, and completely isolated children. And I was getting floods of emails from parents—of some as young as six years old, talking about how they hate their life and they were using parents credit cards to try and pretend to cut their wrists.

So I continue to speak out. And I'm feeling very emotional from that last testimony. It just reminded me of why we were speaking out, as well for the children and for all Canadians. I ended up hosting a freedom rally in my hometown in November of 2020. And CBC News picked up on that and completely defamed me. It was "LHSC NICU nurse Kristen Nagle puts premature babies in danger." Said I was a reckless nurse and of course, you can just imagine the slander that came from that.

My entire reputation and character was destroyed in my community. I was put under indefinite suspension at this time and then placed under investigation by the College of Nurses of Ontario. By this point, it was a 600-page disclosure of social media posts, things I had said, talks, and then reports from colleagues and people in my community that had written in about me after I'd spoke at City Hall in the rally.

So from then—no longer working, under investigation—I found another nurse, Sarah Choujounian, who was speaking out in Toronto. Her and I connected with six other nurses from the United States. We formed Global Frontline Nurses and we traveled to Washington,

D.C. in 2021 to speak at a health and freedom rally at the Supreme Court. This just so happened to be January 6th. I will admit that I was politically naïve. We just wanted to share what we were seeing: the harms that were happening from lockdowns and public health measures and what I was seeing in the community with children. We just wanted to do what nurses do, which is advocate for the public and to protect them.

When we flew home from Washington, D.C., Sarah, and I were both deemed domestic terrorists for the storming and rioting of the Capitol. We were terminated from our jobs and we were internationally defamed at this point. We received incredible amount of hate through social media, through other avenues that could reach us. And it was quite—it was a really hard, dark time. The RCMP even came to our house to ask about our involvement in the storming and rioting of the Capitol. I had nursing colleges teaching their students about me, about accountability and what not to do. “Don’t do what Kris Nagle did in storming and rioting at the Capitol.” So it was— Yeah, it was pretty dark.

However, after all the hate, a bunch of love and support came in. And many from nurses from around the world supporting us and wanting to speak out. But I think what a lot of people don’t realize is that on December 16th, 2020, the College of Nurses of Ontario put out a statement

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saying that nurses were not allowed to speak out about masks, social distancing, anti-vaccination, or anything to do with public health measures or they will be reprimanded and their licence revoked. This silenced nurses from speaking out and coming out and saying what they saw wrong.

We had this flood of support come in, anonymous, and so we decided to host a press release on January 25th of 2021. It was the first virtual press release that we had nurses, doctors, and other healthcare professionals come in. And we got testimonies from all across Canada: from nurses and PSWs [personal support workers] and healthcare professionals about what they saw happening in 2020 and 2021, the start of it. Empty hospitals, the emergency not busy, very slow, and then the harms that were happening to elderly patients.

I should say that, even in my unit, they told our respiratory therapists that they would have to float down to adult ICU because it was going to get so busy that they were going to need the extra help. And they never left our unit. They never had to float down—because ICU never got busy. They closed down an entire gynecology wing outside our unit as well for COVID overflow. And we did not see one single patient on that floor, it just remained empty the whole time.

So that was after January 6th, where we were defamed and we created Canadian Frontline Nurses. We kept going. Another nurse, Kristal Pitter, she was the first one to be defamed in the media and was put under investigation as well and terminated from her job. We held a rally, a protest in front of the College of Nurses of Ontario, to let them know that they would not silence us. We would not be bullied. We would not be scared from protecting the public and doing our job, which is advocating and protecting and doing what was right. So we held our rally on April 14th of 2021.

Sorry. She was doing good [the witness is tending to her baby]. She slept throughout the whole process. I’m trying to kind of continue on as best as I can, so I’m sitting on the floor.

Wayne Lenhardt

Okay, take your time.

Kristen Nagle

So we held that rally in front of the College of Nurses. It was the first ever regulatory body protest to take place.

Wayne Lenhardt

You got to participate with the truckers I think at some point, did you not?

Kristen Nagle

Yes. Yes, we did. We spoke across Canada, bringing awareness to what was happening all throughout 2021. We held the national hospital rallies September 1st and September 13th, which was all across Canada. It was in support of healthcare workers about the mandates because it was job or job. We wanted to bring awareness to what was happening to the healthcare workers and that many were going to be terminated. And tens of thousands across Canada had been, whether it was termination, sick leave, mental health, or early retirement.

Yes—after the hospital rallies, we were again defamed, put under another investigation. So three investigations by our college at this point. We were defamed by the media. This time we actually were concerned for our lives and our children's. We were doxed: the threats were quite vile at this point and even threatening our children. All across Canada, it was the same statement: that we interfered with ambulance access; we stopped cancer treatments from happening; and we assaulted healthcare workers. Which was not the case, because we were there in support of healthcare workers.

So yes, after that, you're right, I was involved. We had a Canadian Frontline Nurses truck there. I was there personally every day at the convoy: boots on the ground, interviewing truckers, people that were there, listening to their stories about why they came, what brought them there, what motivated them. And I was there right till the very end when the police violently removed all the peaceful protesters from the streets. I myself was pushed down to the ground by an officer at that time.

Canadian Frontline Nurses and myself, we did put forward a lawsuit at that time too. We were the first one to put forward a case against the federal government for wrongfully invoking the Emergency Measures Act.

Wayne Lenhardt

I suppose the pinnacle for all of this was when you attended the rally at the Capitol in the U.S.

Kristen Nagle

Absolutely.

Wayne Lenhardt

And then you were labeled a domestic terrorist and you had a visit from a couple of RCMP, if I recall our discussion.

Kristen Nagle

Yes.

Wayne Lenhardt

And then did anything come of that?

Kristen Nagle

It did not,

[00:15:00]

because there was no involvement, so there was nothing to come of it.

Wayne Lenhardt

So as far as your job goes, you basically have had no income from 2020. Am I correct?

Kristen Nagle

Yes, you're correct.

Wayne Lenhardt

And you were terminated in early 2021 for that incident in Washington D.C.

Have you gotten any tickets along the way for this activity of yours?

Kristen Nagle

Yes. I received 11 summonses throughout 2021 as well as one \$880 fine. The summonses were for going against the *Reopening Ontario Act*, speaking at protests and rallies. One of them so happened to be Easter service mass April 25th, 2021. I was attending the Church of God in Aylmer. And that case, that summons has since gone to trial. And I was found guilty and fined \$10,000 plus court costs of \$2,500 for attending church at that time.

We are appealing it. The judge would not allow the appeal to go forward without the fine being paid, so I have to pay the full amount of the fine before the appeal will be heard. Four others of those events are going to trial, so they're still pending four trials coming up. And then, yes, we have three ongoing lawsuits with our Canadian Frontline Nurses organization, which are quite large.

Wayne Lenhardt

I think I'm going to stop at that point and ask the commissioners if they would like to explore anything via questions. Yes, Ken.

Commissioner Drysdale

Good afternoon.

Kristen Nagle

Hi.

Commissioner Drysdale

When I was listening to your testimony and—obviously it's still very much in my mind, the previous person's testimony.

Kristen Nagle

Yes.

Commissioner Drysdale

And I think you said that the CBC had done an attack piece on you. Various media groups did, and then you were getting threats.

Kristen Nagle

Yes.

Commissioner Drysdale

You were getting hate email and threats.

Did no court intervene on your behalf and issue a gag order to the CBC or to any of the media outlets that slandered you? I ask that question because in listening to Ms. Lewis's testimony, one of her doctors claimed that they got one piece of email, a hate email, but didn't produce it in court. And yet she got the protection of a gag order.

Did you get the protection of our courts against this hate mail or this threatening mail you got?

Kristen Nagle

No. At one point I was scared. Especially after the hospital rallies, because they painted us, they actually stated— People believed that we had blood on our hands. That we, you know, hurt people. And I did actually think people were going to come after us. They posted our home addresses; they told people to show up. And it became scary about where I could go in public and where it would feel safe to go out, where I'd be welcomed or not.

But interesting enough— We unfortunately did not have a legal team when CBC put out that hit piece, that original one about me in 2020. But we did have a legal team in '21 with the hospital rallies. And we did put out a libel defamation lawsuit against Canadian Nurses Association as well as Together News Media, and they turned it against us. They used the slap-motion, the anti-slap, and they put that against us. And we lost. So it worked in their favour—to protect their voice and not ours.

Commissioner Drysdale

Were you surprised when the RCMP showed up on your doorstep? I'm assuming you thought they were there for your protection and they were accusing you of terrorism? Is that what they were accusing you of?

Kristen Nagle

Yes. Because they had reports that we were domestic terrorists and we were involved in the Capitol event, and so they were investigating who we were. And yes, I was surprised. I had two young boys at that time; they would have been five and two, I think. And yeah, we were all there together. And it was scary and very off-putting, absolutely.

Commissioner Drysdale

So obviously right now, you're making it known that you've been threatened and you've got hate mail and people are threatening you and you're afraid.

Do you expect that the law enforcement will come to protect you and offer you protection?

Kristen Nagle

I don't expect that of them, no. I used to have an officer that would—I got to know his first name and he'd knock on our door 8:00 in the morning to hand me my summonses that I got throughout '21. And after what I experienced in Ottawa, with looking directly at some of the officers in their eyes and filming them,

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I was very close to them. I don't expect to have the same protection. No, I don't expect that.

Commissioner Drysdale

How much confidence do you now have in our legal system?

Kristen Nagle

Very little at this point. Very little. I've seen— Yeah, with even my one appeal—I'm trying not to say too much about our current legal cases. The one appeal, we put in an application for the appeal to be heard without the fine being paid. The Crown prosecutor suggested I pay \$5,000, my lawyer suggested \$500, and the judge came back and said he wanted all of it paid—the full amount. So \$12,500 before the appeal will be heard. Still disciplining many of us.

There's a case going on right now with Sarah Choujounian where she's in disciplinary hearing with the regulatory body. And this is about social media posts that were put up. We're fighting for this under Canadian Frontline Nurses as well. We're fighting to get nurses back their voice because they've been silenced. We're supposed to be the last line of defense for the public; we're supposed to stand up to doctors; we're supposed to ask questions; we're supposed to critically think. This is what we're trained to do and they've taken that away. And if nurses can't speak out, if nurses can't advocate for you, then I don't know who will anymore in that system.

Commissioner Drysdale

Thank you very much.

Wayne Lenhardt

Are there any more questions from the commissioners?

I think that's a no. So on behalf of National Citizens Inquiry, I want to thank you very much for giving us your testimony today. And good luck with the tickets in the future. Thank you again.

Kristen Nagle

Thank you very much. Thank you. Bye.

[00:22:40]



Final Review and Approval: Jodi Bruhn, September 6, 2023.

The evidence offered in this transcript is a true and faithful record of witness testimony given during the National Citizens Inquiry (NCI) hearings. The transcript was prepared by members of a team of volunteers using an “intelligent verbatim” transcription method.

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