

The persecution of John Carpay

By Conrad Black

John Carpay is a rugged veteran of the beleaguered Canadian civil rights movement as founder and president of the Justice Centre for Constitutional Freedoms. Over the years he's been the target of frequent unjust harassment, but is now in the throes of a particularly odious and hypocritical persecution, which should concern all Canadians. At the worst of the Covid pandemic, with oppressive lockdowns and requirements of vaccine passports, mask-wearing, distancing, and belligerent and unctuous enforcement of all these rules, most of which we now know to have been medically superfluous if not counterproductive, with disastrous results in all other respects, John Carpay was one of the great many Canadians who



Lawyer John Carpay, head of Justice Centre for Constitutional Freedoms, is shown in Calgary in 2012.

was disgusted by the hypocrisy of politicians and public officials rigorously imposing Covid rules while ignoring them themselves. Unlike most of the vast

number of people who objected to these practices, he

determined to do something about them. In 2021, he engaged a private investigator to see if the widespread rumours about the premier of Manitoba, its chief health officer, and its chief justice were in fact breaking Covid rules, were true. The investigator followed these men around but did not otherwise bother them, but in consequence of this activity, which was designed as a legitimate pursuit of the public's right to know, John Carpay was briefly prosecuted in a spurious and politically motivated criminal action in the course of which he was briefly incarcerated, and the Manitoba Law Society inflicted upon him more than two years of disciplinary proceedings. Carpay agreed to a lifetime ban on practicing law in Manitoba and payment to the Manitoba Law Society of \$5,000.

This was outrageous in itself, as the complainant individuals should not be immune to monitoring from the private sector as long as it did not lead to harassment or trespass. The sanctimony and severity of the imposition of Covid rules in Canada, most conspicuously upon the independent truckers, were an abuse of constitutionally guaranteed human liberties that was not justified as we now know, by the legitimate facts and requirements of the public health challenge. Officials are, of course, entitled in good faith to make mistakes and to be excessively authoritarian up to a point. But citizens have a reasonable right to know and to reassure themselves, that those who govern apply to themselves the same rules that they impose on the public. It was failures of this kind that caused the collapse of Boris Johnson's government in the United Kingdom two years ago.

When the Alberta Law Society received a complaint against John Carpay about the same issue of surveillance of government officials in Manitoba, it responded that these matters had been delegated to the Manitoba Law Society and that it's analogue in Alberta was closing its file and that Manitoba had exclusive jurisdiction. Relying upon this formal commitment

from the Alberta Law Society, John Carpay made his final arrangements with Manitoba and resigned from the Alberta Law Society in December 2023. He has recently been informed that the Alberta Law Society refuses to accept his resignation and has instead commenced a new proceeding against him in Alberta over the offence it deemed to have been committed in Manitoba and dealt with in Manitoba with finality.

Carpay alleges, and at this point his credibility is much greater on this subject than that of the Alberta Law Society, that the ALS is acting in violation of its written commitment to him and is overstepping its authority in squandering the resources provided by the mandatory annual membership fees paid to it by the lawyers of Alberta. Although he is the founder and head of the Justice Centre for Constitutional Freedoms, Carpay is handling all the expenses of defending against this action himself and will not use any funds of the Justice Centre for it. He cautiously states to those on his mailing list that lawyers have described these actions against him as unfounded, malicious, and politically motivated. It is not conceivable to me that this is not the truth and that the Alberta Law Society is violating a commitment not to proceed beyond the Manitoba settlement and is therefore acting dishonestly. In these circumstances, its legal actions are both frivolous and vexatious, as well as oppressive.

John Carpay has devoted 25 years and almost all of his legal career to the defence and promotion of the rights and freedoms guaranteed in the Charter appended to the Constitution of Canada. He is one of the most diligent and responsible upholders of the civil rights of everyone in this country. And as we see the outrages of the human rights commissions and other agencies constantly exalting the rights of miscellaneous groups of people who profess to be unreasonably offended by the exercise of these constitutionally guaranteed rights of the freedom of expression, Carpay's work and that of the Justice Centre are vital. The Centre almost operates in a

vacuum as the judges of Canada are effectively liberated by the Charter of Rights and Freedoms from paying any attention at all to the text of legislation that they purport to enforce and are free to exercise their caprices and imaginations to legislation as they see fit. On top of this, and as was discussed in my remarks in this column last week about the persecution of Professor [Jordan Peterson](#), those exercising the powers of government with a minimal reference both to the text of legislation or the increasingly tenebrous thicket of idiosyncratic judicial precedents, enforce the laws as they wish, whatever the legislators have enacted or the judges have decided, and with little or no review or accountability.

In these circumstances, what we need is a mobilization of public sensibilities and awareness of the proportions of the threat that exists to the civil rights of Canadian citizens in many ways every day all over the country. The media, in particular, has an undistinguished record in rising to the defence of the rights of individuals and has tended almost as much as activist and agitating groups that have arisen, to defend collective complaints of aggrieved groups against individuals exercising constitutionally guaranteed personal rights. This is becoming a very confused area where there is an increasing frequency of abuse. This is John Carpay's life work to combat, and it is hard to resist the temptation to think that some part of the motivation of those oppressing him is to deter dissent against the abuses of individual liberty routinely or brazenly inflicted on the public by his present persecutors and their allies. The Covid shutdown was an egregious example, made more irritating by the fact that it was mistaken public policy and as some of us said that the time, apart from a quarantine to protect the elderly and the unwell, we shouldn't have shut down anything. It was Chinese negligence that unleashed the pandemic, but they did nothing to warn the world, and it was fortuitous for China that almost the entire West obligingly shut down everything, turning it into a great profit bonanza for Chinese industry. The whole

episode was painful enough without aggravating it by persecuting the brave champions of human rights among us.

John Carpay is seeking the modest sum of \$25,000 for his defence. I will make a contribution to GiveSendGo / John Carpay Legal Defence. I respectfully ask that readers consider doing so also. John has pledged that any excess funds will be donated to his Justice Centre which is an authorized charitable organization.

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