



Dr. Bonnie Henry

Provincial Health Officer
PO Box 9648 Stn Prov Govt
Victoria BC V8W 9P4

Honourable Adrian Dix

Minister of Health
PO Box 9050 Stn Prov Govt
Victoria BC V8W 9E2

Via Email

September 1, 2021

Dear Dr. Henry and Minister Dix,

RE: Joint Response to BC’s Public Health Order Regarding “Proof of Vaccination”

On August 23, 2021, BC’s Provincial Health Officer (PHO) Dr. Bonnie Henry announced an upcoming health order requiring proof of vaccination to access a range of discretionary events, services, and businesses throughout the province. Coming into effect on September 13, individuals wishing to access those services must prove they have had at least one dose of a COVID-19 vaccine; by October 24, individuals must be fully vaccinated. The requirement, though characterized as a “temporary measure” in the Order, is scheduled to be in place until January 31, 2022.

This measure fails to account for the diverse needs of people who utilize a variety of public, private, and communal spaces who will face legitimate barriers to accessing a vaccine card. These people already face adverse consequences associated with the pandemic, as noted by the Office of the Human Rights Commissioner.

This letter is the result of a collaboration of organizations predominantly based on unceded territory of the Coast Salish Peoples, including the territories of the x̱m̱əθḵəy̱əm (Musqueam), Skwxwú7mesh (Squamish), and səliłwətaʔl (Tsleil-Waututh) Nations.

Given the ongoing failure to undertake comprehensive outreach to communities facing barriers within the medical system, a vaccine card requirement presents an additional exclusionary measure, in addition to existing concerns.

Response to the Vaccine Card

According to government announcements, the order will mandate events, businesses, and services may ask for individual proof of vaccination and valid government ID. The provincial government is set to launch a BC vaccine card website in September and notes that a secure paper option will also be available. To access the BC vaccine card, individuals will need to provide their name, date of birth, and Personal Health Number (PHN).

The signatories to this letter demand that the province consider the full ramifications of a vaccine card, or any other proof of vaccination policy immediately. The implications of these orders extend far beyond public health, particularly for people already experiencing barriers to housing, services, and businesses: sweeping policies that restrict access, however well-intentioned, can have the effect of forcing people into isolation, cutting off their lines of resources, and making their lives even more dangerous during a pandemic. Thus far, the PHO and the province have failed to take adequate direction from communities and organizations that understand how to best navigate public health guidelines in the context of precarious status, criminalization, poverty, disability, and other intersecting oppressions.

Throughout the course of COVID-19, we have seen how public health orders and guidelines are interpreted in a manner that further restricts marginalized communities - such as guest bans in social housing, shelters, and single-room occupancy buildings, businesses refusing to take cash payments, inadequate COVID-19 responses in prisons and correctional settings, and the broad impacts of this pandemic on marginalized people's mental health and wellness.

Vaccine cards present a number of issues that our organizations have grave concerns about, including:

1. Access for undocumented migrants and other migrants who are denied MSP
2. Access for low-income people without government-issued identification
3. Access for people who use drugs
4. Access for people who cannot be vaccinated due to complex health conditions
5. Access for people whose government name is inaccurate

Addressing Areas of Concern

Access for undocumented migrants and other migrants who are denied MSP

Presently, undocumented migrants are now eligible for the vaccine - after months of advocacy by migrant justice groups. Undocumented migrants, farmworkers in the Seasonal Agricultural Worker Program, and other migrants with precarious immigration status do not have MSP coverage or PHNs and will therefore not be able to access the BC Vaccine Card. Thus far, the PHO and the province have failed to identify any workaround available to people without the required government ID and this exacerbates the climate of fear that undocumented people already exist in. The vaccine card excludes people who are not enrolled in MSP without any clear rationale.

Access for low-income people without identification

Many people in BC do not have personal ID documents. The routine displacement of people who rely on public space results in the routine disposal of personal belongings, including paperwork (such as ID documents) and technology (such as smartphones, computers, etc.). The widespread use of anti-poor displacement occurs in municipalities across BC, through street sweeps, breaking up tent cities, and the disposal of homeless people's personal effects. In these circumstances, replacing an MSP card, or any form of identification, becomes an insurmountable task. The PHO's order directs people to register online at the BC vaccine card website, and

references a secure paper version, but has not included any additional support for registering people without required identification, or those without regular internet access.

Access for people who use drugs

There is some evidence that public health restrictions related to COVID-19 have driven drug poisoning deaths, insofar as key harm reduction services have been forced to shutter or restrict their hours, and orders to isolate have prevented people who use drugs from engaging in various health and safety strategies, such as using a buddy system or accessing an overdose prevention site for drug use. While the order excludes healthcare facilities, people who use illicit substances will be implicated as their access to vital meetings, workshops, and other peer-led spaces (many of which offer critical harm reduction services and life-saving overdose response) may be contingent on proof of vaccine. Over five years into the public health emergency caused by the poisoned drug supply, public health orders, policy, and guidelines must recognize that low and no-barrier access to drug-user-centered spaces is necessary. Any public health order must recognize that people who use drugs must maintain social connections, and support their access to space that prioritizes belonging and inclusion, qualities that are essential to mitigating the risks of overdose.

Access for people who cannot be vaccinated due to complex health conditions

Throughout the COVID-19 public health emergency, including vaccine rollout, the PHO and health authorities failed to thoroughly plan for those with disabilities and health concerns that face barriers to accessing vaccination, are ineligible for the vaccine, or require extra precautions and measures in vaccine administration. Expedient COVID-19 safety measures often lack any direction from the disabled community. Now, this community is facing further social exclusion due to public health policy failures, including the lack of exemptions available to people over 12-years old. The overbroad vaccine card policy may translate into individuals being denied access to events, businesses, and services, without any consideration of the valid reasons for their unvaccinated status.

Access for people whose government name is inaccurate

The use of a vaccine card raises concerns for Two-Spirit, Trans, and Non-Binary people whose government ID and legal documents contain their deadnames and inaccurate gender markers. Neither the PHO nor the provincial government has given any indication about whether the vaccine card will include deadnames. In the absence of any clear direction, Two-Spirit, Trans, and Non-Binary individuals may be subject to transphobic interactions when they attempt to access events, services, and businesses. This could escalate to doxxing and further forms of violence against Two-Spirit, Trans, and Non-Binary people.

Recommendations

We believe in a public health response that prioritizes equity and non-stigmatizing responses. We recognize that this order will have far-reaching, and perhaps unintended impacts - resulting from stigma, social exclusion, racism, classism, ableism, and other forms of oppression. We ask that the PHO and the province of BC undertake the following to address the concerns raised in this letter:

Addressing barriers for people without MSP

- Ensure that there is an option to prove vaccination status for individuals who do not have a PHN or are not enrolled in MSP
- Work with community organizations familiar with the barriers faced by undocumented migrants and migrants with precarious immigration status to ensure people can access immunization records without a BC Services Card

Addressing identification barriers

- Ensure that there is an option to prove vaccination status for individuals who do not have a BC Services Card or any other government ID
- Develop gender-affirming public health guidelines that do not replicate transphobic healthcare and government policy

Addressing barriers to vaccine access

- Create a "B stream" approach for people who require a hospital setting for vaccine administration to support increase vaccine rollout
- Exceptions or accommodations must be made available for those with chronic conditions, disabilities, or others who are unable, for medical reasons, to receive a vaccine or wear a mask

Supporting community-led responses

- Outline individual, organizational, programming, and geographic exemptions as appropriate
- Engage organizations in the design of policies and guidelines that impact the communities we belong to and serve

Addressing enforcement

- Ensure that public health orders do not target people who are undocumented in any way
- Ensure that there is no police enforcement of public health guidelines
- Develop a robust response to COVID-19 that includes an ongoing moratorium on evictions, an amnesty on street sweeps and displacements of tent cities, access to peer-led safe supply, access to MSP regardless of immigration status, and diversion from contact with the criminal justice system (including congregate detention settings)

We hope that you recognize that the issues identified are distinct from “anti-vaxx” rhetoric and objections to COVID-19 public health measures. Going forward, the PHO and the provincial government should engage our organizations in the design of policies and guidelines that reflect the overlapping health risks of COVID-19, the poisoned drug supply, and the longstanding crises of settler-colonialism and white supremacy that underpin all social determinants of health.

Sincerely,

Phillip Banks
AIDS Vancouver

Meghan McDermott
BC Civil Liberties Association

Rowan Burdge
BC Poverty Reduction Coalition

**Catherine White Holman Wellness
Centre and All Genders Legal
Clinic**

Chilliwack Free Fridge

Eris Nyx
**Coalition of Peers Dismantling the
Drug War**

Defund 604 Network

Defund Fraser Valley

Dignity Denied

Dignity Denied

Helaine Boyd
Disability Alliance BC

Wendy Pedersen
**Downtown Eastside SRO-
Collaborative**

Didi Dufresne
**First United Church Community
Ministry Society**

Fuerza Migrante

Gabrielle Peters
Disabled writer & Policy analyst

Stephen D’Souza
**Homelessness Services Association
of BC**

Sarah Blyth
Overdose Prevention Society

nour kachouh, MPH
PACE Society

J. Evin Jones
PAN (Pacific AIDS Network)

Meenakshi Mannoe
Pivot Legal Society

RAMA Okanagan

Sanctuary Health

Alison Clancey
SWAN Vancouver

Eris Nyx
**Tenant Overdose Response
Organizers Project**

Douglas King
Together Against Poverty Society

**Vancouver Area Network of Drug
Users**

**Vancouver Committee for
Domestic Workers and Caregivers
Rights**

Bina Salimath
**Vancouver Women's Health
Collective**

Ingrid Mendez
**Watari Counselling and Support
Service**

cc: **Population & Public Health**
BC Centre for Disease Control

Commissioner Kasari Govender
Office of the Human Rights Commissioner

Siân Madoc-Jones
Manager of Strategic Outreach & Stakeholder Relations
Office of the Premier