

4.9 (as)

Pilon, Janet

Subject: Hamilton Mask Wearing - Mandatory???

From: Andrew Smith

Sent: July 11, 2020 12:05 PM

To: Office of the Mayor <mayor@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Prince, Kristin <Kristin.Prince@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>

Subject: Re: Hamilton Mask Wearing - Mandatory???

Dear Honorable Councillors,

I see that the by-law was approved at the Board of Health committee meeting yesterday. I have to say that I am disappointed, however I understand many of you are doing what you feel is necessary.

With respect to the by-law itself, one item is conspicuously missing and that is a description of the temporary nature of the by-law.

What metric are we using to decide when mask wearing can be ended?

Why was it not specifically noted that this is a temporary by-law, to be repealed at a later date?

When will the by-law be repealed? Toronto at least included a September end date from what I read in the media.

We have been open for pretty well a whole month now and the cases continue to decline despite far more widespread testing being carried out. There has been no second wave. No one is hospitalized at present.

The bylaw document refers to cases in the United States. That is far from here. Ontario cases continue to decline, despite the farm outbreak in Essex county cases in our province were down by 430 in the past week (reference Ontario19.com for the numbers).

We have been on a downward trajectory in our province on cases since April 22nd, and death-rate since approximately May 9th.

How long we will have to endure this draconian and unnecessary by-law being enforced?

I for one have asthma, and a mask gives me a severe inability to breathe adequately. I am expecting to be stigmatized and shunned if I cannot wear my mask at times.

Another consideration - is the City opening themselves to liability? The staff report notes that "if worn improperly, facial coverings use can present the opportunity to contaminate the wearer; lack of hand hygiene may also cross contaminate the environment" - if someone gets a bacterial infection with a bad outcome, can the City be held liable since you have A) Enforced mandatory mask use and B) Not provided adequate training for their appropriate use.

What happens if someone passes out while in a store due to poor oxygen uptake and hits their head? Will the City then be liable since you have enforced this by-law?

What about people who cannot afford masks? Will the City supply masks to our poorer population - people should not have to choose between food and masks.

Please consider the timing of the repeal of this by-law, and the possible liabilities you are subjecting the City to once this Bylaw is ratified by Council.

Best Regards,

Andrew Smith

On Tue, Jun 30, 2020 at 10:41 PM Andrew Smith wrote:

Dear Mayor and Councilors,

I was so startled to see the news in our Spectator today that our Mayor has come out in support of mandatory masks in our City.

Can this be true?

There is no scientific evidence that mask wearing can impact the transmission of coronaviruses or any other influenza like respiratory illnesses.

This is acknowledged by the World Health Organization, the American Medical Association and many other renowned experts in influenza and other health matters.

From the **WHO**:

https://www.who.int/influenza/publications/public_health_measures/publication/en/

Non-pharmaceutical public health measures for mitigating the risk and impact of epidemic and pandemic influenza" (pg.20) - ***'Masks worn by asymptomatic people are conditionally recommended in severe epidemics or pandemics, to reduce transmission in the community. Although there is no evidence that this is effective in reducing transmission, there is mechanistic plausibility for the potential effectiveness of this measure.'***

And if you look further at the Appendix which contains the scientific literature review that led to their recommendation it notes: ***"Ten RCTs (randomized control trials) were included in meta-analysis, and there was no evidence that face masks are effective in reducing transmission of laboratory-confirmed influenza."***

Further from the **WHO**:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/when-and-how-to-use-masks>

"Non-medical, fabric masks are being used by many people in public areas, but there has been limited evidence on their effectiveness and WHO does not recommend their widespread use among the public for control of COVID-19..."

From the Journal of the **American Medical Association**:

<https://jamanetwork.com/journals/jama/fullarticle/2762694>

"When Should a Mask Be Used?... Face masks should not be worn by healthy individuals to protect themselves from acquiring respiratory infection because there is no evidence to suggest that face masks worn by healthy individuals are effective in preventing people from becoming ill."

It is amazing to me that our councillors would suggest a significant intrusion into the details of the lives of your constituents and the operations of our many important businesses where there is NO SCIENTIFIC EVIDENCE that such measures will have any benefit.

If people want to wear a mask that is fine. I am not even that opposed to seeing their use "encouraged" or opposed to businesses requiring them. I wore one while I got my haircut on Saturday, no problem. However, I take strong issue with passing of By-laws, complete with punitive measures and fines in support of something for which there is no scientific evidence for the efficacy.

What we need from our councillors is reassurance that this virus is nearly beat in our community - we are down to 90 (ish) cases the last time that I checked and the numbers keep going down. Our death count is very low when reviewed against comparable Municipalities and for this we should be thankful.

If this matter proceeds to discussion at a Council meeting I will be entering my letter into the record and may attempt a delegation request so that this can be discussed further.

Please do the right thing. Mandatory masks are not right for Hamilton.

Best Regards,

Andrew & Nadine Smith (Petra, Daniel, Fanny)