



## NATIONAL CITIZENS INQUIRY

Truro, NS

Day 2

March 17, 2023

### EVIDENCE

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**Witness 1: Darrell Shelley**

Full Day 2 Timestamp: 00:32:11–00:55:57

Source URL: <https://rumble.com/v2djisi-nci-truro-day-2.html>

[00:00:00]

**Ches Crosbie**

Now I think we have our first witness for the day.

**Criss Hochhold**

Good morning, everyone, Commissioners.

**Ches Crosbie**

Sir, do you affirm to tell the truth, the whole truth, and nothing but the truth?

**Darrell Shelley**

I do. Can you hear me?

**Criss Hochhold**

Yes, we can hear you. Thank you. Can you please state your full name for us?

**Darrell Shelley**

Yes. Hi Criss, thanks for having me here today. My name is Darrell Shelley. I'm from Stephenville, Newfoundland. I relocated to Toronto in 2004, where I lived for 16 years, returning to Stephenville in December 2020, during the COVID pandemic.

**Criss Hochhold**

Before you moved to Newfoundland you said you resided elsewhere, can you tell me more about that? What precipitated your move to Newfoundland?

**Darrell Shelley**

I lived in Ontario for 16 years. I left Newfoundland as a young man, as many do, to seek employment opportunities. I ended up starting a business called Mighty Mouse Staffing, which was founded in early 2017. I was a freelance audiovisual technician in Ontario, a self-employed businessman the entire time I was up there. And after, when the COVID pandemic struck, it really took a dent in our business. We specialize in technical labour and the installation of events for producers, venues, shopping malls, public spaces, and we also provide skilled trades and construction when required. So when the live event industry shut down, it completely destroyed our business.

**Criss Hochhold**

Terry [sic], did you take any preventative steps to try and mitigate the potential impact of lockdowns or restrictions for your business?

**Darrell Shelley**

Yes, yes we did. So we ended up ordering KN95 masks, which are PPE from Asia, which is on par with the N95 masks you would get here, for what we call respirators. And we wanted those because they were supposed to keep our workers safe and we had to continue to work throughout the pandemic. So we ordered thousands of them. We got an importation license and we were ready to continue throughout the pandemic. We saw that it was coming before they had started to announce the emergencies of March 2020. So we were ordering these things about six to eight weeks before that time. When we started out in 2020, we just had peaked at what was going to be our best year ever based on contracts we were landing. We had about 20 freelancers that were working close to full time and 80 freelancers on call. We were on a gross track for over 1.5 million in 2020 from a business that started with only \$1,500 of one client back in 2017.

**Criss Hochhold**

So you built your business from 2017 to 2020, basically from \$1,500 income to a projected revenue of \$1.5 million, is that right?

**Darrell Shelley**

That's correct, yeah, and everything that we did was related to the event business at that time in the live event industry. So when the lockdowns happened in March, we had to tell everybody, "We're finished for now, we'll be back maybe in a few months." We weren't sure, so we held on to those KN95 masks. We just put it as a tool in our arsenal, Criss, like the same as you would with, you know, your boots, your steel-toed boots, your hard hats, or whatnot. And we figured we will get back to work at some point in time. But when June hit, we realized we weren't going back to work. That we were going to be permanently locked out of work here. And Doug Ford, because we were Ontario, he kept calling for PPE, PPE; and they kept telling people, the public, not to buy masks, that they only needed them for the government.

Well, when the government says something like that, it makes me want to make sure that I've got enough for myself first. But knowing we weren't going to need them, I had enough for my family. I had more than enough for my family and I teamed up with another friend of mine who owns a company called portable UBC and we decided to take all of our PPE and donate it to long-term care.

[00:05:00]

Because Doug Ford was calling for help with long-term care. We saw these videos on the news of people in long-term care were suffering. And if you remember the military had been called in, so we decided, "Okay, we're going to do our part, we're going to donate these things." Now they were calling for procurement, and we could have made money. I said, "No it's not the right thing to do. We're in a pandemic. We're all in this together, right?" That was the idea, was to help each other. So if I could help brothers and sisters and long-term care facilities get through their day, I had medical grade respirators that could help them, I was going to donate them.

And then we had a big snag when we actually decided to do that, which was the very first sign for me that there was a lot more to this pandemic that had to do with financial gain than it did to do about keeping people safe.

### **Criss Hochhold**

Terry [sic], how many masks were you donating or looking to donate?

### **Darrell Shelley**

So we had about 5,000 of them between us, and I had reached out to OPSEU [Ontario Public Service Employees Union], which is the union that handles long-term care facilities in Ontario. And I reached out to the president, Warren Smokey Thomas, and Eduardo Eddie Almeida, the first vice president and treasurer. They wouldn't get back to me for the first few times. I tried calling. I tried repeated e-mails. Finally, I got a little bit aggressive with one of my e-mails, and I did get a response. Their answer was to give it to the government, at which point I said, "I'm not interested in that. I'm interested in giving them to you." I said, "we will bring them ourselves. We have an importation license. These are legitimate. Taxes have been paid on them. Can we just bring them to you and help your people out?" And they just completely shadow-banned it. They blocked us. They didn't want to talk to us. They ignored us. It was over. I didn't understand why. So I went and did some investigating. I found it on their website. They were selling branded cloth masks with their logo on it, non-medical grade, to their own union employees. And that's the only PPE they were letting them have, which weren't going to keep them safe from the so-called virus. And here we were with medical grade respirators, an importation license, and excess of 5,000 masks that we didn't need.

And now, on a side note, OPSU is seeking nearly \$6 million that they allege that Warren Smokey Thomas and Eddie Almeida had stolen from union executives over the years. So I don't know if they were making money off these masks, but it sure as hell put a red flag up for me, and we decided eventually to donate them to a homeless shelter called Homes First in Toronto. So we gave it to them, but it was pretty amazing that they were calling for help in long-term care. And here we were, coming to save the day, and we weren't able to do it because they wouldn't let us do it.

### **Criss Hochhold**

And you were shut down from providing masks to the elderly population, particularly long-term care facilities, which were certainly a high-risk category. So thank you for that.

Terry [sic], what happened to your business? Because you said you built it up from the dream, so to speak, from very small income to a projected income of 1.5 million. And the

second question— Actually, let me preface that, I'm sorry. Your business had contractors, you had employees, 20 contractors, and you also said you had up to 80 subcontractors. When the lockdowns and restrictions came, what happened to your company? What happened to those employees, to those contractors and subcontractors?

**Darrell Shelley**

So the audiovisual community and event-staffing community in the city they had these online sort of events where they were trying to rally people to— You know, let's be all in this together and let's stay home and let's stay safe and all that. But after a while, after a few months, we started to see that this really wasn't the case. Walmart was open, the liquor store was open. People down in the United States, you know, a lot of places were still open. A lot of technicians that were highly skilled moved to the United States temporarily. Some of them left the business completely. A lot of them switched trades or left the town because, I mean, living in southern Ontario near the GTA is ridiculously expensive. You need to keep making money every day or you're going to go under, and by the time we got said and done with it, I think we managed to pick up some work in 2020. Our one and a half million projection ended up turning into about nine grand in sales from March to the year-end, and we almost lost our company.

We managed to survive because we started an online pet supply business and dog breeding business when we came back to Newfoundland called Shelley's Pet Palace, and we were able to do that mostly online. And now in 2023, we are just starting to get Mighty Mouse Staffing back to pre-pandemic levels, and we're hoping for a good year. But we've had to rebuild our entire crew and network because a lot of people have exited the business.

[00:10:00]

Which was sad because we lost a lot of really good people from that industry.

**Criss Hochhold**

No question of significant impact on the staffing because people would have found different trades, different avenues of revenue which may not return to the business. Certainly, a significant impact, and to go from a projection of 1.5 million to an actual recognized revenue of \$9,000 is simply incredible. Were you able to regain some of the clients that you lost because of the significant reduction in your ability to provide the services?

**Darrell Shelley**

So thankfully, yes, we managed to keep a couple of our clients. One of them does a lot of work in shopping malls, which managed to remain open. So that little bit of work floated us during the tough years, the two tough years that just—that we just went through. But it was nowhere near what we were at before. I mean, it was literally, I had to put myself on the jobs. I had to travel back, which was quite a struggle: traveling throughout the pandemic with the various restrictions changing on a weekly basis, not knowing if we were even going to be able to travel. So I wanted to go into telling my little story about how I had to actually come home and try to take care of my mother, because getting back to the island of Newfoundland during that time was a nightmare.

**Criss Hochhold**

Absolutely, and Terry [sic], you've segued from the business aspect which affected you and your family, but I want to touch upon your personal story as well. You mentioned your mother, so certainly a significant life event that impacted you. Can you tell me more about that?

**Darrell Shelley**

Yeah, Criss, so, I mean, what proceeded—the story I'm going to tell right now probably brought me to where I am right now, my political and professional ambitions. Because I couldn't believe that this could happen on Canadian soil. I couldn't believe that this could happen in our country. So my mom was having a rough time with her health at the beginning of the year. We didn't make it home for Christmas in that previous year, so we planned to come back sometime year 2020 anyway. In May, Mom got sick.

**Criss Hochhold**

May of 2020?

**Darrell Shelley**

2020. Like really sick, more than before, and she had to stay in the hospital for a couple of weeks alone. It was really hard on her. She was unable to leave and she was only allowed one visitor, which was her designated visitor, which was her sister. During this time, my nephew was born. There were strict hospital restrictions due to the pandemic for visitation—for births as well. So my mother was unable to witness the birth of her second grandson, due to the pandemic restrictions. And the baby was not able to come see her due to the restrictions in the hospitals. I think that's when she got diagnosed with cancer, and I think it was a really lonely, difficult time for my mother. I regret that I wasn't able to be there for her at that time.

**Criss Hochhold**

Absolutely, I'm very sorry to hear that. How did you feel when you first learned that you weren't able to visit your mother, you know, going through such an end-of-life stage at this point in time? How would that make you feel, Terry [sic]?

**Darrell Shelley**

Yeah, we knew that we might be able to come home if we applied for an exemption. But in May 5th, 2020, Bill 38, an Act to amend the *Public Health Protection and Promotion Act*, backed by the Newfoundland government, was enacted. And this included banning non-residents from entering the province. However, residents were still able to leave and return. So if you're from Newfoundland, you can leave and go to Canada. But if you're in Canada, you can't come to Newfoundland. First time I've ever heard of anything like that ever happening. You're not allowed to go to this province, sort of, right? It allowed the police to conduct warrantless searches and contain persons who are suspected of being in contravention to the *Public Health Protection and Promotion Act*. To enter any premises without a warrant, to take samples, conduct tests, make copies, extracts, photographs, videos, inspect as the inspector considers necessary. And to make available any means to generate and manipulate books and records that are in the machine-readable format, such as an electronic form, or any means necessary, for the inspector to assess any books and

records and no timeline given. So they can just come into your house, take your laptop, leave, and come back three months later and say, “We found something in your laptop.”

**Criss Hochhold**

So there were some very, very trying times for us. Sorry to interrupt you, Terry [sic], but I want to focus back on your mother a little bit actually. Because you weren't able to visit with her due to these travel restrictions that were brought in, but were you able to connect with your mother in another way potentially?

**Darrell Shelley**

Yeah, Criss. Yeah, to just correct you, it's Darrell.

**Criss Hochhold**

Oh, I'm sorry.

**Darrell Shelley**

Yep, no problem. So yeah, like I was just about to get into—

[00:15:00]

In May 2020 the Civil Liberties Association wrote to the attorney general, Minister Andrew Parsons, concerning the restrictions put in place by the government. I sent that to my mother and I said, “You know, I don't know if we're going to be able to get home. I don't know what's going on.” So June 4th, my wife and I applied for a travel exemption into the province. And to our surprise, we did get it the next day. Taking care of someone in palliative care assistance was an option. We chose that option and we did a lot of teleconferencing, video calls with Mom. But we were really worried about traveling through the other Atlantic provinces because we heard about the difficulties that other people were having.

We didn't know if we were going to be able to get through New Brunswick and Nova Scotia. We didn't know if we were going to be able to even get on the boat and then they may change that last minute. So Mom was doing better through the summer and had lots of family and friends to help her as she was going through chemo. So we didn't think it was necessary to really take the risk of trying to travel and maybe getting stopped along the way or something. So we didn't go at the time. And then in the fall, Mom took a turn for the worse. We decided to travel home right away to take care of her full-time at that time.

Then on November 7, 2020, I had to apply for another exemption because the old one was only valid for 30 days. Now, this 30-day rule was never stated, was never made public. There was no way to know it. I had to inquire because I was going to pack up. I left my condo behind, everything behind to come home. My business was shot, so there was no work happening anyway. And this time, I applied for my entire family. We were planning to travel back on November 23. Then on November 13, I was talking to my mother with her on Messenger that day. Everything seemed fairly normal and fine. She was on the phone with her sister, I believe, that night. And sometime after midnight, she died in the kitchen. The restrictions that were put in play by the Government of Newfoundland and Labrador and the other corresponding Atlantic provinces robbed me of being able to see my mother in her dying days.

## **Criss Hochhold**

I'm very sorry to hear that, Darrell. Absolutely. As we're coming in towards the end, I want to ask: were you able to find some closure after all this with your mother's passing?

## **Darrell Shelley**

Yes and no. We weren't sure if the exemption would be valid, but we came home anyway. At this time, after Mom passed away, there was no way for me to be able to get back to see the body to say goodbye, do a proper send-off. She had to be cremated pretty quickly. What we decided to do was to have a wake. And I knew that there was a fourteen-day isolation and I wasn't supposed to go. Some family members said to me, "Do it anyway," others said, "No you can't." So I didn't tell anybody I was coming back and no one in town, no friends, no relatives, nobody knew of her wake. She was robbed of that. I didn't know anything about it. I came home, got off an airplane full of people. Got into a truck completely isolated. Went to my house, completely isolated. Got in the truck went to the wake, had to put a fake name down to walk in. Went in and saw her in the empty room.

And to this day, there's people in this town didn't even know there was a wake. The only other person who went was my brother and his family. Nobody else was there. I didn't even see them, because they went at a different time. People were calling me saying, "You are going to get arrested if you break the quarantine." And I said, "My mother is dead." I said, "I'm coming back to say goodbye to her body and we paid thousands of dollars for it. I'm going to do it." So I set her up, it was it was mixed emotions. I was completely alone with no one there to confide in. You know, my father was very helpful by giving me his truck and everything. But the people in Newfoundland and Labrador were scared. They were totally petrified.

The amount of discrimination I felt in the next few months, traveling home, getting on that boat, and coming from Ontario, from my fellow Newfoundlanders was despicable. It was ridiculous. You are talking about a person that hadn't left his condo for almost—more than half a year. I was never sick. We weren't working. I was isolated most of the time. All I did was went outside to walk my dog. The amount of discrimination was ridiculous. The government had everybody pitted that the outsiders were going to bring some killer plague to the island of Newfoundland. And everybody believed that this is going to happen. I heard things like, "You're going to be the first case in Stephenville," and, "You would affect the entire town." When I came back— I came back on December the first, was when we finally landed, when we got over with our stuff. We quarantined for fourteen days. The last day of quarantine was my fortieth birthday. No one came to visit me on my birthday. People called and things like that but nobody came. It was my last day. Like I said we saw very little family over Christmas. It took twenty-nine days before I was able to sit down with my brother to discuss my mother's affairs.

The government destroyed everything and had everybody living in fear. It was so sad. As people found out we were from Ontario, they would run away from us. When we couldn't get help offloading, I couldn't get help to offload my things. Even if I actually did it in another room by myself.

[00:20:00]

I was offering somebody two hundred dollars an hour to help me offload my stuff, after driving all the way from Ontario, getting harassed by a border guard in New Brunswick, who said I couldn't stop. Having to take the license plates off my truck and off my trailer. It took three days to offload that stuff by myself. I had to return to my mother's house to go

over her belongings. Same towels that she used were still hanging in the bathroom and nobody to help us. The intimidation factor was unreal, and I couldn't believe that the people of Newfoundland were so scared and convinced that we were going to bring this plague and kill everybody. It took a long time for us to be able to reconcile that as friends with our neighbors, with our families, and people [inaudible] to get back to normal.

### **Criss Hochhold**

Absolutely right and then we are still reconciling with that, so thank you, Terry [sic]. We are coming short on time. I have no further questions for you. Appreciate your time and I'm going to defer to the commissioners, if there are any questions that they'd like to ask of Darrell. No?

Yes, there is one question.

### **Commissioner Kaikkonen**

I'm just wondering, when it comes to the different travel regulations or guidelines in the different provinces. When you mentioned that you were harassed in New Brunswick, by the border patrol, could you just kind of elaborate a little bit further on that?

### **Darrell Shelley**

Sure, yeah. It was after driving through Ontario and Quebec with no issues really. We got to the New Brunswick border at Edmundston and they had a full lockdown situation. It was almost like driving into a— I've traveled in Europe. I've gone from country to country like France to Switzerland, and other places. And when you do, there are places where they search you, and they lock you down. And you know that's understood. It felt like that, it felt like I was going into another country. Like I was being questioned about who am I, where am I going, why am I going there and I had my papers. I said, "I'm going on back to Newfoundland," and she said, "Well, you can't stop along the way." I said, "Well, if you know anybody who's got a 5.7 litre V8 with a trailer that can drive all this distance without stopping on one tank of gas, I'll take two trucks, thanks."

I had my family, my puppies, a long drive, we were already tired, we weren't allowed to stop. She said, "Well, if you do stop—" I mean she pulled over other officers and they started interviewing us. And they were, like, flashing in the back of our car and looking around and trying to find out what we were doing. And they said, "If you do stop, you've got to wear a mask, you've got to put the gloves on; you can't go inside any building to use the washrooms or anything like that; you can't eat. Go straight to Newfoundland and get straight on the boat." If anybody knows, that's a very long drive, it's hard to do it in one day. It's impossible to do with families, and puppies, and a trailer like I said. So I had to stop. I had to take the license plates off. I had to hide, I had to pay cash most of the time because I was afraid that they were going to track my Visa or my debit card. I mean this is early 2020, before they had any of the vaccine passports or anything like that, and we were terrified.

We didn't know what to do. Coming into Nova Scotia, they had flashing signs about getting ready, getting ready, and when we got there, there was nothing. We just drove right through Nova Scotia and went straight to Newfoundland. It was so bizarre. Each province had their own set of rules and again, New Brunswick was pretty intimidating. She said, "If you stop for any reason at all, we're going to send you back to where you came from." So I would go back to Ontario where I had no home, where I had no condo, where I had no

company anymore. And I wouldn't be able to go and take care of my mother's affairs. I'd basically be homeless if they decided to turn me around, if I didn't cooperate with them.

**Commissioner Kaikkonen**

Thank you.

**Darrell Shelley**

Thank you. Thank you for what you're doing. Thank you for taking the time to listen to me today.

**Criss Hochhold**

Thank you, Darrell. I appreciate your time.

[00:23:38]



***Final Review and Approval:*** Jodi Bruhn, August 3, 2023.

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