

Court File No: CV-22-00682682-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

RANDY HILLIER

Applicant

- and -

HIS MAJESTY THE KING
IN RIGHT OF THE PROVINCE OF ONTARIO

Respondent

EXAMINATION FOR DISCOVERY OF RANDY HILLIER
Held via Arbitration Place Virtual
On Thursday, May 4, 2023

APPEARANCES:

Ryan Cookson
Savitri Gordian

Counsel for the Respondent

Sayeh Hassan
Chris Fleury
Darren Leung
Henna Parmar

Counsel for the Applicant

ALSO PRESENT:

Raven Schofield

Commissioner of Oaths

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1 Arbitration Place Virtual

2 --- Upon commencing on Thursday, May 4, 2023

3 MS. SCHOFIELD: Are you able to
4 hear me okay, Mr. Hillier?

5 THE WITNESS: Yes, Hillier.

6 MS. SCHOFIELD: Hillier?

7 THE WITNESS: Yes.

8 MS. SCHOFIELD: Okay, perfect. So
9 I'm here to administer your oath today. So do you
10 solemnly affirm that the evidence you are about to
11 give will be the truth, the whole truth, and
12 nothing but the truth?

13 THE WITNESS: So help me God, yes.

14 AFFIRMED: RANDY HILLIER

15 EXAMINATION BY MR. COOKSON:

16 1. Q. All right. Thank you very
17 much. I guess we're ready to proceed. My
18 colleague, my co-counsel, is just running a few
19 minutes late, so she may join the Zoom room in a
20 few minutes. But I'll be conducting the
21 examination today, and I don't think we'll take
22 very long. So for the purposes of the record, we
23 can go on the record now. Mr. Hillier, you swore
24 an Affidavit in this proceeding on September 14th,
25 2022, is that right?

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1 A. Correct.

2 2. Q. And do you have a copy of
3 that Affidavit in front of you?

4 A. I do.

5 3. Q. Excellent. And did you
6 review your Affidavit before coming to testify here
7 today?

8 A. Yes.

9 4. Q. And are there any changes or
10 corrections you wish to make to that Affidavit?

11 A. No.

12 5. Q. And have you been cross-
13 examined before in a court proceeding such as this
14 one?

15 A. Yes.

16 6. Q. So you're somewhat familiar
17 with the process?

18 A. Yes, I am.

19 7. Q. Okay. Just remember to try
20 and speak clearly. This proceeding is being
21 recorded and a transcript will be made of the
22 proceeding. Also, if you need a break at anytime,
23 please let me know and we'll be happy to
24 accommodate you.

25 A. Yes.

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1 8. Q. I'd like to start by talking
2 a little bit about your background. You note at
3 paragraph 4 of your Affidavit you obtained a
4 diploma in electrical engineering from Algonquin
5 College, is that right?

6 A. Correct.

7 9. Q. And when did you obtain that
8 diploma, roughly?

9 A. Oh, somewhere around the late
10 1990s.

11 10. Q. And do you have any other
12 degrees or diplomas for any post-secondary
13 institutions?

14 A. No.

15 11. Q. You also state in your
16 Affidavit that you were a licensed electrician and
17 construction manager for 20 years, is that right?

18 A. Correct.

19 12. Q. And then beginning in 2002
20 you served as President of the Ontario Landowners
21 Association, is that right?

22 A. First, the Lanark Landowners
23 Association, and subsequently the Ontario
24 Landowners one, it was formed later on.

25 13. Q. I see. And that began in

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1 2002?

2 A. The Lanark Landowners did,
3 yes.

4 14. Q. Right. And was that a full-
5 time position or did you continue your work as
6 electrical engineer?

7 A. I continued employment, but
8 altered my employment and eventually it became a
9 full-time activity, not employment.

10 15. Q. Understood. And then
11 following that, in 2007 you were elected as a
12 Member of Provincial Parliament, is that right?

13 A. Correct.

14 16. Q. And you served in that
15 position until 2022?

16 A. Until June of 2022, yes.

17 17. Q. Yes. And are you currently
18 employed?

19 A. No.

20 18. Q. No, okay. So just to
21 clarify, you did not go to medical school?

22 A. I don't think I ever stated I
23 have, but...

24 19. Q. I didn't think you stated you
25 had either, but the answer is no, correct?

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1 A. That's correct.

2 20. Q. And you are not a licensed
3 physician or s licensed health care practitioner?

4 A. No, I'm not.

5 21. Q. And you haven't received any
6 formal training in medicine or health care?

7 A. Just 65 years of experience.

8 22. Q. And what do you mean by that?

9 A. Of life.

10 23. Q. Other than the 65 years of
11 experience of life, you have no formal --

12 A. Taking care of myself and
13 taking care of my family, that's my experience --

14 24. Q. Understood.

15 A. -- (inaudible/speaking
16 simultaneously) years.

17 25. Q. But nothing other than that?

18 A. No.

19 26. Q. Okay. And you have no
20 professional employment experience in health care
21 or medicine?

22 A. Professional employment
23 experience?

24 27. Q. Correct. You were never
25 employed at any job in which -- in the field of

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1 health care or medicine?

2 A. No, I was employed for 15
3 years and spoke extensively with health care
4 professionals, over 15 years as an elected
5 representative. So that was a professional
6 position that was engaged with people employed in a
7 professional capacity in health care. And I had
8 many conversations, discussions and legislation
9 that helped inform my understanding of things. But
10 does that answer your question?

11 28. Q. Yes, it does. No experience
12 in health care or medicine, other than what you
13 just mentioned with respect to being a Member of
14 Provincial Parliament, correct?

15 A. Correct.

16 29. Q. Thank you. I'm going to move
17 on to a different topic. You were one of the
18 founders of an organization called No More
19 Lockdowns, is that right?

20 A. Correct.

21 30. Q. And, as I understand it, No
22 More Lockdowns is an association of individuals who
23 advocated against restrictions related to COVID-19,
24 is that right?

25 A. Yes.

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1 31. Q. And I'm going to try and take
2 you to the website of No More Lockdowns. And if
3 you'll bear with me, I'll just try and share my
4 screen. If there are any technical difficulties,
5 please let me know. So I'm attempting to share my
6 screen now. Do you see the website of No More
7 Lockdowns in front of you?

8 A. I do.

9 32. Q. Excellent. And I'm just
10 going to go through a couple of the paragraphs that
11 are listed on this webpage. So it states here that,
12 "No More Lockdowns Canada is a grassroots community
13 of political activists countering excessive
14 government overreach. Founded by MPP Randy Hillier
15 in May of 2020, NML Canada asserted our fundamental
16 rights as Canadians to peacefully assemble,
17 offering a stable and welcoming social environment
18 to passionate citizens opposed to the destructive
19 Public Health response to COVID-19." So does that
20 accurately describe No More Lockdowns?

21 A. It is correct and it's
22 accurate, yes.

23 33. Q. Yes, I believe it does as
24 well. And No More Lockdowns, as I understand it,
25 engaged in forms of political advocacy against

1 COVID-19 restrictions throughout the pandemic, is
2 that right?

3 A. Against excessive,
4 unwarranted, unjustified legislation and policies.

5 34. Q. And you did that throughout
6 the pandemic, is that right?

7 A. Yes.

8 35. Q. And I'm just going to go
9 through a couple of activities that were listed on
10 the website under the headings "What We've
11 Accomplished:" Here, I won't read it through in
12 full, but in the first paragraph it says -- I
13 believe it's starting the second sentence,
14 "Extensive networks of volunteer activists ran a
15 highly successful lawn sign campaign throughout
16 Ontario, distributing our signature "No More
17 Lockdowns" signs to supporters across the
18 province." Do you see that sentence?

19 A. Yes, I do.

20 36. Q. And that's one of the
21 activities that No More Lockdowns engaged in?

22 A. M'hmm.

23 37. Q. And I think I see one of
24 those signs behind you, is that right?

25 A. Yes.

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1 38. Q. Right. And further down, if
2 you can see it, it also states that No More
3 Lockdowns established local action groups
4 throughout the province?

5 A. Yes.

6 39. Q. And can you describe the
7 local action groups?

8 A. Well, they vary. You know,
9 it's essentially like-minded people who understood
10 that the government's response to COVID was more
11 harmful than it was a cure, and that we're willing
12 to speak out honestly and truthfully with one
13 another and with others to help convince and
14 provide evidence of their convictions to others.
15 And with the objective of having those excessive
16 and unwarranted policies repealed, removed,
17 amended, would probably be the best way to
18 characterize it. But each group was fairly -- had
19 a broad latitude of independent actions.

20 40. Q. Right. All loosely organized
21 under the umbrella off the activism spearheaded by
22 No More Lockdowns, is that right?

23 A. Yes.

24 41. Q. Right, thank you. And it
25 also states that No More Lockdowns encouraged

1 businesses and churches to remain open during the
2 pandemic, is that right?

3 A. Encouraged everyone to not
4 comply with unjustified and harmful policies.

5 42. Q. Right. And that included
6 sometimes remaining open sometimes in defiance of
7 Public Health regulations?

8 A. We always encouraged people
9 to remain open.

10 43. Q. Right. So the answer to my
11 question is yes, correct?

12 A. State your question again.

13 44. Q. Sure. I said No More
14 Lockdowns encouraged businesses and churches, and
15 you said everyone, to remain open. And I said,
16 sometimes in defiance of COVID-19 health
17 regulations? And that's correct?

18 A. Regardless of what the
19 regulations were, yes.

20 45. Q. Thank you. And No More
21 Lockdowns also encouraged large-scale
22 demonstrations and gatherings, is that right?

23 A. Yes.

24 46. Q. And again, you encourage
25 those large-scale demonstrations and gatherings

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1 regardless of the Public Health regulations,
2 correct?

3 A. Always encouraged people to
4 peacefully assemble and express their opposition
5 regardless of any other policy or law.

6 47. Q. Thank you. And No More
7 Lockdowns also had some involvement in the 2021
8 Federal Election, is that right?

9 A. Yes.

10 48. Q. Could you describe that
11 involvement please?

12 MR. FLEURY: Just so we're
13 clear and to be fair to Mr. Hillier, there's the
14 -- what I see as the third paragraph under "What
15 We've Accomplished" does describe that. So perhaps
16 he'd like to review what's in front of him there.

17 MR. COOKSON: Oh of course,
18 yes, I'm happy for him to review this or anything
19 else.

20 BY MR. COOKSON:

21 49. Q. If you want to review that
22 third paragraph, please feel free to do so, Mr.
23 Hillier.

24 A. Yes, I stand by those -- that
25 language.

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1 50. Q. Okay. So we can be sure that
2 that accurately describes the activities of No More
3 Lockdowns during the 2021 Federal Election,
4 correct?

5 A. Yes.

6 51. Q. Great, thank you. And it
7 also states that No More Lockdowns supported the
8 Freedom Convoy protest in Ottawa in February of
9 2022, is that right?

10 A. That's correct.

11 52. Q. How did you support the
12 Freedom Convoy protest?

13 A. Encouraging people to attend.

14 53. Q. And is No More Lockdowns
15 still active?

16 A. Yes.

17 54. Q. So No More Lockdowns has been
18 active since its founding in May of 2020 right up
19 to the present day, is that right?

20 A. Correct.

21 MR. COOKSON: I'd like to, for the
22 purpose of the Court Reporter and my fellow
23 counsel, mark this webpage as an exhibit. I assume
24 there's no objection, Mr. Fleury?

25 MR. FLEURY: No objection to that,

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1 no.

2 MR. COOKSON: Thank you. For the
3 Court Reporter, this is the website of No More
4 Lockdowns accessed today, May 4th, 2023.

5 EXHIBIT NO. 1: Website of
6 No
7 More Lockdowns, dated May
8 4th, 2023

9 BY MR. COOKSON:

10 55. Q. I'm going to stop sharing my
11 screen for a moment. And now comes a bit more
12 complicated part. I'm going to try and take you to
13 a couple of different pages on YouTube. First of
14 all, Mr. Hillier, you have a YouTube channel, is
15 that right?

16 A. I do.

17 56. Q. And I'm just going to bring
18 that up, if you give me a minute.

19 A. Share it widely.

20 57. Q. Happy to do that, just one
21 moment. And then I'm going to attempt to share my
22 screen again. Do you see your YouTube page in
23 front of you?

24 A. I do.

25 58. Q. And it says here you have

1 around 11,700 -- oh, now 11,800 subscribers, is
2 that right?

3 A. Keeps growing.

4 59. Q. Yes, it's grown since I
5 checked it yesterday in fact. And you've posted
6 404 videos it says here, that's right?

7 A. A lot. I haven't counted
8 them, but I suspect that is correct.

9 60. Q. Right. And some of those
10 related to COVID-19, is that right?

11 A. Yes, there's a whole bunch on
12 there from my time in the Legislature, others about
13 COVID, others about public policy, others about
14 rallies, there's -- 400 videos covers a broad
15 spectrum of activities.

16 61. Q. Right. And during the
17 pandemic you used your YouTube channel to express
18 your views about COVID-19 and the government's
19 response to the pandemic, is that right?

20 A. To express my views on all
21 public policies, including COVID-19 and the
22 government's policies.

23 62. Q. So I just want to go to a
24 couple examples of those. Just one second, I'm
25 going to try and pull those up.

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1 MR. COOKSON: Sorry, before I
2 proceed, why don't we mark this, the main page of
3 Mr. Hillier's YouTube channel as an exhibit, Mr.
4 Fleury?

5 MR. FLEURY: My only concern
6 is that I don't think we scrolled the whole page.
7 I didn't see this on there.

8 MR. COOKSON: Oh, sure. I'm
9 happy to scroll through the whole page if you want.

10
11 MR. FLEURY: I'm just pulling
12 it up on my own end here.

13 MR. COOKSON: Yes, no
14 problem.

15 MR. FLEURY: Okay, there it
16 is.

17 MR. COOKSON: I don't think
18 there's anything controversial about the contents
19 of the page.

20 THE WITNESS: Neither do I.

21 MR. FLEURY: No, no
22 objection. That's fine.

23 EXHIBIT NO. 2: Main page
24 of

25 Mr. Hillier's YouTube

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1 channel

2 BY MR. COOKSON:

3 63. Q. And I'm going to see if I can
4 play just parts of a couple of clips. And here is
5 the part where I hope the technology works, because
6 I'm hoping you'll be able to hear what we see in
7 the video. So if you cannot hear the video, please
8 let me know, and I've included closed captioning
9 just in case for everyone to see. So I'm going to
10 begin this. Can you see the YouTube page on your
11 screen, Mr. Hillier?

12 A. Yes, I can.

13 64. Q. And this appears to be a
14 video that was posted on November 18th, 2020, is
15 that right?

16 A. That's what it says.

17 65. Q. And it has more than 11,000
18 views it looks like?

19 A. Okay.

20 66. Q. And I'm just going to play an
21 excerpt. Let me know if you cannot hear it.

22 A. I can't hear it.

23 MR. FLEURY: I can't hear it
24 either, counsel.

25 BY MR. COOKSON:

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1 67. Q. Okay. So that part has not
2 worked. I've included the closed captioning, which
3 I think accurately captures what was said. So if
4 we can just go through that, perhaps you can read
5 along with it and we can do it that way.

6 A. Okay.

7 MR. FLEURY: It's very difficult,
8 counsel. Like, I -- these haven't been provided in
9 advance, and these closed captions are not always
10 correct. I'm just -- I'm reluctant without
11 actually reviewing the video.

12 MR. BRECKMAN: Sorry to interrupt,
13 but for the screen share there should be a box I
14 believe you can check that says "share sound."

15 MR. COOKSON: Ah, thank you very
16 much. I'm going to go off the record for a moment.

17 MR. FLEURY: Sure.

18 --- OFF THE RECORD

19 --- ON THE RECORD

20 BY MR. COOKSON:

21 68. Q. Okay. I believe we resolved
22 the sound issue. I'm just going to play an excerpt
23 of this video, "Of course there's --the western
24 world and our country, Canada, Ontario, is still
25 gripped with this irrational view that COVID is a

1 danger to everyone, when the evidence demonstrates
2 beyond a shadow of a doubt it is not dangerous to
3 everyone. But we've seen our public health..." So
4 I'm going to stop it there.

5 MR. COOKSON: And, Mr.
6 Fleury, before we continue, I'm going to ask that
7 this video be marked as an exhibit, and I'm going
8 to ask that the whole video be marked as an exhibit
9 because although I'm only playing clips here, you
10 know, I'm happy of course for the entire video to
11 be marked.

12 MR. FLEURY: The difficulty
13 is that I haven't had the chance to watch the whole
14 video and I can't agree to do that until I actually
15 have a chance to watch the whole video.

16 MR. COOKSON: Sure. I was
17 hoping that for the sake of expediency we could
18 mark it as an exhibit, without having to look
19 through the entire thing. But, I mean, we can play
20 through the entire video if you want, but perhaps
21 it would be easiest if we just played the clips?

22 And maybe we could go off the
23 record for a second.

24 MR. FLEURY: Sure.

25 --- OFF THE RECORD

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1 --- ON THE RECORD

2 BY MR. COOKSON:

3 69. Q. Okay. Mr. Hillier, in that
4 last clip you were expressing your view that it's,
5 in your words, irrational to believe that COVID
6 could pose a danger to everyone, is that right?

7 A. Well, the facts at that time,
8 which are still valid today, indicate that it was -
9 - at that time, I believe the number was about 85
10 per cent or 90 per cent of the hospitalizations and
11 fatalities attributed to COVID were people over the
12 age of 75 and with significant comorbidities. So
13 the risk level was significantly higher for a
14 specific demographic as compared to everyone.

15 70. Q. Right. And I'm going to play
16 another clip from the video. "So we have to ask
17 ourselves why, why are so many people living in --
18 with such concern and such dread and taking such
19 precautions for something, for a virus, a Corona
20 Virus, that is more like the common cold than it
21 isn't?" And so here you're expressing your view
22 that the COVID-19 virus is more like the common
23 cold than it isn't, is that right?

24 A. Yes, that was the same
25 language that the Minister of Long-Term Care in

1 Ontario, Merrilee Fullerton, described it as in
2 June of 2020. The Crown described COVID at that
3 time as being similar to the flu, the common cold,
4 and that it was typical in flu season for
5 significant deaths to occur in long-term care.

6 71. Q. Thank you. So that brings us
7 very nicely to the next video, which I will share
8 again. And I'll make sure to share the sound this
9 time. Do you see the YouTube page in front of you
10 once again?

11 A. I do.

12 72. Q. And this is a video that was
13 posted on August 15th, 2020, as you can see there,
14 correct?

15 A. Correct.

16 73. Q. And I'm just going to play
17 you a clip here. "Our hospitalizations are on par
18 with the regular flu season. Everything that we
19 know about hospitalizations, about recovery, about
20 fatalities with COVID are generally the same or
21 very similar to what we experience every year in
22 Ontario with every flu season. Those are facts."
23 And so once again here you're expressing your view
24 that everything that we know about
25 hospitalizations, recovery and fatalities with

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1 COVID are generally the same or very similar to
2 what Ontario experiences every flu season, correct?

3 A. Yes. That was a view that
4 was shared by Dr. Lawrence Rosenberg, the Chief
5 Medical Officer of Health for the Island of
6 Montreal, and the former Chief Medical Officer of
7 Health in Ontario, Dr. Richard Schabas. And as we
8 learned as well, that the hospital utilization rate
9 in Ontario had dropped precipitously from 110 per
10 cent capacity or utilization down to what we learn
11 as 62 per cent utilization during COVID.

12 74. Q. Right, thank you. One more
13 YouTube video. Just give me a moment and I'll pull
14 it up. Do you see the YouTube screen in front of
15 you once again?

16 A. I do indeed.

17 75. Q. Excellent. And this was a
18 video, it states, was posted on September 7th,
19 2020?

20 A. Yes.

21 76. Q. Correct?

22 A. That's what it says.

23 77. Q. That's what it says. And I'm
24 just going to play another clip for you. "Fine.
25 So those health unit orders about mandatory face

1 masks, if you want to speak up and speak out, throw
2 the mask away. Unless you're ill, unless you're
3 elderly and susceptible or one of the people who
4 are vulnerable, then you might want to consider
5 using a mask. But for healthy people, the mask
6 provides no benefit, no value, and further more it
7 provides no protection from you or anybody else."
8 So here you're expressing your view that for
9 healthy people the mask provides no benefit, value
10 or protection, correct?

11 A. I shared the view that has
12 been overwhelmingly determined to be factual by a
13 host of peer-reviewed and randomized studies, and
14 it was a view that was stated unequivocally by our
15 governments at the beginning of COVID that masks
16 could not prevent the transmission or spread of a
17 virus.

18 78. Q. Right. And you also
19 encouraged people not wear masks?

20 A. I encouraged people to think,
21 and if they thought, as I stated in there, if
22 people considered that they were at risk because of
23 other conditions, to think about things. But for
24 healthy people that, as the studies have shown, the
25 mask had no benefit.

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1 79. Q. And so for healthy people,
2 you encouraged them to decide for themselves
3 whether or not to wear a mask regardless of what
4 the Public Health regulations stated, correct?

5 A. No, I said for all people to
6 think and look at their own circumstances and make
7 a determination.

8 80. Q. Regardless of what the Public
9 Health regulations stated, correct?

10 A. That's right, and no matter
11 how they changed over the course of time.

12 81. Q. No matter how they changed.
13 Okay, thank you. I'm going to change to a
14 different webpage now. You also have a channel on
15 something called Odysee, is that right?

16 A. Yes.

17 82. Q. And my understanding is that
18 Odysee is a website that's similar to YouTube, that
19 allows you to post videos?

20 A. Yes.

21 83. Q. Okay. So let's see if we can
22 go to that webpage now, and then specifically going
23 to go to your channel. Do you see the Odysee page
24 in front of you?

25 A. I do.

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1 84. Q. And it says here that you
2 have more than 1,400 followers. Do you see that?

3 A. Correct.

4 85. Q. And like YouTube, you've
5 posted many videos to this Odysee channel?

6 A. I did, and do.

7 86. Q. And do?

8 A. Yes.

9 87. Q. Some of those video related
10 to COVID-19?

11 A. Some of them, yes.

12 88. Q. And during the pandemic you
13 used your Odysee channel to express your views
14 about COVID and about the government's response to
15 COVID, correct?

16 A. Yes. And I'll qualify this,
17 that there was an extended period of time when I
18 was banned from putting videos on YouTube.

19 89. Q. And what was that period of
20 time?

21 A. I don't have the exact dates
22 in front of me. But I've been banned from
23 expressing myself on LinkedIn, Twitter, YouTube and
24 Facebook at various times in the last three years.

25 90. Q. And did each of those

1 websites give you a reason for why they had banned
2 you?

3 A. I think that was revealed
4 through the Twitter files that have been released
5 of the significant encouragement by governments and
6 academics and law enforcement to suppress
7 dissenting views on social media. Matt Taibbi and
8 Bari Weiss have revealed the evidence of the
9 collusion between government institutions and
10 social media to limit dissenting views.

11 91. Q. You mentioned Twitter. With
12 respect to YouTube specifically, did they give you
13 a reason why they banned you or your videos?

14 A. Anything that did not conform
15 to the government and Public Health narrative on --
16 with regards to COVID was either banned outright or
17 shadow banned and limited distribution.

18 92. Q. And so as a result of you
19 being banned at least for a period of time on
20 YouTube, one of the alternative video platforms you
21 turned to was Odysee, is that right?

22 A. Right.

23 93. Q. Right. And this is that
24 Odysee page?

25 A. Yes. And you can see the

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1 difference in the number of subscribers or
2 followers.

3 94. Q. Yes. So I'm going to go,
4 just like a did with YouTube, to a couple of
5 examples of these Odysee videos, not quite as many,
6 I think only two. Just give me one moment. Okay,
7 I'm going to attempt to share my screen again. Do
8 you see the Odysee page in front of you once again?

9 A. I do.

10 95. Q. And this appears to be a
11 video titled "Comments, Courage to Resist." Do you
12 see that?

13 A. Yes.

14 96. Q. And it was posted on March
15 23rd, 2021?

16 A. Correct.

17 97. Q. And, like before, I'm just
18 going to play a small excerpt. "...the vaccine
19 companies, big pharma, are making handfulls of money
20 with all this testing that we know that is false.
21 They're making bucket loads of money on vaccines
22 that we know are less than effective. We know that
23 there is a great deal of money being spent by our
24 governments to propagate this fakery in the last
25 year, and we will all pay that financial price.

1 But if we don't stand up soon, we will have a much
2 bigger price to pay." So here in this excerpt
3 you're describing your views that at least some of
4 the testing for the vaccine is what you describe as
5 false, is that right?

6 A. Dr. Barbara Yaffe, the Deputy
7 Chief Medical Officer of Health in September of
8 2020 stated that there is greater than 50 per cent
9 false positives on the PCR testing.

10 98. Q. I thought you were referring
11 to vaccine testing here, but perhaps I'm mistaken?

12 A. If you listen to it again.

13 99. Q. It might have been -- I can
14 listen to it again, one second. Perhaps I'm
15 mistaken, perhaps you're correct.

16 A. Well, what testing is there
17 for vaccine may I ask, Ryan?

18 100. Q. I was just confirming what
19 views you were expressing in this video. That's
20 all I'm trying to establish. So if I've
21 misinterpreted it, that's fine. Perhaps I could
22 ask it in this way. You posted many videos to
23 Odysee expressing your scepticism about the safety
24 of the COVID-19 vaccine, correct?

25 A. I posted not just my opinion.

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1 As we have seen from world-class experts, right,
2 that the vaccine, and even Dr. Fauci would finally
3 admit that it did not prevent the spread and it did
4 not prevent the hospitalization, and why so many of
5 them after -- subsequently to getting the vaccine
6 were tested positive for COVID. So those are
7 facts, and those facts were evident in March of
8 2021.

9 101. Q. Okay. Thank you very much.
10 I'm going to share another video. Just give me one
11 moment. All right, I'm sharing my screen again.
12 Do you see the video in front of you, Mr. Hillier?

13 A. I do, yes.

14 102. Q. And this is a video titled,
15 "No More Lockdowns Stratford, Randy Hillier
16 Speech." Do you see that?

17 A. I do.

18 103. Q. And it was posted on April
19 26th, 2021. I just got a message that the
20 recording was stopped.

21 --- OFF THE RECORD

22 --- ON THE RECORD

23 BY MR. COOKSON:

24 104. Q. Mr. Hillier, I'm just going
25 to show you another video, which we had just been

1 discussing. And as we discussed before the break,
2 this is a video of your speech at a protest in
3 Stratford, Ontario, is that right?

4 A. That's what it says.

5 105. Q. Right. And do you recall
6 this protest at all?

7 A. Oh yes. Well, let's --
8 there's different ways to describe this. And some
9 people call -- refer to them as rallies, some
10 people refer to them as gatherings, some people
11 refer to them as protests. But I think the most
12 apt way to label it is a peaceful assembly to
13 express dissent of government policies.

14 106. Q. Sure, I'm happy to use the
15 term assembly, if that's your preference. I'm just
16 going to play a clip here. This is a little bit
17 longer, but I'll start it now. "...comes a time
18 that I've been waiting -- I've been waiting for a
19 bit, got a chance to shake hands with him, got a
20 chance to sit with his daughter at church today and
21 kick a little dialogue about things. Maybe too
22 soon to say future Prime Minister, who knows? You
23 never know, maybe I'm calling it a little early out
24 the gate. But I'm sure we have a lot of support
25 behind this man. I know I stand behind this man.

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1 Please make some noise for the one and only, Randy
2 Hillier! Randy! Randy! Randy!" Randy Hillier:
3 "Thank you very much. That sounded like something
4 from the World Wrestling Federation. Listen, it's
5 marvellous to be in Stratford today. It's
6 marvellous to see thousands of people out here
7 today, all wanting one thing, No More Lockdowns!
8 No More Lockdowns! It's a nice, simple, easy
9 message, and it's a truthful message." I think we
10 can stop it there. Do you recall around when this
11 rally took place?

12 A. Well, the date on the video
13 says April 26th, so I would hazard a guess that
14 it's very close to that date.

15 107. Q. Okay, that's fine. And, as
16 we can see here, a very large group attended this
17 assembly, correct?

18 A. Correct.

19 108. Q. Do you have an estimate of
20 the number of people who might have attended this?

21 A. It would be a guesstimate, at
22 best. These, you know, especially in Stratford, it
23 was a very overlarge geographical location, so very
24 difficult to determine, but in the many hundreds
25 for sure, but -- and maybe more.

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1 109. Q. So a rough estimate of many
2 hundreds let's say?

3 A. Yes.

4 110. Q. And it appears from the
5 video, at least as I can see, that nobody or
6 perhaps almost nobody is wearing a mask, correct?

7 A. There was no requirement to
8 wear a mask outdoors at that time.

9 111. Q. Right. And, in fact, nobody
10 was wearing a mask there though, correct?

11 A. Well, I wouldn't imagine that
12 this would -- there probably was some, but -- you
13 know, it doesn't -- there would -- they would be
14 the exception, not the rule.

15 112. Q. Right. The overwhelming
16 majority were not wearing masks, correct?

17 A. That's obvious from the
18 image.

19 113. Q. Right. So the answer is yes,
20 correct?

21 A. Yes.

22 114. Q. Thank you. And the people
23 attending the protest are not standing more than
24 two metres apart, correct?

25 A. People at the assembly appear

1 to be --

2 115. Q. My apologies, the assembly.

3 A. -- were in close proximity.

4 And, again, there was no requirement to have
5 distance between people outdoors.

6 116. Q. And, in fact, they did not
7 engage in physical distancing of two metres,
8 correct?

9 A. There was no requirement to.

10 117. Q. Right. My question was
11 slightly different. My question was were they in
12 fact physically distancing of two metres or more?
13 And I believe the answer is no, correct?

14 A. Also many people weren't
15 wearing hats. There was no requirement to wear
16 hats either. And there was no requirements to wear
17 certain clothing. So people came freely, spoke
18 freely, and exercised their constitutional right to
19 peacefully assemble without violence.

20 118. Q. I understand that, Mr.
21 Hillier. My question was slightly different. My
22 question was, were people here physically
23 distancing of more than two metres. And the answer
24 is no, correct?

25 A. Are you suggesting that there

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1 was a requirement for them to do so?

2 119. Q. No. I'm asking what in fact
3 occurred?

4 A. Okay. Well, the image is
5 obvious.

6 120. Q. Right. And it is that
7 they're not standing more than two metres apart,
8 correct?

9 A. I'm sure there was some
10 people that were, and I'm sure that there was many
11 that weren't.

12 121. Q. Thank you. There was also a
13 lot of shouting, cheering and chanting at this
14 assembly, correct?

15 A. Certainly sounded like it.

16 122. Q. Right. And throughout the
17 pandemic you attended a number of rallies that were
18 very similar to this one?

19 A. Quite a few.

20 123. Q. Okay, thank you. I'm going
21 to stop sharing --

22 A. And never once did I get
23 sick.

24 124. Q. Thank you. Just a few more
25 --

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1 A. Nor did anyone else who
2 attended those peaceful assemblies got sick.

3 125. Q. You also have a Facebook
4 page, correct?

5 A. I do.

6 126. Q. And I'm going to take you to
7 that now. Do you see your Facebook page in front
8 of you?

9 A. I do indeed.

10 127. Q. And it says here you have it
11 looks like 118,000 followers on this page, is that
12 right?

13 A. That's what it states.

14 128. Q. And during the pandemic you
15 used your Facebook page to express your views about
16 COVID-19 and the government's response to COVID-19,
17 correct?

18 A. Along with all subjects of
19 interest.

20 129. Q. And you mentioned before that
21 you were banned from YouTube for a while. Were you
22 ever banned from Facebook?

23 A. Yes.

24 130. Q. And do you recall what period
25 of time that was?

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1 A. Not offhand, no.

2 131. Q. Even approximately?

3 A. No. These things happened
4 quite frequently. You know, the way they do it is
5 -- and different social media have different
6 criteria, different penalty structures. But
7 they'll be -- the first ban will be for a period of
8 time, the second ban will be for longer, the third
9 ban may result in a complete elimination of the
10 page, you know, so it's difficult to determine just
11 how often they were suppressed or banned and for
12 the duration.

13 132. Q. And when they banned you from
14 Facebook, did they give you a reason for why they
15 banned you from Facebook?

16 A. The same reasons, as
17 explained earlier with Twitter; if you dissented
18 from the accepted or narrative, if you challenged
19 mandates or Public Health with other expert
20 opinions you would be banned.

21 133. Q. Okay, thank you. I'm just
22 going to take you to two posts from your Facebook
23 pages, these are not videos, I'm sure everyone will
24 be happy to know. Just one moment. All right, do
25 you see this Facebook post in front of you?

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1 A. Yes.

2 134. Q. And it appears to be dated
3 April 4th, 2021, do you see that?

4 A. Yes.

5 135. Q. And it says, "What an amazing
6 turnout. Thanks to everyone who attended. We made
7 a big statement yesterday!" And this appears to be
8 photos from a No More Lockdowns protest in
9 Brantford, Ontario, is that right?

10 A. It looks like another
11 peaceful assembly in Brantford.

12 136. Q. I apologize, we're using the
13 word assembly, I keep on forgetting. I'm just
14 going to go through some of the pages again. And
15 do you recall around when this protest would have -
16 - my apologies, do you recall around when this
17 assembly would have taken place?

18 A. Well, again, it's dated in
19 April of 2021, so I suspect it would be very close
20 to that time.

21 137. Q. Right. And a large number of
22 people attended. Do you have an estimate of the
23 number of people who might have attended this
24 protest?

25 A. Yeah, that was a fairly large

1 one. You know, that one would be in the thousands,
2 for certain. I think we can see that from some of
3 the images there.

4 MR. COOKSON: Mr. Fleury, I'd like
5 to mark this as an exhibit. I don't think it
6 raises the same objections as the videos, is that
7 right?

8 MR. FLEURY: No objection.

9 MR. COOKSON: Thank you.

10 EXHIBIT NO. 3: Randy
11 Hillier's Facebook page

12 BY MR. COOKSON:

13 138. Q. And then I'm also going to
14 take you to another post from the same protest I
15 believe. Do you see this post in front of you
16 dated April 6th, 2021?

17 A. Yes.

18 139. Q. And this also appears to show
19 photos of the protest in Brantford, Ontario,
20 correct?

21 A. Of the assembly, yes.

22 140. Q. I keep on forgetting that. I
23 need to change it in my notes. And like the
24 previous protest, I don't see anybody in the photos
25 wearing a mask, correct?

1 A. As in all peaceful outdoor
2 assemblies, there was no requirement to wear a
3 mask. And in those photos, we can see that nobody
4 was wearing one in those photos, that's correct.

5 141. Q. Thank you. And again, in the
6 photos there are many examples of people not
7 standing more than two metres apart, correct?

8 A. There are many examples of
9 people being law-abiding, using their freedom and
10 their judgment, and there was no requirement to be
11 apart.

12 142. Q. And, nor were they apart?

13 A. There may have been some, but
14 in those photos there was many people that weren't.

15 143. Q. Thank you. And we don't have
16 a video of this rally, but I'm sure that there was
17 a lot of cheering and chanting at this rally as
18 well, correct?

19 A. These were very enjoyable
20 times, enjoyable opportunities for people to once
21 again conduct themselves like normal human beings
22 and socially interact with one another as civilized
23 social animals or beings.

24 MR. COOKSON: Thank you. I'd also
25 like to mark this as an exhibit please. This is

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1 the Facebook post dated April 6th, 2021 of Randy
2 Hillier.

3 EXHIBIT NO. 4: Facebook
4 post

5 dated April 6th, 2021 of
6 Randy Hillier

7 MR. FLEURY: If I could just ask
8 one or two questions, counsel, just about this to
9 Mr. Hillier, I think it might be helpful.

10 MR. COOKSON: If you want to ask
11 questions in re-examination, that's obviously fine.

12 MR. FLEURY: Well, I think it just
13 pertains to who's actually taking the pictures and
14 whether or not he posted this. So I'd just be --

15 MR. COOKSON: Sure, I'm happy for
16 you to ask those questions in re-examination.

17 MR. FLEURY: Okay.

18 BY MR. COOKSON:

19 144. Q. Okay. Almost done. I'm now
20 going to go to your Twitter page, which you had
21 mentioned. And do you see your Twitter page in
22 front of you?

23 A. I do indeed.

24 145. Q. And we can see here that you
25 have looks like more than 72,000 followers, is that

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1 right?

2 A. At the moment, yes.

3 146. Q. And again, during the
4 pandemic you used your Twitter page to express your
5 views about COVID-19, Ontario's response to COVID-
6 19, as well as a variety of other matters, correct?

7 A. Now, this one I have a better
8 handle on this because the -- I was permanently
9 banned on Twitter somewhere around February/March
10 of 2022. I know that because they just reinstated
11 my account about a month or two ago. So for the
12 entire -- just about the entirety of 2022 that page
13 didn't exist.

14 147. Q. I see. So for the period of
15 around approximately February to March of 2022 to
16 you said a few months ago, so maybe --

17 A. Yeah, I believe it was around
18 -- it was sometime after Elon Musk bought Twitter,
19 I was deemed to be a worthy account again.

20 148. Q. I see. And so you were
21 reinstated after that. And so you were banned from
22 Twitter for roughly a year, is that fair to say?

23 A. (inaudible/off mic)

24 149. Q. Sorry, you said yes?

25 A. Yes. Well, not just banned,

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1 the account was removed.

2 150. Q. The account was removed,
3 okay, thank you. And then I just want to take you
4 to one post, just one second. And here we see a
5 post from your Twitter account dated April 1, 2021.

6 Do you see that?

7 A. Yes, I do.

8 151. Q. And you made this post?

9 A. I did.

10 152. Q. And it says, "The Third
11 Wave," and there's a picture -- it looks to be a
12 picture of Hitler, and the Third Wave appears to be
13 an allusion to the Third Reich, is that correct?

14 A. Well, as it states, "Everyone
15 who has ever been to sea, knows there is never an
16 end to waves." And that picture is of an
17 authoritarian individual, I believe, addressing a
18 large audience of people who subscribed to his
19 authoritarian beliefs.

20 153. Q. Right. And you were drawing
21 a comparison between that situation and the
22 situation as you perceived it here in Ontario,
23 correct?

24 A. Yeah, a parallel.

25 154. Q. A parallel between the two, I

1 understand.

2 MR. COOKSON: I'd like to
3 mark this as an exhibit.

4 MR. FLEURY: No objection.

5 EXHIBIT NO. 5: Randy
6 Hillier

7 Twitter post dated April
8 1,
9 2021

10 BY MR. COOKSON:

11 155. Q. Okay, tank you.

12 A. As it states here, "The truth
13 does not mind being questioned."

14 156. Q. Thank you. And then,
15 finally, you also have a website,
16 www.RandyHillier.com, correct?

17 A. That's correct.

18 157. Q. And during the pandemic, you
19 used your website to express your views on COVID-
20 19, Ontario's response to COVID-19, and a variety
21 of other matters, correct?

22 A. It was mostly dedicated to
23 the -- my legislative activities, but there would -
24 - my legislative activities also included that, so
25 that is where you'll find my legislative

1 correspondence to Ministers, to the OPP, to various
2 other political entities describing or informing
3 them of my advocacy for freedom and opposition to
4 government policies that were infringing on our
5 constitutional freedoms.

6 MR. COOKSON: Thank you. I
7 believe those are all my questions. I'm just going
8 to check with my colleague just to make sure. But
9 perhaps we could take another five-minute break.
10 I'll confirm with my colleagues about whether there
11 are anymore questions. And then, Mr. Fleury, if
12 you have any re-examination questions, we can
13 proceed there then.

14 MR. FLEURY: Sure. During the
15 break, would you mind sending me the links to those
16 YouTube videos and Odysee videos please?

17 MR. COOKSON: Yes, I'm happy to.
18 And we can go off the record for a moment.

19 --- OFF THE RECORD

20 --- ON THE RECORD

21 MR. COOKSON: Thank you, Mr.
22 Hillier, those are all my questions.

23 As discussed with your counsel, I
24 just wanted to make sure that the two Facebook
25 posts that I had referred to in your examination

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1 were marked as exhibits, those are the post of
2 April 4, 2021 and the post of April 6, 2021, both
3 dealing with the assembly in Brantford, just to
4 confirm that we'd like both of those marked as an
5 exhibit. Thank you.

6 MR. FLEURY: There's no objection
7 to that. And just to confirm the other matter that
8 we discussed, that what is being relied upon by
9 Ontario in terms of the videos is just simply the
10 sections that were actually shown to Mr. Hillier
11 during the examination. And again, we take no
12 objection to the admission of the videos on that
13 basis.

14 EXHIBIT NO. 6: Videos

15 MR. COOKSON: And I'm happy to
16 proceed on that basis, thank you.

17 MR. FLEURY: Thank you.

18 EXAMINATION BY MR. FLEURY:

19 158. Q. So, Mr. Hillier, I have one
20 question for you on re-exam. So you were shown a
21 number of social media posts with regards to your
22 expression of your opinions on subjects ranging
23 from masks, vaccines, testing, distancing, et
24 cetera, various Public Health measures. You
25 expressed your opinion on social media. And my

1 question for you is what is the difference, if any,
2 between expressing your opinions on social media
3 versus assembling, in your words, with people live
4 and in person? What is the difference between
5 those two things?

6 A. Oh substantial, substantial.
7 You know, the -- you know, we know that our ability
8 to communicate is comprised more of body language
9 and the emphasis and the sincerity that can be
10 displayed in a personal conversation. You know,
11 the documentation that I've seen is that our
12 communications are about 90 per cent non-verbal.
13 So in social media, restricting or preventing that
14 interaction, personal interactions, really
15 diminishes the quality of the communication and
16 also to, in large part, the understanding of the
17 communications. So the personal interactions with
18 people is a prerequisite for conveying a message
19 accurately. Does that answer?

20 159. Q. Yes. And one question
21 arising from that, my first question. In the
22 assemblies that you were a part of throughout this
23 period in and around April of 2021, can I clarify,
24 did you give -- was it just a matter of speaking at
25 these events or did you also have, if I can call

1 them, personal conversations with people who were
2 there?

3 A. The speaking on the platform
4 would be a small component of the day's assembly.
5 Often times I would get there hours in advance and
6 leave hours afterwards through the personal
7 interactions and discussions with people who had
8 attended. So in large part, you know, the
9 communications on the stage was, you know, not as
10 important as all the personal interactions
11 throughout the assembly. And I might also just
12 qualify with, you know, the social media as
13 compared to those personal interactions, you know,
14 there is no way of knowing or it's very difficult
15 to determine how long somebody's engaged in a
16 social media post. But when people are interacting
17 personally and live, you know, they're there for
18 the whole event. They're engaged and captivated,
19 let's say, or -- and understand the importance of
20 it. A social media post is -- somebody may watch
21 it for a second, it may just come up on a scroll
22 and be registered as a view, but not actually have
23 any impact or have been watched for any period of
24 time. So it is a very poor or third-rate form of
25 communication as compared to personal interactions.

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1 MR. FLEURY: Thank you. Those are
2 my questions on re-exam. Thank you.

3 So we can go off the record. And,
4 Mr. Hillier, thank you for your time today, and
5 I'll be in touch with you shortly. I'll give you a
6 call a little later today.

7 THE WITNESS: It'd been a
8 pleasure, and I --

9 MR. COOKSON: Thank you.

10 THE WITNESS: -- (inaudible/
11 speaking simultaneously) very glad that Ryan
12 managed to watched through all those videos and
13 come away with a much better understanding of the
14 situation.

15 MR. COOKSON: Thanks, Mr. Hillier.

16 THE WITNESS: Have a lovely day.

17 MR. COOKSON: You as well.

18 THE WITNESS: Bye, bye.

19 --- Whereupon the proceedings adjourned
20
21
22
23
24
25