

November 3, 2022

Reid Hamer-Jackson
7 Victoria Street W.
Kamloops, BC V2C 1A2

Hand Delivered

Dear Mayor Hamer-Jackson:

Re: ASK Wellness Society

I am writing to you in my capacity as legal counsel to ASK Wellness Society ("ASK") and its Chief Executive Officer.

Lawyers and staff in our office are involved in many community groups in both their personal and professional lives. The purpose of these other organizations ranges from helping those who suffer from alcoholism and addiction to those with disabilities and mental illness to those who are suffering in their last days of an illness. We do this because we think this is important work to help people in our community. I work with ASK largely because I see considerable value for our community in the work they do.

I know, both from conversations we have had, and the nature of your campaign for Mayor, that helping those in our community who are disadvantaged is important to you.

I am writing to you because I am concerned that some of the interviews you have given in the media and some of the statements you made in your campaign may have the effect of polarizing our community on some of the challenges that many communities across BC are facing.

Polarization has been a successful (in short term) political strategy in some places, but I think most Canadians believe we can get more done and help more people if we use our hands to build something together rather than point fingers.

Your comments in your interviews, your identification of the Chief Executive Officer by name and the out of context quotes of conversations with the Chief Executive Officer, whether intended or not, have the effect of diminishing or lowering the reputation of ASK and the Chief Executive Officer in the estimation of the public in Kamloops. That is, by definition, defamation.

Neither ASK or the Chief Executive Officer is suggesting, at this time, that they would commence a Court Action in relation to your defamatory comments, but they do want to see an end to these comments, including reference to the Chief Executive Officer by name.

It is my hope, and the hope of my client, that you will find this letter to be an invitation to work together rather than point fingers at anyone.

As we know, the issues of alcoholism, addiction, mental illness, homelessness, and repeat criminal offenders are complex ones. Solutions to these problems are not simple and require cooperation of several levels of government and a number of agencies. However, most agree that one of the primary considerations for addressing these myriad issues is finding housing for those who do not have housing. Once people are housed, addressing other complex issues like alcoholism, addiction, and mental health becomes more possible.

Housing is the primary activity of ASK. While it does operate the majority of funded, abstinence based, recovery beds in Kamloops, housing is the most significant of its activities.

You have noted in some of your interviews that what you have called "harm reduction" type of housing does not work. While that may or may not be true if measured by an abstinence measure of "sober" or "clean", it does work to keep these individuals alive in the hope of having them find recovery. Other harm reduction initiatives also serve to reduce demand on strained police and emergency services.

You noted in your inaugural speech that you hope to establish task forces to address these issues. Task forces that look to find solutions, staffed with knowledgeable and experienced members, are likely to bring the community together. My client, ASK, is positioned to be a great resource to a solution finding task force. However, if the purpose of the task force is to be "fault finding", which does not advance solutions, then our client is not going to be the valuable resource it could be.

Our client is interested in working cooperatively. It has a long history of helping some of the most disadvantaged in our community. It looks forward to being able to continue its work, but its ability to do so will be impaired if the past efforts to polarize continue. That will, in my view, be a great loss to our community.

Yours truly,

MORELLI CHERTKOW LLP

Per:



Scott E. Huyghebaert

SEH/jw

CC: client (via email)

David A. McMillan


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Our File No. USL-029

November 7, 2022


Morelli Chertkow LLP
300 – 180 Seymour Street
Kamloops, B.C.

Attention: Scott Huyghebaert

Re: ASK Wellness Society and Mayor Reid Hamer-Jackson

Dear Mr. Huyghebaert,

I act as counsel for Mr. Hamer-Jackson. Your letter dated November 3, 2022, has been referred to me for reply.

My client does not propose to debate any of the philosophical statements and platitudes expressed in your letter. Rather, I am instructed to respond directly to your allegation that Mr. Hamer-Jackson has defamed ASK Wellness Society and its Chief Executive Officer.

Please identify any false statement made by my client, in any of his many interviews, that was defamatory of either ASK Wellness or Mr. Hughes personally. Please do so immediately or, alternatively, acknowledge that you cannot. Mr. Hughes is a capable spokesperson for ASK Wellness who has no hesitation identifying himself by name in his own interviews. Can you offer any basis for the ludicrous suggestion that others who refer to Mr. Hughes by his name are somehow defaming him? Finally, you have alleged that Mr. Hamer-Jackson has taken quotes of conversations with the Chief Executive Officer “out of context”, and that by doing so has defamed him and/or ASK Wellness. Please identify what quotes you are referring to, and explain how purportedly taking an accurate quote out of context could possibly constitute defamation.

The purpose of your letter, to intimidate Mr. Hamer-Jackson, appears to be quite explicit in its seventh paragraph. The thinly-veiled threat of a defamation action at some time in the future, if he continues to speak out on issues of public concern that involve your clients, is duly noted. I would suggest that a prompt, unequivocal retraction of your clients’ allegations and apology for your letter would be more conducive to forging a constructive, co-operative relationship moving forward.

I look forward to hearing from you.

Yours very truly,

McMILLAN LAW OFFICE

A handwritten signature in black ink, appearing to read 'D. McMillan', written over the printed name 'David A. McMillan'.

David A. McMillan

DAM