

Alberta Doctors' Digest

Do Game of Thrones references belong in a courtroom?

In recent news, a physician in British Columbia, hereinafter referred to as “Dr. N,” attended court in Vancouver in July 2023 for an application to dismiss his lawsuit after suing the B.C. Supreme Court for \$66.6 million. Dr. N’s lawsuit alleged a currently sitting Supreme Court Master violated his “right of protection and preservation of the vessels of [his] bloodline [and] ... the vessels of the souls of [his] children.” According to Dr. N, the Supreme Court Master had previously granted an order barring him from contacting his children for a year during which time they apparently received what Dr. N described as “a prima facie medical experiment commonly known as COVID-19 vaccination.”

Dr. N (previously a family physician) has resigned his license in B.C.; however, he still faces a disciplinary hearing with the College of Physicians and Surgeons of B.C. for his “misleading, incorrect, or inflammatory statements about vaccinations, treatments, and measures for COVID-19.” Also having worked in Alberta, Dr. N received a warning from Alberta Health Services for encouraging the use of ivermectin. (As an aside, his Alberta registration was cancelled for non-renewal and non-payment of fees).

All of this background aside, Dr. N’s case brought particular [attention in the media](#) more because of his obtuse reliance on the Magna Carta and other odd court-room behaviours, which are known to legal experts as Organized Pseudolegal Commercial Arguments (OPCAs), in his fight against COVID-19 pandemic measures. Unfortunately, Dr. N is not the first litigant to present wild conspiracy theories and bluntly erroneous arguments in a court of law, and he will certainly not be the last. In fact, the courts of Alberta are all too familiar with such smoke and mirrors.

Meads

Back in 2012, Associate Chief Justice Rooke of Alberta’s Court of King’s Bench issued the now prominent decision of *Meads v Meads, 2012 ABQB 571*, arising from an application against Mr. Meads for divorce and division of matrimonial property. Interim monthly child support and spousal support payments were ordered against Mr. Meads, which he generally followed. However, Mr. Meads had failed to disclose required financial records to calculate interim child and spousal support amounts.

Upon appearing before Associate Chief Justice Rooke, Mr. Meads began calling himself a “Freeman-on-the-Land,” providing the court with unfiled and very unorthodox documents such as his birth certificate, referring to outdated or irrelevant legislation, and making outlandish conspiratorial-themed comments to the court about its overall authority.

Associate Chief Justice Rooke decided to use the opportunity to outline in great detail (and many pages) the various hallmarks of OPCAs and the inherent dangers they contained and to provide guidance to judges and lawyers for identifying what he coined as “OPCA litigants.” Some may have heard OPCA litigant groups referred to as Freeman-on-the-Land, Detaxers, Sovereign Men/Citizens, Church of Ecumenical

Redemption International, Moorish Law and other names. To date, no Canadian court has accepted an OPCA concept or approach as valid law.

OPCA litigants come from all branches of life and all levels of education, wealth and fame. American movie actor Wesley Snipes previously used OPCAs to argue he was a non-resident alien in order to avoid his income tax obligations, only to subsequently serve a three-year prison sentence. Their primary common link appears to be their susceptibility to conspiracy theories and skepticism of authority when speaking to the court, which unfortunately merges well with the challenges arising from the COVID-19 pandemic.

Typically, these litigants meet or are approached by individuals that self-identify as “gurus.” These gurus explain that their “secret” legal techniques or scripts can assist litigants in by-passing common legal obligations such as tax, child support and spousal payments and access the “true court.” They are also told that such secrets will eventually provide these litigants access to secret bank accounts with unlimited funds. All of this, of course, is in exchange for a small price.

As Associate Chief Justice Rooke eloquently puts it:

OPCA litigants appear, engage in a court drama that is more akin to a magic spell ritual than actual legal proceeding, and wait to see if the court is entranced and compliant. If not, the litigant returns home to scrutinize at what point the wrong incantation was uttered, an incorrectly prepared artifact waved or submitted.

These OPCA tactics include using a mishmash of legal jargon, citing foreign or obsolete legislation (like the Magna Carta), referencing random historical incidents (such as the Nuremburg Trial) and using biblical or religious language and elaborate paperwork that, while at first appearing convincing, is nothing more than random seals, graphics, odd fonts, numerous signatures and fingerprints.

Most notably, OPCA litigants use stereotypic formats when naming themselves, along with odd punctuation or dashes when naming themselves on court documents, such as this:

: [first name] - [middle name] : [last name] :

They might also reference themselves as “of the House of,” “of the Clan” or other *Game of Thrones* styled references or call themselves “sovereign man,” “a natural person, but not a corporation,” “created by God” or a “flesh-and-blood man.”

The *Meads* case emphasized that such arguments held no legal merit and were unsupported by any legal authority and that despite their best attempts to deny the courts’ authority, the inherent jurisdiction of Canada’s superior court defeated any such strategies.

Overall, *Meads* showcased the legal system’s response to OPCA litigants and the challenges they can pose to the judicial system. Courts are now generally well equipped to respond to OPCA litigants through classifying the individual as a “vexatious litigant” and tools provided to the court that prohibit the individual from initiating any further legal actions without permission of the court due to their history of repetitive and baseless litigation.

Ultimately, the ruling serves as a warning to those attempting to evade legal responsibilities or challenge legal authority by using OPCAs. It underscores the

importance of adhering to legal principles and respecting the rule of law in order to protect against abuse. Through the examination of OPCAs and the litigants' responses to arguments, we gain insight into the delicate balance between accommodating unconventional perspectives and protecting and upholding the principles of justice upon which Canada was based.

While Dr. N's application was adjourned to another date due to "significant public interest," the court will likely refer to *Meads* in making its final decision.

The views, perspectives and opinions in this article are solely the author's and do not necessarily represent those of the AMA.

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