



Case in Brief: **Taylor v. Newfoundland and Labrador**

Judgment of February 13, 2026 | On appeal from the Court of Appeal of Newfoundland and Labrador
Neutral citation: 2026 SCC 5

The Supreme Court of Canada clarifies how mobility rights under the *Charter* apply to travel restrictions adopted by a province during the COVID-19 pandemic.

This case deals with travel restrictions imposed by Newfoundland and Labrador early in the COVID-19 pandemic. The province's Chief Medical Officer of Health issued a series of orders aimed at protecting public health. The orders prohibited non-residents from entering the province unless there were exceptional circumstances and advanced approval from the Chief Medical Officer of Health.

In May 2020, a Canadian citizen who did not reside in the province sought an exemption to enter Newfoundland and Labrador after her mother passed away. Her initial request was denied, but a request for reconsideration was later approved and she was permitted to enter the province a few days later.

After being granted entry, the daughter applied to the courts for a declaration that the travel restrictions violated her mobility rights guaranteed by section 6 of the *Canadian Charter of Rights and Freedoms*.

The judge concluded that the travel restrictions violated the daughter's mobility rights under section 6, but held that the violation was justified under section 1 of the *Charter*. Section 1 allows governments to place limits on *Charter* rights if those limits can be reasonably justified. Both sides appealed the decision. Before the appeal was heard, the travel restrictions were lifted. The Court of Appeal dismissed the appeal as moot, without deciding the *Charter* issues. A case is considered moot when the issue no longer has a practical effect. The daughter then appealed to the Supreme Court of Canada.

The Supreme Court allowed the appeal in part, stating that the violations of mobility rights were broader than found by the first judge.

The violation of mobility rights under Newfoundland and Labrador's travel restrictions were justified in the circumstances of the COVID-19 pandemic.

Writing for the majority, Justices Karakatsanis and Martin found that the daughter's mobility rights were violated under section 6 of the *Charter*. They therefore considered whether the violation was justified under section 1 of the *Charter*. In this case, they concluded that in the early days of the COVID-19 pandemic, governments were confronted with rising case numbers, loss of life, and limited scientific certainty. The travel restrictions were adopted quickly to protect public health. In these circumstances, the limits imposed on mobility rights were reasonable under section 1 of the *Charter*.

Breakdown of the decision: *Majority*: Justices [Karakatsanis](#) and [Martin](#) allowed the appeal in part (Justices [Côté](#), [O'Bonsawin](#) and [Moreau](#) agreed) | *Dissenting in part*: Justices [Kasirer](#) and [Jamal](#) would have allowed the appeal in part, for other reasons (Chief Justice [Wagner](#) agreed) | *Dissenting in part*: Justice [Rowe](#) would have dismissed the appeal

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