

Injunction restrains former employee's campaign of online harassment (SGS Canada Inc v. Carrier)

Harassment | Injunction | Litigation & Dispute Resolution

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While it is typically individuals who seek relief from defamatory and harassing conduct, corporations are equally entitled to pursue remedies to put a stop to such behaviour.

In *SGS Canada Inc v. Carrier*, 2026 ONSC 4751 (CanLII), the corporate plaintiff was a Canadian subsidiary of a large multinational company operating laboratories and offices across the country. The defendant was a manager of business development for the plaintiff for approximately two years until October 2025, when his employment was terminated without cause.

Following his termination, the defendant commenced a human rights proceeding before the Human Rights Tribunal of Ontario alleging disability-based discrimination related to a workplace car accident and concussion.

As the human rights proceeding progressed, the defendant's conduct escalated dramatically. Using multiple social media accounts under both his real name and various pseudonyms, he published an extraordinary volume of online content targeting the plaintiff in at least 700 online publications, including posts, videos, livestreams, and private messages. These publications directly tagged the plaintiff's officers, employees, clients, and external counsel, reaching an audience of at least 4,300 followers across the defendant's various accounts.

The allegations in the defendant's posts were sweeping and sensational. Among other things, he accused the plaintiff of poisoning children, sending young men to war for financial gain, being responsible for loss of human life, and suggested the company and its CEO were murderers. He alleged that the plaintiff may have been behind the creation of COVID-19 and Ebola, that its leadership was corrupt, and that the company was a scam. A specific former supervisor was singled out and labelled as the "seed devil".

Beyond defamation, the defendant's communications took on an overtly threatening and harassing character. He referenced "bloodbaths" and unsheathed blades, demanded that people kneel before him, threatened to attend at the plaintiff's offices and employees' private family events, told a senior executive "I am coming for you," warned employees they would be "hunted" and would be "lucky to last through the weekend," and declared his intention to perform "citizen's arrests" of "rats" at the company. In one post, the defendant stated explicitly that he had no intention of following the law.

The plaintiff's counsel made formal requests for the defendant to cease communications, which were ignored, and served a libel notice. This only led the defendant to escalate the pace and volume of his posts.

The plaintiff commenced proceedings against the defendant and brought a motion for an urgent injunction to restrain his conduct. After the application was issued, the defendant published or republished 300 posts in less than two weeks. After he was personally served with the plaintiff's motion materials, he posted a photo on social media suggesting he had burned them.

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The defendant did not respond to the motion, did not serve any materials, and did not appear in court.

The motion judge applied the three-part test for injunctive relief in defamation cases outlined in *Bagwalla v. Ronin*, 2017 ONSC 6693 (Div. Ct.), at paragraph 19:

- a. The publication complained of is clearly defamatory;
- b. The defences of justification and fair comment will inevitably fail (if the respondent states an intention to rely on either defence); and
- c. The applicant will suffer irreparable harm if the injunction is refused.

All of these elements were satisfied.

First, the publications were clearly defamatory as they would tend to lower the plaintiff's reputation in the eyes of a reasonable person, referred to the plaintiff and its associated individuals, and were communicated to persons beyond the plaintiff.

Second, the potential defences of justification and fair comment would inevitably fail since the posts contained no evidence supporting the allegations and were clearly driven by malice rather than legitimate commentary.

Third, irreparable harm was established. As a global company with over 2,000 laboratories across 115 countries and more than 100,000 employees, the plaintiff's business depended on providing reliable testing and certification services. The motion judge noted that the broad allegations of illegal and criminal conduct were already causing unwelcome distraction and eroding confidence among clients and industry partners.

While acknowledging the strong public interest in free speech, the motion judge found that the defendant's posts were focused on personal attacks, threats, and vitriol rather than legitimate discourse.

The plaintiff also satisfied the test for injunctive relief based on the tort of internet harassment, recognized in *Caplan v. Atas*, 2021 ONSC 670 (Div. Ct.) at paragraph 171.

There was a serious issue to be tried given the volume, frequency, tone, and threatening nature of the defendant's communications that raised a real prospect that he had committed internet harassment.

The motion judge found irreparable harm to individuals targeted, who experienced understandable fear and anxiety, as well as to the corporate entity through the diversion of resources.

Finally, the balance of convenience favoured the injunction, particularly since the orders sought were carefully crafted to preserve the defendant's right to participate in his ongoing human rights proceeding, defend the application, communicate with counsel, and make lawful statements.

In the result, the motion judge **ordered** the defendant to stop publishing any content pertaining to the plaintiff or its associated individuals on any platform, to cease all direct communications, to preserve confidential copies of his existing posts, and then to delete all such publications from public access. The order remains in place until the underlying application is decided.

The motion judge **awarded costs** on a substantial indemnity basis in the amount of \$50,000, due to the defendant's failure to respond to written demands, his disregard of the libel notice, and his escalation of the very conduct at issue.

This decision illustrates the willingness of Ontario courts to intervene decisively where a defendant's grievances cross the line from legitimate expression into campaigns of defamation and harassment. It also highlights the growing recognition of internet harassment as an actionable tort and the potential tools available to employers seeking to protect their businesses, employees, and reputations from sustained online attacks.

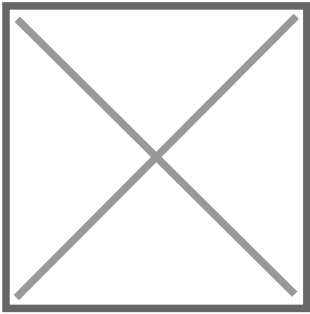
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