

Second Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Human Resources

Chairperson
Mr. Matt Wiebe
Constituency of Concordia

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON HUMAN RESOURCES**

Wednesday, September 4, 2013

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Matt Wiebe (Concordia)

VICE-CHAIRPERSON – Mr. Clarence Pettersen (Flin Flon)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Ms. Allan, Hon. Messrs. Chief, Kostyshyn

Ms. Crothers, Messrs. Cullen, Goertzen, Helwer, Nevakshonoff, Pedersen, Pettersen, Wiebe

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

Mr. Lance Warkentin, private citizen

Mr. Keith Neufeld, private citizen

Ms. Jen Haslam, private citizen

Mr. Gordon Penner, private citizen

Mr. Ken Haslam, private citizen

Mr. David Driedger, Steinbach Christian High School

Mr. Al Hiebert, private citizen

Mr. Wayne Patram, private citizen

Ms. Tara Didychuk, private citizen

Ms. Sue Doerksen, private citizen

Ms. LeAnne Froese, private citizen

Mr. Marlowe Brandt, private citizen

Mr. Ian MacIntyre, private citizen

Ms. Helena Harder, private citizen

Mr. Tim Nielsen, City Church

Ms. Kim Rempel, private citizen

Mr. Henry Hiebert, private citizen

Mr. Robert Praznik, Archdiocese of Winnipeg Catholic Schools

Mr. Ewald Kasdorf, private citizen

WRITTEN SUBMISSIONS:

Richard Sheppard, private citizen

Justin Mendel, private citizen

MATTERS UNDER CONSIDERATION:

Bill 18–The Public Schools Amendment Act (Safe and Inclusive Schools)

* * *

Mr. Chairperson: Good evening. Will the Standing Committee on Human Resources please come to order.

Before the committee can proceed with the business before it, we must select a new Vice-Chairperson. Are there any nominations for this position?

Ms. Deanne Crothers (St. James): I nominate Mr. Pettersen.

Mr. Chairperson: Mr. Pettersen, Flin Flon. Do you accept the position?

Mr. Clarence Pettersen (Flin Flon): Yes, I do.

Mr. Chairperson: All right. Hearing no other nominations, Mr. Pettersen, Flin Flon, is elected chairperson.

This meeting has been called to consider Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools).

As per agreement of the House dated June 20th, tonight we will hear from 20 of the presenters registered to speak on Bill 18, and you have that list of presenters before you.

On the topic of determining the order of public presentations, I will note that we have—we do have out-of-town presenters in attendance marked with an asterisk on your list. And, if you notice, it is actually the vast majority of presenters in this case that are from out of town. Traditionally, we will recognize the presenters from out of town first; however, I would suggest to the committee, if it is the will of the committee, seeing as there's only three people that are actually not from out of town, that we could look at the list in the numbered order, rather than looking at the out-of-town presenters first.

Mr. Kelvin Goertzen (Steinbach): Yes, Mr. Chairperson, I think that's a good suggestion. I don't think it will make much difference in terms of timing

for presenters because there are only three from the city. So, as presented numerically on the list that we've been provided as committee members.

Mr. Chairperson: Is that the will of the committee? *[Agreed]*

I'd also like to remind members of this—of the committee that in accordance with the agreement mentioned before, the committee may also, by leave, decide to hear from presenters in addition to those scheduled for tonight's meeting.

Before we proceed with presentations, we do have a number of other items and points of order—sorry—points of information to consider.

For the information of all presenters, while written versions of presentations are not required, if you're going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need help with photocopying, please speak with our staff.

As well, I would like to inform presenters that in according with—in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members.

Also in accordance with the rules agreed in the House for the meeting—meetings hearing from presenters on Bill 18, if a presenter is not in attendance when their name is called, it will be dropped to the bottom of the list of tonight's presenters. If the presenter is not in attendance when their name is called a second time tonight, they will be dropped to the bottom of a global list of presenters.

The following written submissions on Bill 18 have been received and distributed to committee members: Richard Sheppard, Justin Mendel. Does the committee agree to have those documents appear in the Hansard transcript of this meeting? *[Agreed]*

Prior to proceeding with public presentation, I would like to ask—sorry, advise members of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn the mics on or off.

Thank you for your patience. We will now proceed with public presentations, and I will call on the first presenter. I call on Lance Warkentin, private citizen.

Good evening, Mr. Warkentin. Do you have a written submission for the committee?

Mr. Lance Warkentin (Private Citizen): No, I do not.

Mr. Chairperson: You may proceed when you are ready.

Mr. Warkentin: Good evening. I'm thankful for this opportunity to speak on bill before a legislature body. The freedom to stand here before a government to express a viewpoint is truly a privilege. I'm here as a concerned citizen in Manitoba. I'm pleased to see so many concerned citizens exercising their democratic freedoms.

I think it is a healthy sign of a country when people come to voice their opinions for the safety of our next generation of children. One of the biggest concerns for any parent is the ability to be able to keep their kids safe. I think most parents that love their kids will do just about anything in their power for their child's safety. I think this is also why so many family-focused parents are concerned about the wording of this bill. We want our kids safe.

I'd like to focus on two aspects of the bill. First, Bill 18 does not address the primary reason kids are bullied, and secondly, Bill 18 infringes on religious freedoms. First, does Bill 18 adequately address the primary reason for bullying? No. My wife and I were up last night talking about the things that our peers poked fun of us for in school. During my school years I was teased primarily for two things: for being skinny and my curly hair I had. My wife also was teased for being skinny. This was hurtful to her. Kids also picked on her mercilessly for having crooked teeth.

The crazy thing is this was approximately 25 years ago. It is almost unbelievable how powerful those words in our youth are to us still to this day. Over two decades later and we can still remember what others said to us. Unfortunately, even if Bill 18 existed 25 years ago, we would not have been protected from those hurtful words. The reason we would not have been kept safe is that body image is not an area protected listed on Bill 18.

A 2006 Toronto district school research surveyed 105,000 students, and body image was

ranked the highest reason for bullying at 38 per cent. The Toronto district school report makes cases to my historical reality since this is what both my wife and I were made fun of for in school, our body image.

Also noted in 2006 Toronto school board research's report is that 17 per cent were targets of bullying because of their grades, 11 per cent because of their cultural background, and 6 per cent because of their gender and 5 per cent of—because of their religion. Neither body image, grades, cultural background or religion are discussed in Bill 18, yet three of these were the top targets for bullies in this extensive study.

To follow up with this study, in 2008, the University of Toronto did a cyberbullying survey and, once again, physical appearance and race were 17 per cent of the bully targets; 5 per cent due to performance in school; and 3 per cent because of their gender; and 2 per cent because of their sexuality. Once again, neither physical appearance, race, nor school performance are discussed in Bill 18, yet these are the top issues that were noted for bully attacks.

It is unjust that this legislation is so detailed to protect LGBTQ children, but yet so vague to grant protection to the majority of children. When new legislation is adopted, it needs to protect all Manitoba children, not only the minority.

Secondly, this bill infringes on religious freedoms. I'm a third-generation Christian. My parents were Christians—my parents are Christians and now I am a Christian. In the community I live in, this is very common. Therefore, it would not be uncommon for children to talk about God in school. If Bill 18 passes without amendments, Christian, Muslim or Jewish kids could be charged with bullying just for mentioning the word God.

Why do I say this? Well, part of Bill 18 states that someone can be accused of bullying for hurting someone's feelings. Therefore, my children—therefore if my children were to mention God and one of their classmates became offended or got hurt feelings, my child could be accused of bullying. But what if a Muslim child would talk about Allah in front of another student and that student got hurt feelings because he or she was an atheist? A one-time feeling should not be the deciding factor for someone being accused of bullying.

* (18:10)

The Merriam-Webster Dictionary defines a bully as one who is habitually cruel to others who are weaker. Should talking about God really classify someone as a bully? If something as simple as talking about God would classify students as bullies, then each and every day thousands of students across Manitoba will be defined as bullies. Thus, we all know if everyone is a bully, then no one is a bully.

The definition of bully—a bully in Bill 18 needs to be strengthened by the fact that it states hurt feelings makes us feel unenforceable.

I thank you for your time.

Mr. Chairperson: Thank you very much, Mr. Warkentin, for your presentation.

We'll now move to questions.

Hon. Nancy Allan (Minister of Education): Great. Thank you very much, Lance, for being here this evening to make your presentation. We appreciate the perspective that you have expressed this evening and I want to thank you for making the trip into Winnipeg to make this presentation.

Thank you again.

Mr. Chairperson: Mr. Chief.

Oh, I'm sorry, Mr. Warkentin, there are a few more questions and we have about five minutes for this portion of the evening.

Hon. Kevin Chief (Minister of Children and Youth Opportunities): No. Oh, it was me? Oh.

Yes, first off, Lance, thanks for coming in from out of town, and I appreciate your comments and particularly your personal story. I think it's very important.

I just—I do like to take a moment to clarify, I do want to assure you that every student and student group within a school has been thought of and will be protected under Bill 18. And just to let you know that the Manitoba Human Rights Code is also part of Bill 18.

But, with that said, I do want to thank you for taking the time to come to speak to us.

Mr. Goertzen: And thank you also, Lance. Maybe further clarification. Portions of the Human Rights Code appear in Bill 18, but there are portions that are excluded. Protection of religion, protection of social disadvantaged, protection of ethnicity appear in the Human Rights Code, but they don't appear as

specified groups in Bill 18. So that's maybe something that needs to be addressed.

But to your presentation, one of the things I continue to hear from kids that I've talked to about bullying, and a lot of them came and presented last night and very good presentations last night. I'm sure we'll hear more today. They question whether or not legislation is going to be effective on bullying at all. And some of the things that they're saying is it's really more of an issue of the heart. It's not so much an issue of the law because kids aren't really thinking at the moment about what the law does or doesn't do. Do you think, you know, legislation at all is going to be particularly effective against bullying?

Mr. Chairperson: Mr. Goertzen. Or sorry, Mr. Warkentin. Sorry.

Mr. Warkentin: My personal opinion is that I think parents have to have a very active role in helping kids—being accepting of other kids in school. So whereas there may be issues that come up with differences or issues with bullying, I think if a parent is along—working alongside the kids and instructing them what's not acceptable and what isn't and helping them to love all kids no matter what difference is in a child, I think that is—that would be the most helpful.

So, when I think of a law actually coming in to help with the right people working alongside it, with parents, there's a possibility that it could help. But I think you're right. I think it comes down to the heart, whether people want to obey the law. It's just what any other law—people, they can find ways to get around it if they don't agree with it, right.

Hon. Jon Gerrard (River Heights): Thank you, Lance, for coming in and the presentation. I think the—just a little clarification in terms of the concerns about mentioning God. I mean, it seems to me that your concern is that somebody could be labelled a bully because they mention God. And I think that, you know, as broad as the definition may be, that it doesn't seem to me very likely that mentioning God would be a cause, and there obviously have to be people, principal, what have you, in the school who would be able to make a judgment, but it seems highly unlikely that that would be cause for labelling somebody a bully.

If the concern is the other side, that because you mention God or a child mentions God, that they would be bullied, although religion is not specifically mentioned, the definition would be broad enough if

that was hurtful to somebody who mentioned God, that hopefully it should be captured, but you may be right that—and we've heard from a number of people that, you know, maybe that we should specifically in this legislation include the word religion just so that there would be a protection so that somebody—if somebody was actually bullied because they had—of their religion. Maybe you would comment?

Mr. Warkentin: I think on the—like, just sort of, you went on two sides there. I think in regards to hurt feelings, just speaking from, obviously, like, I'm not in a school setting now. But, to me, just on a, I think—because even just talking about God is a very personal—for many people—it's a very personal experience, right. So I think when anything becomes personal, it's very easy to get hurt feelings, right.

So I think if you're talking about a religion and you get into discussion, like, even with kids, I think it's very easy to a discussion to get so personal that feelings can easily be hurt. So I would probably disagree on that side. I would say that it would be very easy, just speaking from an adult point, that hurt feelings would happen quite regularly when you're discussing your religion. It's, I think, with anything, that becomes a sensitive issue, right. With—you talk to certain people about finances. If you say the wrong thing to them, people's feelings get very hurt. I worked on the banking sector and if you approach a person wrong, like, you can really hurt their feelings very quickly, if you're not very—if you're not correct in the way you speak.

Now, on the other side, I—seeing the word religion under the group that is protected, that would make me feel better, obviously, coming from my background. So, knowing that the differences that we have, because I personally think you're—like, for my belief, as I grow up, on a Biblical view, that's something that's very important to me, right. But if I'm going to use that to bully someone, that also isn't acceptable. So I think the word religion would be helpful to have it. I think that would help someone like myself to be more comfortable with this legislation.

Mr. Chairperson: Time for questions has expired. Thank you very much, Mr. Warkentin, for your presentation tonight.

Mr. Warkentin: Thank you.

Mr. Chairperson: I will now call on Keith Neufeld, private citizen.

Good evening, Mr. Neufeld. Do you have a written submission for the committee? Looks like you do. Just give the clerks a quick moment to hand out the—your paperwork, and you may proceed when you're ready.

Mr. Keith Neufeld (Private Citizen): Good day to all assembled here. I stand to speak my opinion of Bill 18.

I agree that bullying is a major problem, one deserving of being addressed and even placed into legislation in order to do what we can to curtail the issue at hand and save our children from this epidemic. I also believe that Bill 18 has the potential to be that stepping stone towards the goal. However, as that stepping stone, it requires to be refined and carefully assessed for flaws in its design or it will fail and possibly cause harm, as with any foundation that we rely upon for support.

I myself was a victim of being bullied for many years so I know the faces of oppression and the cruelty that can be caused by one's peers. There are several issues that I wish to address as a Canadian and a father of a child who'll be entering the Manitoba school system within a few short years.

Listing off these areas in question, I would have to say they are as follows: the definition of bullying within the bill; the fact the bill has included some specific groups of people that are bullied and yet has omitted others, in examples of gender, race, sexual orientation, disabilities; the use of gay-straight alliances as a tool to stop bullying, 41(1.8)(b) use the name gay-straight alliance or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils; and the specific wording for protection of all sexual orientations, 41(1.8)(a), for the awareness and understanding of, and respect for, people of all sexual orientations.

These points that I've listed off are of great concern to me as a father. Having been bullied as a child, I can tell you something about bullying. I was personally targeted, not because I was smart, ugly or even because I wasn't athletic. It was because I was faceless. I was a nobody, with nobody to stand at my back when they came in. Because they knew this, they could easily assemble together even two people in order to have their fun at making themselves feel superior at my expense. I had to face an entire group of people who laughed at me, mocked me and even beat me, sometimes going so far that I literally thought they were going to kill me.

* (18:20)

This was not normally one or two people. In the hallways, it was most likely to be one or two people so as not to cause a big enough scene for teachers to step in. However, outside school, it was a bigger problem. At times, I had to face up to as many as 20 of my peers. Bullying to me was not hurt feelings; hurt feelings was a product of the bullying, but it was not the bullying itself. Bullying is a situation where somebody intentionally does something to cause a negative emotion in you, normally, for the purpose of making themselves look good in front of other people. Through my school days, people have told me that they don't want anything to do with me or even have me around. This is their opinion; they're entitled to it. Did it hurt my feelings? Yes. Was it bullying? No. However, under the new legislation, that person who really didn't like me would not be capable of speaking their mind. They would be unable to tell me they did not want me around, thus causing a powder-keg effect, because now you're placing that person within a circumstance they do not wish to be in. They cannot express themselves because it may be misinterpreted as bullying. So, rather than just speaking their mind and have that person understand the fact they are not wanted there, it has the potential to become a violent out-lash.

Also, with the interpretation of hurt feelings, it draws away from the definition, diluting the definition of bullying. We can all agree that bullying comes in all shapes and sizes from persistent mockery to being beaten in the gym locker room. Under the circumstance—the instances are intentional and often thought-out. That being said, with the definition of hurt feelings, someone making an off-the-cuff remark may be held in offence in the new antibullying legislation when the statement may be a slip of the tongue or even drawn out in a heated argument. We are human and make errors.

Section 1.2(2)(a) should be amended to state: characteristically takes place in the context of a real or perceived power imbalance between the people involved and is typically, but not need to be repeated, behaviour if found to be intentional.

With all this being said, I ask that the reference of hurt feelings be stricken from the legislation as that it opens up too large of an opening for interpretation and possible abuse of the legislation.

Moving on, this legislation has defined which groups are now included in the legislation and who gets rights to form groups. If you read 41(1.8)(a) in

entirety, you will see that certain groups have obviously been given preference within the legislation. I do not dispute these groups are in need of protection. I have seen every one of these groups be shown prejudice at one point in time and even violent actions in others. However, this bill defining who gets protection is the flaw in 41(1.8)(a). By defining those groups, we have alienated many of the other groups that are shown to be readily bullied and such—as such, leave them open for attack because it is not legislated. Rather than defining the types of people who are going to—we are going to promote, 41(1.8)(a), I ask that we would amend this section, strike out (i), (ii), (iii) and (iv), and in its place extend (a) to promote and protect—protective and safe environment for all that feel they may have been or may yet be bullied.

By doing away with the definitions of which groups of people get to create special interest organizations and lead activities, we promote students to band together under one banner to protect against and prevent bullying. By saying this, it immediately leads me into my next point.

We need to reassess 41(1.8)(b), use the name 'gay-straight alliance' or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils. 41(1.8)(b) would be more positively accepted and promoted if the wording were changed to use the name "antibullying club" or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils. By making the statement gay-straight alliance, we are placing our children under a banner, a banner that not everyone agrees with. Thus, we are now segregating the population of a specific opinion; we're now drawing lines in the sand and creating divisions within our schools and the young people that are within them.

This being said, if Tommy is obese and being bullied because he is obese but does not approve of homosexual lifestyle for whatever reason he has, Tommy will not be inclined to join the gay-straight alliance. Also, if he has expressed himself in any way of his opinion towards such a lifestyle, he may not even be welcome within it, thus removing the possibility he has of becoming a part of a group that could offer up some form of protection. Also, going back to my previous point, Tommy is not offered the same legislative rights as the other groups of bullied people because obesity is not named within Bill 18.

I do not stand here to say that gay-straight alliances have no place within the realm of curtailing bullying; however, it is a special interest group and one that essentially will have its own agenda outside of stopping bullying. This being said, using gay-straight alliance for the express purpose of stopping bullying is like using a butter knife to turn the screws in your switchblade. It may work, at least for that application where the tool fits. However, if you try to use the same tool for a different application on a screw with a different head, suddenly it is no longer effective. Use of an all-encompassing antibullying club could be that tool, one that has no agenda or special interest other than the protection and education of students of what bullying is, what it does, how to prevent it, and what to do if it occurs.

Without the special interest, people will not feel as negative about joining a group that has people within it of a different world view. They may not be the best of friends; however, now that they are under—in the same group and expressing themselves to each other about the hardships they face may grow to understand each other's point of view, whereas if it were a special interest group, one or both may never have joined unless that special interest was one they held.

Looking at this point, I would believe it would be in the best interests of those gathered here today to consider looking at 41(1.8)(b) with open eyes and realize that changing the wording from gay-straight alliance to antibullying club will turn a once opinion-based group into an all-inclusive group that encompasses and encourages all who are bullied to seek this group when they feel they have been, or may be, bullied.

My final point being the working of 41(1.8)(a)(iv), which includes the wording, people of all sexual orientations. This statement is far too open and in dire need of being amended, if not stricken from the bill completely. This statement leaves open the possibility for future arguments in favour of things such as pedophilia. Even in this day and age, people in North America are using many of the same arguments used in the past to garner favour for their position on pedophilia. And the fact that they say it is indeed a sexual orientation, I ask you to refer to the article enclosed at the end of my speech for a source of reference.

To leave the wording, people of all sexual orientations, within the wording of this bill could be

disastrous in the future should these people who are fighting for their sexual orientation succeed. Just to clarify, I'm in no way comparing homosexuality to pedophilia. Homosexuality is an act that is experienced between two consenting people of proper age to make that decision, while pedophilia is a horrible act that often targets helpless children who even if they say the words they consent are often too young to properly understand the gravity of the situation.

In conclusion, I ask those gathered here today to hear our words and think about what has been spoken. This is often hard for someone who has championed a cause because they want what they believe to succeed and neglect to see what others speak out against it, because they see it as contradictory to what they believe is right and true.

Rash decisions to quickly implement legislation we believe will fix the problem often create more down the road because our motives were good, but our process was rushed. When it is our children on the line, we have to make sure that we take extra precaution and make sure that we do what we can today, so that they don't suffer tomorrow.

Mr. Chairperson: Mr. Neufeld, thank you very much for your presentation.

We'll now move to questions.

Ms. Allan: Keith, thank you very much for making the trip to the Legislature this evening to make your presentation. Thank you for sharing your personal story about when you were bullied. So—there's nothing worse, I believe, than social exclusion, and I think it must be something that you will carry with you for a very long time. Thank you once again for your presentation, and we appreciate your comments.

Mr. Goertzen: Thank you for joining us this evening. I also thank you for sharing your story. You know, it's been interesting over the last night and now beginning again today, how many people are coming forward and talking about being bullied and yet not supporting the legislation. It almost seems counterintuitive because the bill's been promoted as an antibullying legislation, yet so many people who have been bullied are saying they don't support the legislation.

You've read the legislation; you told us your personal story. Do you think if Bill 18 had been in place at the time you were being bullied that it would have helped you at all?

Mr. Neufeld: No. The fact of the matter is the legislation, had it been in place when I was in school—I knew all the rules. Something happens, you tell a teacher, you tell the principal, you find an authoritative figure, and when I did that, the bullying and persecution escalated to the point—in the school hallway at one point in time, I had a gun pushed in my face and told me that if I ever told on them again, that bullet would no longer stay in the chamber.

So, no, I do not believe it will help because children, if they are told on, will seek vengeance, and vengeance just continues to cause the problem.

Mr. Gerrard: Thank you, and thank you for sharing your story. I think the intent of the legislation was to write the definition of bullying so it would include bullying for a wide variety of reasons, but one of the things that you've mentioned is that you'd like to have more specific terms included, you know, bullying because of religious differences or what have you. In your case, it's hard to define precisely. You know, I'm not sure that it was because there was a particular body image difference or religion or anything like that. And so I ask you, what, if you were to add something specific that would try to capture situations like you experienced, what would that phrase or word be?

*(18:30)

Mr. Neufeld: In the—I believe this bill is vague where it should be specific and specific where it should be vague. You mentioned religion; however, my speech mentions nothing of a theological nature. But it's a situation where we have specifically written in people who will receive special preferential treatment. Meanwhile, bullying goes across the span. A person can be bullied for so much as what shoes they wore that day. So that's where my speech stated that it should be for all people who feel they may have been or may yet be bullied, whereas, I mean, yes, if I were to add anything, I would state that this bill should be written as a more inclusive to everyone, rather than just segregating the population and drawing lines.

I myself have my own beliefs and structures, but somebody down the table may have a completely contradictory set of beliefs. But neither one of us deserves to be bullied in any way. So that's where the statement of an antibullying club would come in play because to create special interest groups does nothing to protect them. It's a situation—now you put them under a banner that people can pick on them for a specific situation. Choirs, chess clubs, glee clubs,

AV clubs—they have all been targeted for these very specific situations and pinpointed exactly for the things that they enjoy. That being said, if somebody were to join a gay-straight alliance, that would now put a neon sign on them, saying, okay, now we can pick on them for that, whereas if they join an antibullying club, it's a situation where, oh, yes, you're part of the antibullying club—yes, it's because people like you are bullying me.

Mr. Chairperson: Thank you very much for your presentation, Mr. Neufeld.

We'll now call on Jen Haslam, private citizen.

Good evening, Ms. Haslam. Do you have a written submission for the committee?

Ms. Jen Haslam (Private Citizen): Only oral.

Mr. Chairperson: Okay, please proceed when you're ready, then.

Ms. Haslam: Good evening. Thank you very much for the opportunity to share before you make this very important decision about Bill 18 as written. I'm very nervous, so sorry.

My name is Jen Haslam and I'm a business owner in the community who believes the problem of bullying is a serious one. I've seen the effects of bullying in my own home, through my husband's experiences as a young person, as well as having children who stood out in their schools due to being adopted and being from a different nationality than the majority of the students. Years ago I was also a youth worker and would see the effects of various levels of teasing within the student population.

I've come to realize that, when somebody is bullied, there is more going on than the occasional bit of teasing or even the one-time instance of outright abuse. I remember one year in elementary school, my sister would come home from school crying, every single day. There was another girl in her class who would just not leave her alone. Even now, when thinking back, I realize it is difficult to pinpoint exactly what the bully did which defined her school year as the year she was bullied.

It was very subtle; a note written with a certain tone, being left out of a certain schoolyard activity, or conversation, lack of willingness to have a humble conversation or even a specific facial expression across a crowded classroom. She was never physically abused, and the verbal attacks would have been difficult to prove. Even still, she came home

from school in tears almost every day during that particular year in elementary school.

She was definitely bullied. The situation was prolonged for a whole year and it was one specific person who was easily identified as the bully.

I say all this to express I realize that even the mere act of defining the term can be a huge challenge. One of the challenges I personally see with Bill 18 as presented is the definition in the first place. I believe it is much too vague to be an effective bill. I've read other proposed bills and believe that it would not take much to revise the definition to include words that would not so easily be misused by people in the future who may not have the good intentions you do.

In general, I respect the reasons why a bill has been presented as necessary in the first place. As the public, we have been led to believe the main purpose of the bill is to help prevent bullying, which is, of course, a very noble goal, and needed. However, there have been many questions raised regarding the true intentions of the proposed bill. It seems that this proposed bill, which is supposed to cause unity and stop bullying, has been resulting in the opposite response so far, which is really too bad. The bill is worded in such a way that independent faith-based schools will be breaking the law if they do not promote the gay agenda if a student requests a GSA. Since there are many schools in Manitoba who are partially funded by parents who are choosing to send their children to these types of schools, and whose very core values would be forcibly put aside if the schools choose to stay open, it should absolutely not be mandatory for the government, who is not involved in the day-to-day running of that school, to make this decision on behalf of the principal or governing body of the private, faith-based school.

I'm not saying a GSA's a bad thing, although I've read articles which point to better alternatives to antibullying solutions and I appreciated the antibully club comment just made. GSA's may, in fact, be a wonderful thing in certain schools. However, to remove the choice, in my opinion, is the same thing as removing the religious freedom that so many people appreciate about our country in the first place. People in my own family has—have moved to this country solely for the purpose of religious freedom; not to bully others, condemn others, judge them or discriminate against them, but to live in a free country, a free society where we value liberty and it

is okay to have different beliefs and we can still all get along.

In fact, the way I understand it, principals currently do have the right to allow a GSA if requested. In fact, even in the controversial city of Steinbach, the public high school allowed a GSA to form. Well, if that is the case, then why are we bothering making this law? It's already in place. Most faith-based schools that I know of teach young people that sex is wonderful when reserved for marriage and encourages students to live by that belief system. To tell them they have to teach and promote another stance would be, in my opinion, a squelching of their religious freedoms. If you would tell them they had to teach that all sex was okay, it would go against their core values. Sex before marriage, marital affairs and every other type of sex that is not within the confines of the marriage vows would all be put into that same category. It's the decision to act on the temptation that is taught against, not the actual temptation itself.

Again, my issue with the GSA portion of the suggested Bill 18 has nothing to do with the gay agenda at all. It has to do with the faith-based schools' choices being removed. Allow the private faith-based schools to have a choice whether or not they will allow a GSA, and let's get on with the business of teaching children how to respect everybody, especially if they are a different race, hair colour, IQ, et cetera.

There are many constructive ways to reduce bullying in schools and keep gay, lesbian, transgendered, non-athletic, musical or every other kind of kid safe. I absolutely desire for the safety of every child and that every child would feel free to grow up and be a confident, contributing member of our society. I believe there are many positive ways to achieve this and have seen schools who have wonderful, positive environments. We should learn from them and the people who are in the trenches, people who are part of the day-to-day environments of the schools.

Will putting this bill in place actually save any students from being bullied? I doubt it. Let's get on with the business of actually helping kids, instead of the agendas.

Thanks again for your time, and as you make your decision about this bill, I encourage you to continue looking at the real issues, revise the wording and please do not pass Bill 18 simply as written.

Mr. Chairperson: Thanks very much for your presentation, Ms. Haslam. Very well done. We'll now turn to questions.

Ms. Allan: Jen, thank you very much for being here tonight and sharing your personal story and your personal reflections on Bill 18.

Bill 18—I've had the experience that many people have spoken to me about Bill 18, and it is a very emotional issue for you, for them, and I can understand the emotions that you've expressed this evening. But I believe it's an important dialogue for us to have, so thank you very much for being here this evening.

Mr. Goertzen: Just a couple of short questions. Jen, thanks for being here and for sharing your story. And again we hear another story of, you know, a parent who has seen the impact of bullying and yet they don't believe this bill, I don't assume, is going to make much of a difference.

In the situation you describe with your own kids, would Bill 18 have made any difference in terms of reducing the bullying?

Ms. Haslam: I don't believe so. I think that, unless there's clear consequences in place, a kid isn't going to really see the difference that they're doing and they're not going to think in their head, uh oh, there's a law, I better be careful. You know, look at speeding as an example, right? There does need to be a clear, you know, here's a \$50 fine, don't do that again. It might make a difference, I don't know, but there really is nothing. It's sort of a just, hey, don't do this, and we all know that already.

Mr. Goertzen: Well, and that's a good point you bring up, is in the—I've now sort of read every antibullying bill in North America. I think Montana doesn't have one, but every other—I don't know why, but every other state or province seems to have one. And almost all of them have something descriptive in terms of consequences. Do you—and this bill doesn't. It's one of the reasons I think it's one of the weakest bills I've seen. But do you think consequences would be important to have in a bill like this?

Ms. Haslam: Yes, I do think consequences would be important; otherwise, there's not a deterrent really. I mean, some people are motivated by, hey, I want to get something good out of a situation. Other people are motivated by, oh, I don't want something bad to happen. So that kind of both needs to be there I think. I don't feel qualified to speak on what those

consequences should be, although, as long as they're reasonable and enforceable, that would be a good start.

* (18:40)

Mr. Gerrard: Thank you for your presentation, and you did very well. Yesterday we had a former principal who came in and presented and said in order to address and deal with bullying in his school—

An Honourable Member: On a point of order. Can you speak into your mic, please?

Mr. Gerrard: Oh, okay.

An Honourable Member: Thank you.

Mr. Gerrard: Yesterday, we had a retired principal come and talk about how he used an approach which brought the bully and the person who was being bullied together and with a trained, skillful mediator so that they could understand the consequences of what happened. They resulted in a situation which actually dramatically reduced bullying in the school. Now that's not exactly a consequence of—in the nature that you were talking about but it's nevertheless a consequence of having to have the student who's being bullied or face up, right? And in a very carefully mediated environment, you know, understand the hurt that's happening and apparently it was quite effective in changing it. So, make a comment if you like, but just thought I would bring that up.

Ms. Haslam: Well, I guess, that's interesting, I think the thing I would comment on that is, I think one of the reasons why that worked is because it was bringing them together, right, like instead of dividing everybody into, okay, you're this, you're this, you're this, everybody's unique, let's find out what's the same about us and let's try to find a common ground and get along in that way and that's probably one of the reasons why that worked. So, yes, that's great.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation this evening.

I will now call on Gordon Penner, private citizen. Gordon Penner, private citizen. Mr. Penner, do you have a written submission for the committee?

Mr. Gordon Penner (Private Citizen): Yes, I do.

Mr. Chairperson: Okay, ask the Chamber staff to help you distribute that. And you may proceed when ready.

Mr. Penner: Thank you. First of all, I'm really nervous so if the thing starts shaking then you know why.

There's some very intelligent people presenting here and I really appreciate you guys giving up your evenings to talk about this issue. What I've given you guys here is—and I'll just discuss it at the end of the presentation, okay?

Members of the committee, fellow presenters, and those in the gallery here who value freedoms and liberties, first of all, I should apologize to any former English teachers who are here because I'm probably going to butcher the English language right now. I'm not an eloquent speaker. It will probably be filled with grammatical errors and I hope that even though that is the case that you will find something useful and take something away from each presenter here.

I'm here today to express my concern with Bill 18 and ask humbly that the bill be laid aside. While saying that, I know that many of you have invested a great deal of time and energy into this and so there's that aspect and so I'm left today, in essence, pleading an unwinnable cause, it feels like to me, anyway. I'm at a place where my kids are grown up. My kids—I'm almost to the grandparent stage and some of you may be there and some of you are a long ways off but it's a different point and I'm not thinking about my own life anymore or my kids' life, I'm thinking about my kids and my grandkids. So I ask this committee, regardless of political affiliation, sorry, that we would make a decision at the very least to review and amend the current legislation. I'd prefer to see it scrapped and something like what I've given you guys, the North Dakota antibullying law, something to that effect, be reviewed and instilled. It's clearly defined.

Along with—my forefathers basically came to Canada, probably a hundred years ago, in that range. I am a Mennonite. I'm from Steinbach. I'm probably the only guy at this committee that's from Steinbach so—no, I'm just kidding. Manitoba has long been known for freedoms, right? And these freedoms have attracted multiple faith groups. I mean, we see Muslims, we see, you know, faith groups from all over the world come to Manitoba, come to Canada, and they risk everything to make this province their home, as did my forefathers.

I want to begin by stating as well that I do understand bullying. I was bullied throughout my elementary and high school years. The day I walked onto the stage and got my diploma was the best day

in my life. It was the day I could say goodbye to all of that. And, you know, we would go and visit the principal's office, and, yes, as the previous presenter said, it would make it worse. When you're bullied, it's not because of one thing, it's—it can be anything. You're the target of the day.

We saw, recently, when Steinbach made the news, I think several months ago, how we kind of became the—there was a lot of people from Steinbach that came to a meeting and we kind of became a joke. Well, that's exactly how it felt in high school and it—you felt about so small. And it's demeaning, it's not productive. We truly want to see a decorum of respect.

So, in terms of my Mennonite background, my forefathers came to this country in pursuit of freedom. They were under extreme persecution at the time, both from society, from government and, yes, even from church leaders. These men and women, their families were killed, families torn apart and so they were seeking religious freedom. They looked to Canada and in the late 1800s and early 1900s, they were invited to Canada to—and offered to settle in Manitoba.

The Canadian government—they met with a Canadian government delegation, or a delegation met with the Canadian government and the first wave of Mennonite immigrants was less than four years into the Confederation of Canada. And during these early years of Confederation, Mennonites were nearly half the population in Manitoba.

The negotiations between the Mennonites and the Canadian government would eventually lead to the following arrangement: eight townships were to be set aside for the exclusive use of Mennonites, and thus you have villages like Halbstadt—I mean, whatever. But there was to be an exemption from military service and there was a promise of religious freedom, which is personal beliefs.

These, along with privileges of freedom of religion and education and an entire exemption from military service by law and order in council, were granted to the dominations of Christians called the Mennonites. They were outlined in a letter from the Canadian secretary for the Department of Agriculture, Don—John Lowe, to the Mennonite delegations in—or from southern Russia. This history is well documented, it can be found in local libraries or online very quickly.

Like many other people groups—and I'm just saying my background—but like many other people groups, my forefathers came to Canada, and more specifically to Manitoba, in search of freedom and we found it. We found it. We live in a thriving province and a lot of that has to do with the hard-working immigrants that came to this country and had this—they came because of this freedom.

To me, it's evident in Bill 18 that while our intentions are good, the end result deeply concerns me. We're living in an age where in five to 10 years we don't know what we're going to have. We put a law in place and we haven't clearly defined bullying, we haven't—we've tried to push it on to religious institutions to teach something against their personal beliefs and we don't know the long-term effects of what this is going to do.

Maybe this government is going to, you know, not use that law and persecute us. But, as a person who comes from that background where we came to this country for this religious freedom, we look at it with suspicion. Right? We're concerned. And also, as a person who's been bullied, you know, I just don't see how this is going to help us.

So, I fear basically in our zeal to protect bullying—or to protect the innocent from bullying, we are rushing headlong into something we will not recognize.

* (18:50)

It was less than a century ago that the world experienced a tragedy, as well, that many have forgotten or all have—I shouldn't say all but forgotten, but millions upon millions of Jews and others who were considered dissenters were corralled, contained, then killed for either their beliefs or their ethnicity. You know, and I'm not saying—I want to repeat this—I'm not saying that that's what our motives are, but when we put a law that's so vague, we're leaving it open. You know, we need to be very careful about our policy, because, you know, future generations are depending on us to act wise—or act with wisdom, okay?

I want to state, as well, what kind of—or ask the question, sorry—what kind of world do we want for our children? Do we want them to be afraid of expressing their personal beliefs for fear of being blacklisted or, at best, or bullied or worse, persecuted for their beliefs. None of us wants this for our kids. Together, with many parents, I act also—I'm a strong advocate of antibullying clubs. I think there is an

attempt to do this with GSAs, but I think we're focusing and we're elevating one minority over another.

Are we almost there?

Mr. Chairperson: One minute.

Mr. Penner: Okay. And so I'd like to see these open forums. I think Kleefeld School has an antibullying club. I believe there's some others in the province that have established this, and it's with a great deal of success.

So, yes, today, I believe that there's many people that are overwhelmed and frustrated with this. I think that, yes, the government does need to deal with it, but I think that where we differ is perhaps how to do that. And I would just like to see all Manitobans protected regardless of religious background, ethnicity, the whole thing, you know. Let's have an open exchange of ideas without fear.

Thank you.

Mr. Chairperson: Thank you very much for your presentation, Mr. Penner. We'll now move to questions.

Ms. Allan: Thank you very much, Gordon, for your presentation this evening. Your English is excellent. There was no need to be nervous or worried about that. Thank you for your perspectives and we appreciate you making the trip to present this evening.

Mr. Goertzen: Always worth the trip, of course, and usually the other way, but sometimes this way, too, and you did a great job, Gordon.

A couple of things. First of all, thanks for the North Dakota legislation. I've read their legislation. Most often I'm referred to the North Dakota definition—or the North Carolina definition as being, sort of, the strongest and most clear definitions of bullying that exist in the US. And so I appreciate you bringing forward that and sort of re-emphasizing that.

You talked a lot about the issue of freedom of religion, and I appreciate that and I think others do too. Within the bill, it identifies, sort of, four different groups or segments out of the Human Rights Code: gender equality, anti-racism, people who are disabled and sexual orientation for special protection, but that comes from the Human Rights Code. But the Human Rights Code also includes protection for ethnicity, religion or creed or people

living with a social disadvantage. And I'm curious—this won't be for you—I'm curious why that was excluded: religion, ethnicity and social disadvantage. But would you feel more comfortable, given the comments you've made, if those three elements which exist in the Human Rights Code but aren't in this legislation for some reason, were included.

Mr. Penner: I'm sorry, yes.

Mr. Gerrard: Yes, thank you, Gordon, for your presentation. I interpret your remarks as indicating that you'd prefer that the legislation include antibullying club, be there in addition to gay-straight alliance or in replacement of. Is that right?

Mr. Penner: I would like to see it in replacement of. I think to elevate one form of bullying over another is really, and as the previous presenter made clear, not really solving the problem. I think we need to take the label out.

And I'm not opposed to people sharing their personal views. I think, just as I should be able to share my personal view in such a club, so should someone else be able to share theirs without fear of retribution. And those—you know, that type of discussion should be open. And—but I don't believe that the GSAs will be effective, and I think if you look at the actual studies on this, you—it will back me up. Matter of fact, I know that. So they're very spotty.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation this evening.

I'll now call on Ken Haslam, private citizen.

Mr. Haslam, do you have a written submission for the committee?

Mr. Ken Haslam (Private Citizen): No, I don't.

Mr. Chairperson: Okay, you may proceed when ready then.

Mr. Haslam: Thank you. Good evening, ladies and gentlemen. My name is Ken Haslam, and I would like to start by giving you a brief overview of the bullying I've experienced in life and kind of go from there.

When I was 4 years old, my parents picked up and moved their family to Canada so that we could receive better education and have more opportunity to succeed in life. When I was 5, I began attending a school in the North End of Winnipeg. On my very first day, I was so thrilled to go to school and start

learning and making new friends, only to be received by fellow classmates with anger and violence. During some time outside, my head was grabbed and slammed into the side of a parked semi-trailer. The reason: I only spoke Spanish. From that day on, my family only spoke English in our home so that we would fit in better.

As I grew up, I adjusted to the expectations of my peers and teachers. As I entered grade 7, I was excited about going to a new school. Junior high was supposed to be awesome. About one week into the school year, my new, more diverse classmates made me very aware through taunting that I was poor and came from a bad neighbourhood. I would not be allowed to join their intramural teams due to my socio-economic situation.

Later that same year, my family moved to a small community outside of Winnipeg. It was at this time that I began to get bullied because I had an earring and because I could not play hockey. Due to a loss of work, my parents were unable to make the payments on their house, and so it was foreclosed. We moved to an even smaller community. Armed with now my basically destroyed self-esteem, I started yet another school. Here I experienced bullying because I didn't wear the right clothes, I was too skinny—which might be hard to believe right now—and I did not speak the local language.

In high school, I was pushed into lockers and punched simply because I refused to participate in the sexual activities that others believed were necessary in order for me to be considered heterosexual. I turned down multiple offers from girls who were willing to initiate me into the group, due to my religious convictions, and was taunted relentlessly. Inevitably, I ended up quitting school because I could no longer deal with all of the bullying.

One might assume that based on my personal experiences that I would be pro Bill 18. However, nothing could be further from the truth. Bill 18 would not have saved me from bullying when I was a child. No amount of special interest groups would have saved me my school years or made them more bearable. Schools are divided into different groups already. They do not need government to help them—to help create more division.

I'm pro liberty. I'm pro limited government. I believe in a person's liberty to choose to live whatever life they want and to deal with whatever social consequences come with that lifestyle.

I believe that each person currently has the liberty to express their belief system, as well as choose not to listen to another person's beliefs. I do not believe that it is right for any person or group of people to try to force their opinion or belief system on another.

I believe that Bill 18 has created more division between groups than it will ever hope to bring together. In fact, if anything, it is giving a platform to two specific groups, the LGBTQ and those who support the liberties of the faith-based private schools. How does a piece of legislation fix what is at the core of bullying? The root of bullying is not addressed in this bill. I agree that we need to do something about bullying and marginalizing people but I believe that will only happen when it is at a grassroots movement.

If this legislation is truly about antibullying, then it needs to address a few things. What is the root of bullying? What is a bully? Is it right to label someone a bully? The idea that we can force people to act a certain way towards others simply tells me that we are not at all concerned about what is truly happening in the heart of another person. Their experiences mean very little to us, so why would their beliefs matter? Are we looking to change our society or how our society views itself and others? If so, do we really believe that forcing schools to allow the creation of 'diversive' groups is actually going to do this? Why does a person bully another person?

* (19:00)

Really, a bully is a dominant person who may have the potential to be a great leader. There are numerous reasons why someone may be—may choose to be or may choose to bully another person, none of which are being addressed through this bill. Here are just five. Bullies have a strong need to be in control and exert their dominance over others. Bullies are rewarded for their bullying behaviours. Case in point: A person is bullied into forcing—or giving over their lunch money, so their immediate reward is the money. Bullies lack empathy and may even get pleasure out of the other person's pain such as in the case of a budding sociopath. Bullies may lack the ability to self-regulate emotions. Bullies are heavily influenced by their family backgrounds.

If Bill 18 were really an antibullying legislation then certainly we would be addressing the reasons for it.

I would like to quote Signe Whitson, a licensed social worker and author. In her article for

Psychology Today published on September 2nd, 2013, Signe outlined seven dos and don'ts in regards to stopping bullying. In case you missed it, I would like to highlight them. These points are brilliant and would certainly be notable in any antibullying legislation that hopes to be effective.

Five must dos include no bullying: understand the difference between spontaneous rude behaviour and actions that are relentlessly cruel.

Connect with the kids: the kids will be much more willing to share their true experiences when they believe the adult actually cares about them.

Make time: refuse to believe that there is not enough time to connect with kids, adults must not ignore or dismiss them.

Smile: make eye contact with a young person, say hello. Smiling at someone seems like a small thing but makes another person feel validated and worthy not bullied

Be present: 75 per cent of bullying happens outside of the classroom. Effective adults will walk the hallways in the school and be present.

Intervene on the spot: some examples are given in the handout that I'm not giving you for whatever reason as to how you can actually intervene on the spot and I'm going to let you know how not to.

Teach skills: adults play a critical role in teaching kids to assert themselves, stand up for others, empathize, control their emotions and solve problems.

These are a brief highlight of five don'ts. Don't dismiss. Bullying is not a rite of passage for young people nor is it a normal part of growing up. Kids need adults who are willing to be-willing and prepared to step in and stop bullying whenever they become aware of it.

Don't make it worse. Sadly, there are some instinctual responses from adults that can actually worsen bullying situations. For example, some adults are tempted to step into and stop a situation by asking the child who is obviously being taunted, are you okay? Is he or she bothering you? While intended to give the vulnerable child a voice, this type of on-the-spot intervention leaves the bullied child with virtually no choice but to say, no, I'm okay.

Very early on in life kids learn that public confrontations of a tormentor will only bring them

further trouble down the road. Kids learn to cover for their aggressor. In the process, aggressors net even more power. Adults can avoid this mistake by separating kids involved in a bullying act incident and talking with each young person individually.

Don't use peer mediation even though this might be a good thing for a lot of different issues, such as the one that you were mentioning earlier, I'm going to say that it can actually create a platform for bullies to just continue to do more and more bullying if they happen to be more—oh, what's the right—more articulate than the student that they're bullying. Like, for an example, if I'm speaking Spanish and you're on some awesome board that's supposed to mediate with me, I'm not going to understand a thing you're saying, right. All I know is some dude beat me up, and whatever you're going to say about it ain't going to change it.

Don't label: bullies come in all genders, ages and shapes and sizes. They come from troubled families and nurturing ones, wealthy backgrounds and low socioeconomic statuses. In fact, I'm going to dare say that labeling someone as a bully may, in fact, cause them to become a bully. We become that which the adults in our lives tell us we're going to be. Somebody at one point said I was a rebel, so, therefore, my neurons started kicking in and started picking up on things as to how to act like that person. Why not just label me as a misguided leader and then allow me the opportunity to grow into that?

Don't deny: too often adults make a conscious choice to turn a blind eye to the problem of bullying because they want to save face in their communities, even at the expense of doing right by the young people. When there is denial of the problem, kids cannot be safe. They cannot learn and they cannot develop skills for managing the conflict that is an inevitable part of being human.

I do not see how Bill 18 speaks to any of these dos and don'ts in a positive way. Bill 18, in my opinion, is fatally flawed because it does not speak to the core issues of bullying or how to effectively deal with it.

Mr. Chairperson: One minute.

Mr. Haslam: I'm done.

Mr. Chairperson: Oh. Great timing. Thank you very much, Mr. Haslam, for your presentation. We'll now move to questions.

Ms. Allan: Ken, thank you very much for being here this evening to make your presentation, I appreciate it. Thank you for sharing your personal experience growing up. I think your presentation was very thoughtful. Thank you for the dos and don'ts, I appreciate them. And I want you to know that I like your earrings. In fact, my daughter is getting married to a wonderful man and he wears earrings very similar to those, so I like your earrings.

Gracias for your presentation.

Mr. Goertzen: Thanks, Ken, I don't know if I would wear those earrings, if it would suit me, but I could always—

Floor Comment: You want to try them?

Mr. Goertzen: Well, we can—you know, I'm open-minded about these things.

I want to thank you for your presentation, as well. You know, it's good that you identified the reasons why you were bullied and how you didn't think the bill would have helped you.

And I'm continue to be amazed at how many people are coming forward who've been bullied, who feel the bill isn't good. And that is almost counterintuitive and sort of the strongest advocates for the bill, you would think, are often in many ways the strongest attractions against the bill.

One of the things that was interesting, I saw the—and I'm curious because of the dos and don'ts you sort of laid out there—the federal government brought out an initiative recently on bullying where they are working together with the—I think it's the Salvation Army—to train young people, kids who are in school, to see what bullying looks like and how to intervene. So they don't identify any specific kinds of bullying or any specific bullies, but they're trying to get young people to be part of that solution by just training them to be able to react and intervene within the schools without identifying certain groups. And then they have adult supervision through the Salvation Army.

Is that something that you could see as being a useful approach?

Mr. Haslam: No. And my basic reason is because I think as soon as you allow students to start policing—which is really what we're talking about—you're giving more power to a bunch of immature people, right?

We need actual adult supervision, adult intervention, because that's where it's at. A lot of the kids are becoming bullies because there's a little bit of a vacuum of leadership within the hallways or wherever it is, and I think that if we give them a platform such as, oh, well, hey, man, like, why don't we all just join this club, and now we're going to do the policing of ourselves, right? We're opening a door, in my opinion—again, that's all that it is, it's my opinion—to more bullies to hammer down and bully some more.

Mr. Gerrard: You had quite a sequence of episodes where you were bullied. You know, were there some instances where that was dealt with well in the environment and it stopped, or not? And if so, what was affected?

Mr. Haslam: To keep my answer short, I don't think that anybody effectively intervened. In fact, anything that anybody else did, did in fact make things worse to the point where myself, other friends, my own children, learned to become the dominant person in the relationship and end up having to fend for ourselves, right? I mean, it's a pecking order; you need to be at the top of the pecking order in order for—to make it stop.

And so that's exactly what I did. I became the top of the pecking order, I stopped it. And, yes, I was able to stop other people from doing the same thing because I didn't want it to happen to others. But that was me, you know. Some of our friends got to the top of their pecking orders and became even worse bullies. So there was no effective way of dealing with it.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation this evening.

Now call on David Driedger, Steinbach Christian High School.

Mr. Driedger, do you have a written submission for the committee? If I could ask the Chamber staff to help you distribute that. And you may proceed when you are ready.

Mr. David Driedger (Steinbach Christian High School): Thank you for the opportunity to speak here tonight. Really appreciated the private person perspective—people who have been bullied, people who have gone through a lot, people who have learned and given us a real picture of what bullying is all about. I'm here not from the private person perspective, but from a private school perspective.

*(19:10)

I'd like to open up saying that Steinbach Christian High School has been very pleased with the relationship we have enjoyed with the Department of Education. Our visits, our inspections from the department's liaison have always been very positive, productive and encouraging. And we'd like to, actually, recognize Dan Ward, who spent time at our school this spring and provided us with a letter stating the atmosphere of Steinbach Christian High is one of warmth and mutual respect. It is evident walking the halls at 10 in the morning chapel and visiting classrooms that both students and teachers take great pride in their school. Both the musical performance and the senior testimonials during chapel show how much importance students place on sharing their faith experiences and I would emphasize that: sharing their faith experiences.

Steinbach Christian School supports safe and inclusive schools to the point that it believes that all persons are created in the image of God and, as such, are to be loved and respected in a manner consistent with biblical teachings. That is a basic premise from which we operate.

We do, however, have concerns regarding the proposed legislation. Let me say foremost that, obviously, we want to deal with antibullying—or with bullying, and we need to have appropriate processes in place in schools to address that in an effective manner, recognizing it's a very difficult and challenging area to administer. In regards to the definition of bullying—and you've heard this over and over—is that we, too, believe that it is weak and vague in nature. We believe that there is really no clause that talks about the intentional repeated behaviour and, therefore, allows for one time actions, perhaps errors in behaviour, perhaps errors in judgment to be considered bullying when that wasn't really the person's heart intent.

Terms like should we be known to cause and intended to cause are troubling. What each child should have known will vary considerably. Who will be the one deciding what a student should have known and what criteria will be used to determine what should have been known? The use of harm to another person's feelings, self-esteem, will make it difficult to distinguish between real bullying and unintentional feelings of being hurt. Realistically, we suggest, some forms of student interactions are definitively more serious than others and the bill by design should reflect that.

It also puts all faith-based schools and all teachers at risk when faith principles are being taught. Administration, students, and guest speakers may make statements regarding our faith distinctive that could damage a student's self-esteem. It may not be meant for condemnation, but as a reminder of moral good. Clearly, there are some thresholds being exceeded with a bullying definition that is so broad that it could label the sharing of religious views as bullying.

Regarding student activities and organization clause. Basically, this clause requires faith-based schools to accommodate and promote values contrary to the school or that of its respective community. We at Steinbach Christian High believe fundamentally and in principle every student—every student—every student should get equal protection and opportunity. This section of bill clearly depicts greater privileges for some students over others. And based on the proposed legislation, if students want to form a group, schools must accommodate. We believe it must be the school administration making decision on which group will meet within its jurisdiction, for not all groups in all schools will promote a safe, caring, inclusive environment. Administration and conversation with the students should make that decision, not the students by themselves.

Steinbach Christian School believes that the bill as proposed will not effectively reduce bullying for all students. Why? The bill does not effectively address the need for all students nor does it deal with the main reasons why students are bullied. We reflect our few studies from the Safe and Caring Schools forum data from the Tell Them From Me, a survey that was done nationally, and from the Seven Oaks School Division. Reasons for bullying are some of the following: appearance, grades, income level, skin colour, religion, language, disability and sexual orientation, and, in particular that order.

Further, in reference to the Safe and Caring Schools forum held this last spring, Dr. Shelley Hymel stated that the best things we can do is realize that there is no simple solution, therefore no simple legislation will deal with it. There is no one best program, and what works in one school may not work in another school.

She also stated that it is the teachers that have to be in the classroom. They have to be the group leaders and that they need to set and influence group norms to reduce bullying. Again, it's that mature

influence, the trust that we have in our teachers to help with that.

Seven Oaks School Division, too, has indicated that the relation between the teachers and the students is the most important factor in building a culture of attachment and acceptance and has been effective in creating a safe and caring environment.

So what does Steinbach Christian High School do and has done for all of its 60-plus years? Steinbach Christian School focuses its student behaviour policies in three key areas: respect yourself, respect others and respect the school.

In particular, we want to draw your attention to our school's respect others section where we state the following: students are expected to show respect and consideration to one another. Students should refrain from causing disturbances in the hallways, blocking stairways or disturbing others who wish to study—here's a key thing—unreasonable discrimination on the basis of any characteristics as set out in the Human Rights Code is unacceptable. Any bullying or physical, sexual or psychological abuse, either verbal or written—and nowadays we should probably say texting—of any person, student staff or visitors, is unacceptable.

Steinbach Christian High School works at all levels to creating an atmosphere of love, respect and service to others. We do this through our regular school activities including our chapel program and through our mentorship program, which is a more senior student to a younger student. And it is really the practice of all we do in and out of our classroom.

We believe Steinbach Christian High is a safe and caring atmosphere for all students, and more importantly, students and their parents who have been bullied at other schools tell us that things are positively different at our school. And we just had a student—a grade 9 student—share with our student body this spring on what an encouraging environment to have students share how the environment has been received positively.

So what could some things be that would lead towards solutions? Steinbach Christian High seeks to not just be adversarial but to actually be part of a collective solution, which is to proactively address bullying behaviour within a clear mandate. Therefore, we appeal to you, Ms. Allan, and all the other distinguished members of the committee, we appeal to you to make amendments to the bill in the following matters—and I'll go over them quickly—a

clear, realistic definition of bullying. A proper definition of bullying should deter such destructive behaviours, protect the victims, help avoid unnecessary allegation against unintentional offence and ultimately assist all levels of arbitrators in addressing these matters.

It should be inclusive and equitable legislation for all students. It should properly define authority for school administration and overall protection for Manitoba's faith-based, private schools like Steinbach Christian High to be able to maintain and operate within the context of freedom of religion and freedom of expression.

Mr. Chairperson: Thirty seconds.

Mr. Driedger: How might this best be addressed?

We believe that the bill needs to be succinctly and distinctly addressed. We believe that you could just identify the Human Rights Code as a reference point either listed fully or just say it as it is. It should be clearly defined. The school administrators retain the final responsibility of determining groups, both public and private, that meet within their respective schools.

And then as it relates to private schools, we ask you to consider two amendments: 1.2(4) Notwithstanding the above with regard to a private school, a person shall be—shall not be found to have participated in bullying for behaviour or expression that is inconsistent with the school's principles, mission and statement of faith; and similarly, 41(1.9), a private school shall establish a respect for human diversity policy but shall not be required to establish a policy or to allow activities and organizations that are inconsistent with the school's principles, mission or statement of faith.

Mr. Chairperson: Thank you very much, Mr. Driedger, for your presentation. We'll now turn to questions.

* (19:20)

Ms. Allan: Thank you very much, David, for your presentation. I'm pleased that you are here this evening. Thank you also for attending the Safe Schools Forum that we had in the spring and for quoting Shelley Hymel in your presentation. We appreciate your comments, and thank you to the principal who is here with you this evening, as well. We appreciate you being here this evening and for your presentation.

Mr. Goertzen: Thank you, David, for attending—Scott, Emery, as well, for attending here this evening.

I—you know, one of the frustrations that I've had over this process is the lack of statistics information that we have about bullying in Manitoba. You cited some in your report, so I appreciate that. But yet, as a province, we have really little idea about how significant the problem is. We know there's a problem, but we don't know how widespread it is. We don't know, collectively in Manitoba, the reasons for it, and so, ultimately, even if this bill passes, we don't know what the effect of it will be.

But can you sort of tell us anecdotally—because it's probably all we have—do you think that your school, Steinbach Christian High School, comparative to perhaps other public schools or private schools, is doing as good a job or a better job, in terms of protecting kids from bullying within your school environment?

Mr. Driedger: I believe that Steinbach Christian school, based on its size of 250 students, does a reasonable, good job of addressing bullying behaviour. That means, as some of the presenters have identified earlier—is addressing things in the hallway, in the classroom and having that sound teacher-student interaction. Obviously, smaller classrooms allow for that and contribute to that.

I think our school also has what's called small groups, where students from different grades and that get together and encourage one another in their faith journey, and I think that is a contributing felt-factor or feeling accepted. No student is left out; everybody's included in some group.

I think that mentoring program of a senior high student volunteering their time in a voluntary arrangement from a younger student willing to be mentored, I think, is a beautiful situation moving things forward.

Mr. Gerrard: Yes, thank you for your presentation. Just a question for you: If you find an instance where one student is clearly bullying another, what is your procedure or process for eliminating the bullying?

Mr. Driedger: It might be a better question to ask the principals in the school, but I believe, my understanding is we do meet with those—we try seeking clarity on that. Now, is it intentional? Is it repetitive? Is it destructive? Or was it just an unintentional offence type of thing? And that variation happens. So that could—some of that stuff

should be addressed at the lowest level, right in the classroom, right where the altercation takes place. But if it's repetitive, destructive and intentional, then I think that the principals meet with the student. They involve the parents and I think that there are obviously a verbal kind of discussion. If it would be very severe, there would be a written kind of documentation and the consequences of such. So I think that the authority of the administration within the school with the heart's intent to make a good outcome for both students, I think, is a positive way to address this.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation.

Now call on Al Hiebert, private citizen. Evening, Mr. Hiebert. Do you have a written submission for the committee?

Mr. Al Hiebert (Private Citizen): I do, yes.

Mr. Chairperson: Okay, if we can ask the Chamber branch to distribute those.

Mr. Al Hiebert: Twenty copies in there.

Mr. Chairperson: And you may proceed then when you are ready to go.

Mr. Al Hiebert: Thank you for the opportunity.

Preliminary comments: bullying is serious. Most is on social media. As a Christian, I believe bullying violates God's command to love all humans. Jesus was a friend of sinners, including me; so am I. Bullying violates the respect due all humans as God's image bears.

Most antibullying laws do not violate religious freedom. I recommend antibullying programs that combat all bullying, including against GL—LGBTQ students without judging sexual behaviour—that is, seek safety without discrimination.

I also recommend the Canadian Red Cross stand up to bullies plan, which focuses on fixing bullies' behaviours, not on characteristics of their victims, as does Bill 18.

Oh, boy. Now, my—okay—main concerns: Negative consequences of Bill 18 as written—for some public school students and teachers, freedoms of religion, conscience and expression are already being violated. Bill 18 requires that each funded school must accommodate a gay-straight alliance, where one student requests such, likely with space, a sponsoring teacher, and support for events.

Thus, every school must officially declare false some conservative beliefs about human sexuality, such as, that sex is perfectly designed to be—pardon me—sex is perfectly designed to be enjoyed only between a married heterosexual husband and wife. But many thousands of Manitoba students, teachers and taxpayers hold these beliefs as true. Already Bill 18 has increased bullying of conservative students and teachers and so created a less safe learning environment for them.

Manitoba's best teachers see what these approximately 4,000 GSAs in the US have done. Note these recent terminations there, with rationales: Ken Howell was dismissed because he emailed his class on natural moral law, quote: A moral sexual act has to be between persons that are fitted for that act.

June Sheldon was fired for replying to his student's question, asking her to give arguments that sexual orientation could have environmental causes.

Emily Brooker was fired for refusing to advocate homosexual adoption.

Julea Ward was fired for refusing to affirm homosexual behaviour.

A counselling student at Augustana was dismissed for believing that homosexual conduct is immoral.

Sexual conservative students and teachers now feel distress of intimidation and job threats. This unsafe environment demands their strict silence on sex in the face of homophobic taunts from sexual liberals. They feel school is not a safe place for anyone like me.

Their environment is not as envisioned—July 1, 1960—by Prime Minister Diefenbaker, when he introduced the Canadian Bill of Rights with, I am a Canadian, free to speak without fear, free to worship in my own way, free to stand for what I think right, free to oppose what I believe wrong.

Question: If a Manitoba school or division writes into its respect for diversity policy the following statement, does Bill 18 allow this? That statement would read something like: X school division respects and welcomes all students, employees, parents and guests to express their world-view beliefs without intimidation or threat of such, so long as those beliefs are not expressed in language, tones or gestures that express personal hate for those who disagree. The school division recognizes that in a

pluralistic society, respectful, moral, religious, philosophical disagreement does not constitute bullying.

The Egale gay pride ethics that Bill 18 promotes is unwise, unhealthy and wrong.

In a recent Carillon column, is promoting same-sex sex wise, philosopher Hendrik van der Breggen quotes Canada's largest gay newspaper, Xtra!, quote: The list of health issues affecting queer Canadians includes: lower life expectancy than average Canadian, suicide, higher rates of substance abuse, depression, close quote.

Promoting smoking and Egale's sex ethics are equally wrong.

Diversity includes me, but not in Egale's world view.

Our Supreme Court says our Charter protects freedom of religion, conscience and expressions of private schools to uphold their volunteer communities' moral convictions.

* (19:30)

Confessional schools gather around faith covenants for learning. Public authorities assess them on academic competence, not on their beliefs about sex. Students and employees voluntarily join these confessional schools, giving—knowing their beliefs often including a conservative theology in sex.

Under Bill 18, the required GSAs will violate those schools' freedom of religion, conscience and expression, because GSAs inject an alien liberal theology of sex, where middle school students are told, you have the right to enjoy sex without shame or stigma, closed quote. In a parallel 2001 case, the Supreme Court ruled in favour of Trinity Western University against the BC College of Teachers over Trinity Western's bid for accreditation of its new B.Ed. program. Constitutional affairs experts have warned our government about the potential unconstitutionality of Bill 18. Court challenges cost taxpayers money. Bill 18 threatens Manitoba's education and economy. This is not fear mongering.

A little history: in the 1870s, western Canada was threatened by a drive to extend the US border to 54°40' or fight. Winnipeg then had about 1,800 residents. Canada needed immigrant farmers to turn Manitoba grasslands and swamps into productive agriculture industry. Canada recruited them with a promise of freedom of religion and

the right to educate their young in their faith in perpetuity. Some 8,000 Mennonites came, as did many Ukrainians and several other faith communities. Most of their descendants today are peaceful and tolerant. We value our pluralist democracy. Some are even prepared to go along to get along with GSAs. Others think that if the state demands that we accept as true what we believe is false, then a most loving response is to speak truth to power. Uncle John was imprisoned for that in the 1940s.

Recent immigrants, especially refugees, share these concerns. Manitoba's Sikh, Jewish, Muslim and Coptic communities have echoed these concerns to our education ministers. Some Christian refugees are too afraid to speak up on Bill 18. Canada is still a pluralist democracy. Some democracies protect the rights of their minorities, some don't. With Bill 18, we'll soon see about Manitoba today.

The Supreme Court ruling on ex-gay prostitute Bill Whatcott turned anti-gay crusader has implications. In '01, Whatcott distributed four pamphlets in his crusade to remove gay personnel and pro-gay teaching from schools in Regina and Saskatoon. This February, the Supreme Court upheld Whatcott's freedoms of religion and expression, so long as he was respectful of those he criticized.

Mr. Chairperson: One minute.

Mr. Al Hiebert: The Supreme Court ruled two pamphlets were; two were not. This ruling should not trouble any Manitoba student, educator, parent, who holds a conservative view of sex. The state has no right to demand that its faith communities change their theology.

I'll skip to the concluding comments. Canada's chatty classes need to learn the proper use of homophobia. We are not mentally ill. That's a fallacy ad hominem. Associated Press has instructed their staff, likewise, to avoid this political slur. The biology of this issue is likely—has not changed in millennia. Seven billion of us on the planet are here thanks to our mother and father. The assumption that LGBTQ behaviour is present in every population is likely false. Today's 4,000 GSAs in the States discriminate against tens of thousands of former gays and lesbians, as does Bill 18. I'm available for further help. See my education and experience.

Mr. Chairperson: Thank you very much, Mr. Hiebert, for your presentation. We'll now move to questions.

Ms. Allan: Thank you very much, Al, for being here this evening. Obviously, a lot of people have put a lot of work into their presentations, and you're no exception—another history lesson this evening. So thank you for putting together this brief. It's—obviously, you've put a lot of work into it, and we certainly appreciate you making time to be here this evening. Thank you.

Mr. Goertzen: Mr. Hiebert, you made a brief comment or reference to the Whatcott decision, and the Whatcott decision fascinates me in the sense that I think everybody has been able to claim some sense of victory through that decision, as often is the case, perhaps, through Supreme Court decisions until they get more narrowly defined. But, within the Whatcott decision, it narrowed the definitions within the Saskatchewan Human Rights Code to provide greater protection for religious freedom because it was considered to be too broadly defined before.

Are what you're suggesting, in your view, that the Whatcott decision might have an impact on Bill 18 and that Bill 18's definitions might be too broad and capture religious freedom within that? Is that what your suggestion about referring to the Whatcott decision?

Mr. Al Hiebert: I'm not predicting what the constitutional challenge might be; I'm just saying those who cite Whatcott as saying the gays won with Whatcott, are telling one side of the story. They did win in certain aspects, but they're not telling the other side of the story. Bill 18 may be declared unconstitutional by the Supreme Court of Canada. I don't know. I'm just suggesting that it could, and many constitutional experts have given such opinions.

Mr. Gerrard: I just want to say thank you for a very thorough presentation.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation this evening. Thank you once again.

I'll now call on Wayne Patram, private citizen. Mr. Patram, I hope I'm pronouncing your name correctly.

Mr. Wayne Patram (Private Citizen): It's been pronounced every way under the sun, so no offence.

Mr. Chairperson: All right. If you could correct pronunciation so I don't get it wrong for the rest of the—

Mr. Patram: Patram.

Mr. Chairperson: Patram.

Mr. Patram: Yes.

Mr. Chairperson: Welcome, and do you have a written submission for the committee?

Mr. Patram: No.

Mr. Chairperson: Okay, please proceed when ready.

Mr. Patram: Good evening, ladies and gentlemen. Well, I read through my presentation this afternoon, and after 20 minutes and almost putting myself to sleep I will be giving you the highly abridged version. I would like to take a few minutes to express some concerns I have regarding Bill 18, specifically in the definition of bullying and that those wording regarding the formation of gay-straight alliances.

If I would sum up the definition of bullying as outlined in Bill 18, one word would be ambiguous. The vagueness and relativity of the definition will make it possible to interpret almost any action as an act of bullying. Feelings is one problematic term here at—as it is a trait that is completely relative to the individual and perceived through a wide variety of filters such as culture, character, upbringing and gender.

While I believe it is very important that we strive to be sensitive to the feelings of others, they make a poor overarching standard by which to gauge or address issues like bullying for the very reason that they are so unique to the individual.

Intent is equally problematic for the same reasons. Bill 18 defines bullying as a behaviour that is intended to cause or is intended to create. Unless there is a direct admission from the individual in question, intent is difficult to excess—assess as it runs through the individual's filters as well and as such makes it a poor plumb line for discernment.

There are only two conclusions that can be drawn from the definition with the 'ambiguity' of the one found in Bill 18. The bill—the definition is vague on purpose and intended that school authorities determine the specific standards by which they will deal with the bullying in their schools. If this is the case, it all but eliminates the need for Bill 18 altogether. The definition is—secondly, the definition is flawed and incomplete and needing to be amended.

Time will not permit me to go into the altered—alternative solutions, however, I believe that the

definition that would be a more appropriate substitute for the current definition would be one that deals in as much as is possible with the characteristics and qualifiers that are understandable and measurable. It would steer clear of highly variable standards like intent and feelings, and it would degree—it would deal with the degree of lasting impact of the act or acts of bullying.

Including a consideration such as the impact on the person who has been bullied will create a valuable aid in the discernment of single events that may have been unintentional.

Regarding the definition of bullying as currently defined in Bill 18, my conclusion is that the definition is weak and not actionable in its current form and needs to be amended.

* (19:40)

The wording of the bill respective to gay-straight alliance is also—presents several problems. Gay-straight alliances, hereafter referred to as GSAs, are addressed in the following way in the bill's Explanatory Note: "The policy must accommodate student activity that promotes the school environment as being inclusive of all pupils, including student activities and organizations that use the name 'gay-straight alliance.'"

The word must is problematic because it results in an erroneous inclusion. If GSAs must be accommodated, then obviously a school cannot say no to their institution if requested. This statement bears a lot of weight because if a school must accommodate a GSA, then the conclusion that follows is that it must always be the best solution in any given situation. For, if it were not always the best solution, then legislating that schools must accommodate is an error.

Again, time will not permit me to build a case here, but I think I can umbrella it with a statement.

Bullying is not the black and white issue that we would like it to be. In fact, it is most certainly a grey issue. We would like to think that there are bullies and then there are people who are bullied when in reality I build a case that there are individuals that are bullies and are also bullied. The person that bullies someone for being gay may be bullied because of their weight. Converse with a person who bullies someone for their weight may be bullied for being gay. Perhaps bullying starts in the home or perhaps it is predominant in the workplace.

My point here is that you're looking at passing legislation into an arena that's highly dynamic. And while I appreciate that we have to start somewhere, I think that legislating GSAs as a must-have solution is premature. I think that considerable thought and research needs to go into this decision—into a decision like this.

And, while I've heard a lot of idealistic reasons for moving forward with this, I'm not aware of any research or evidence that builds the case to necessitate the specific citing of the name gay-straight alliance into a piece of legislation.

Religious belief is another reason that some schools may want to say no to the implementation of a GSA. I believe this is the most controversial aspect of Bill 18, as it will force some schools to accommodate a GSA; an action that will bring them into direct conflict with their beliefs.

My first comment here is that the freedom of belief and religion is upheld in the Canadian Charter of Rights and Freedoms. However, let's put that aside for a moment. And I'd like to spend several minutes just exploring the notion of values and belief.

When we think of belief and values, especially in this scenario, most of us think of a church or religious institution and we neglect to consider that almost every organization, business and school that anyone in this room has been associated with under some sort of system of beliefs and values. In addition, it is quite commonplace that the values of the individual differ from the corporate values of the organization, business or school.

If you take some time to look around you as you engage in the various aspects of your life, you'll begin to see statements like core values, mission, vision and values statements, code of ethics, et cetera. You will see these statements in unlikely places like public washrooms. Simply put, the notion that a school may want to say no, in this case to a GSA based on their values, is actually a common, normal concept and a fundamental freedom.

In all of this, my primary argument is not against GSAs. Nowhere am I calling into question that they are capable of positive contribution. No, on that point I think many of us will peacefully have to agree to disagree.

My primary goal here is to strongly oppose a piece of legislation that effectively removes the fundamental freedoms of choice and belief from school by forcing them into action against that belief.

In summary, there is sufficient reason and scenario to build a case that a GSA may not always be the best solution and, therefore, the bill's use of the must to describe this accommodation is unqualified.

Secondly, I've illustrated the importance of beliefs and values, personal and corporate, by point to the fact that we all live by and under these systems every day. Further to that, to disagree with the values of another person or organization is a normality of life, it does not preclude the right of that person or organization to have and live out of those beliefs. Bill 18's use of the word must will forcibly remove the fundamental freedom of certain organizations to live out of their values by disallowing them the right to say no.

These two points compel the amendment of the language in Bill 18 in regards to the formation of GSAs so that accommodation is not forced upon schools.

In conclusion, while I'm thankful that steps are being taken to address the problem of bullying, I do believe that there's still work to be done on this bill before it can be passed, namely, the definition of bullying in Bill 18 needs amendment due to its ambiguity which 'lended' poorly to practical, actionable application.

And, finally, the word must as it relates to the formation of GSA groups requires amending as it will not always be the optimal solution and, therefore, should not be obligated by this bill, if included at all. And this wording also brings it into breach of fundamental freedoms for certain religious schools.

Thank you for your time and consideration.

Mr. Chairperson: Thank you very much for your presentation this evening. We'll now turn to questions.

Ms. Allan: Thank you very much, Wayne, for your presentation this evening and for making yourself available to be here this evening and for coming in from out of town. We appreciate your comments and thank you very much.

Mr. Goertzen: Thank you for being here, as well. You made an interesting point and you used the word, not actionable, and I haven't heard that in the last day and a half of committees. A lot of people's concern about the definition is that it might accidentally catch those who aren't—who maybe

didn't intend to be caught, in terms of being bullied. Not actionable was interesting because it reminds me of something one of my son's teachers said to me—my son's in grade 2 now, first day of school and—but last year when he was in grade 1, they were—the teacher was saying that the challenges at that age, it's so subjective, hurt feelings, that within a month all of the 25 students in the class will have both been bullies and victims of bullying within the same month because it is so fluid and it's so broad and so—and the definition at that age, kids are sort of socializing and sort of finding their way in that.

Is that what you mean by not actionable, that it's going to be so broad and so encapsulating of everything that ultimately it means nothing and that teachers just might become frustrated and not take any action on it?

Mr. Patram: I wouldn't go so far as to say nothing, but I do agree with—it's very vague and very broad. I mean, we're attempting to legislate on the nature of human relationships. That by nature is a very complicated thing. Just being in a relationship is a complicated thing, never mind legislating on the relationships of hundreds of people. I believe the bill can create the foundation, I don't believe it can build the house.

Mr. Chairperson: Seeing no further questions, thank you once again for your presentation. We'll now call Tara Didychuk, private citizen.

Do I have the pronunciation of your last name?

Ms. Tara Didychuk (Private Citizen): Yes, Didychuk.

Mr. Chairperson: Didychuk. Very good. Do you have written submission for the committee?

Ms. Didychuk: No.

Mr. Chairperson: Okay. Please proceed when you're ready.

Ms. Didychuk: Good evening, members of the committee, members of the press and audience. My name is Tara Didychuk.

For something completely different, I'm going to speak in favour of the bill. I just figure that that needs to happen tonight. I've been a high school guidance counsellor since 2004 and I've worked with students from grade 7 to 12 for the majority of my work. I'm here as a private citizen who happens to work in the field of education. Not here to speak on behalf of my school division, though; I'm here to

speak on behalf of my heart and what I believe to be true.

I have listened to the stories of many students over the years. Sometimes I can only listen as a problem or situation is causing so much pain but it's unfortunately out of my control to help. These situations are the hardest ones for me. Early in my career I began to recognize and support the LGBTQ community. The idea that somebody might not be given human rights based on who they love seemed absolutely preposterous to me. I thought, how on earth would that matter to anyone else but to that person? This realization was hard for me to digest and it really hit home when I listened to students talk about gender and sexuality discrimination. It's usually both an internal and external struggle, and it's hard to watch someone go through so many challenging situations and to realize that the reason behind the suffering is usually due to a basic lack of information and understanding.

Students are bullied, harassed, mistreated, belittled, dismissed and, tragically, sometimes discarded just because they don't fit into a mold or a box. I've listened to students cry as they talk about how they just wish they were normal, that if they can just figure out a way to make their feelings go away their lives would be so much easier. Some students struggle with the fact that who they are in their minds and hearts doesn't match the biological parts that they were born with. A girl who believes she's a boy—ridiculous, a phase, a joke, all in your head, your friends gave you that idea, and many assumptions are made. A boy who knows he's a girl—gay, sissy, fag, femme, loser, disappointment, pansy. There's disbelief, there's anger and sometimes more; sometimes bruises, awful practical jokes and constant verbal harassment from peers, from family members, friends, strangers, co-workers—really everybody.

* (19:50)

Regardless of the building one is in, statistics don't lie. At least 1 in 10 people fall onto the LGBTQ spectrum. People fall on the spectrum regardless of race, religion, culture, and beliefs, and these are the facts. I do my part in my school to create a safe space for students. I put up LGBTQ-positive posters. I always stop in the hallway to speak to students who are using homophobic language.

Two years ago, a fellow counsellor and I announced that we were going to start a GSA, commonly known as a gay-straight alliance. I was

unsure of whether we'd get any interest or reception, but 25 students signed up right away and indicated their excitement about the group, and so FREE was born. The students named themselves Friends Recognizing Everyone Equally. Students changed the name from GSA to an acronym that they associated with equality and with friendship.

We hold meetings, we chat, students get training on how to be allies in their school community. We also volunteer so that we can be seen in the community in a positive way. For example, FREE students have been reading buddies to grade 1 and 2 students at the local elementary school for the last year and a half. The little kids love them, and they look forward to when we come on our scheduled days, because gay, transgendered, allied or straight, everyone loves a good story.

We also have volunteered at Siloam Mission on the weekends and travelled to Winnipeg to paint over homophobic graffiti. We have joined forces with Jeremy Dias from the national organization Jer's Vision and have brought him into our schools so that he can share his expertise with the rest of our students. We've met and chatted with the honourable Minister Jim Rondeau who informed our students about the legislative piece of the LBGQT puzzle, and then he encouraged them to keep what they're doing and fight the good fight to chip away at discrimination and to make a positive mark in their school and community.

We have delivered information about diversity issues throughout the year and especially on Day of Pink. We've had many serious conversations about how to traverse some of the challenges these kids face. We've had celebrations, we've laughed together, we've been fabulous together, and we're just people together.

The feedback from the kids about being a part of FREE has been about feelings of safety, of belonging, of community, of caring, of finally having a voice and feeling like people are listening. This is such a simple thing that most of us take for granted. Most of us, if we need help, we ask for it and we usually get it. Kids who fall on the LBGQT spectrum don't always get recognition or help for their issues, as many people still don't understand and still think that it's a choice that can be made, a mind that can be changed.

But what kind of child would look at the stigma, misunderstanding, ignorance, isolation, harassment, despair and choose that? I believe the answer's zero.

Healthy human beings choose to seek out belonging, acceptance and love from one another. All of my students deserve love and that's why I'm here tonight. I go to work and it's not a job. I love what I do. I try to help, but more people need information and education around what it means to be an LBGQT child in today's school system.

My students come from different backgrounds, they have different skin colours, they have diverse religious beliefs, they come from single-parent homes, they come from homes with two moms, they come from privilege and they come from poverty. They all have unique interests and motivations and all of these factors are very important to me. However, what trumps all of that and makes all of these things fade into the background at school is that kids are human. They need to feel safe; they need to feel engaged when they're in our building; and they need to feel included while they're there.

Every single child deserves these basic human rights and, as an educator, it is my job to do the best I can to protect these rights and enforce them. I don't feel I have a choice. Everyone is entitled to their own personal beliefs, but when I go to work, it is my job to put personal stuff aside and focus on making sure that each and every student in my building feels safe, welcome, accepted. It is also my job to teach the students at my school the information that they need in order to make informed choices on their use of language and what it means to be respectful, regardless of personal opinion. As a parent, I teach this to my six-year-old and my three-year-old as well.

Bill 18 will offer schools the legislative support they need to foster thriving students who want to come to school. I'm sure that this committee will hear hundreds of different opinions on this matter. My personal opinion is that I will fight for LBGQT rights until there is no longer anything to fight about.

At the end of the day, regardless of all of the other factors in a child's life, if they feel alone and desperate, I don't want them to ever choose death over life. No student should have to suffer because of someone—something so personal as gender or sexuality. Some of the best kids I know fall on the LBGQT spectrum and they've endured great suffering because of what? They achieve honours in their classes, volunteer for a variety of causes, do right by others every day, and all they ask in return is for people to listen to them, to accept them for who they are and respect them for how they choose to

express their gender and sexuality. My opinion is that my students are unique, wonderful, diverse human beings and that's what counts the most to me. I ask of this committee that you pass Bill 18 and give educators the legislative backing to continue to do what is best for our students.

The guiding light that drives me is that sometimes school is a child's only safe haven. Discussion would come up periodically in my counselling courses in university around the idea of personal feelings and feelings of discomfort when dealing with certain topics that students bring up to us. Her responses stuck with me all of these years, and it comes down to a simple statement that still rings true: if not you, then who? I apply this philosophy to my work every day. Is this bill alone going to put an end to bullying as we know it? No, probably not. But, at the end of the day, it will give LGBTQ students a right—students their rights and a voice.

My students feel that Bill 18 really is inclusive rather than exclusive. Also, I'd like to feel like when my two kids continue to go through our school system, that their individuality is encouraged and that their beliefs are supported and that they continue to support their basic human rights. Thank you.

Mr. Chairperson: Thank you very much, Ms. Didychuk. We'll now turn to questions.

Ms. Allan: Well, thank you very much, Tara, for that presentation.

You're an educator who's making a difference. Thank you for creating a safe and caring and inclusive environment in your school and helping young people reach their potential. You know what? You used the word fabulous; I think you're fabulous. Thank you.

Mr. Goertzen: Thank you, Tara, for being here and for sharing your presentation.

I appreciate you used the word safe haven, and ultimately I think we want to find a way so that all kids feel that school is that safe place. And what worries me about the legislation so far, and we've heard it from a lot of people who made presentations, young people today and particularly yesterday, is we've got sort of a group of young people who sort of feel that they've been abandoned by the legislation, that they're not protected under the legislation. And that's not what we want in any antibullying legislation at all. We want to find a way that all kids can feel that they have that protection,

that the bill isn't excluding them, because in some ways they feel they're being bullied again, and that's the real challenge for us. So trying to find different ideas that'd work in terms of bullying that aren't included in this legislation, and I don't think I've heard from a high school guidance counsellor yet in the presentations, so I appreciate you being the first one.

The—one of the ideas that has come out of British Columbia and also California, I think, is the ability to have anonymous reporting of bullying online so schools would have a portal where students can go on and anonymously report bullying activities. I think the western Premiers talked about this at a recent meeting and there was lots of discussion about whether that would be effective. The experience in BC and California is that it is that it is a fact that it would take away some of that stigma of reporting and then worried you're going to get caught either if you're being bullied or if you're observing the bullying.

Do you think, as a guidance counsellor, that would be something that would be helpful?

Ms. Didychuk: It might. I still believe that there's credibility in students having a person that they know to go to and that person knowing who that student is talking about, because otherwise we're generalizing and I don't think that that's really helpful. So, I mean, I get the benefit. It could work, but it's kind of like—what's that crime line that people can just phone in—*[interjection]* Yes, like, it's kind of like that. So my students feel like they can go and talk to certain safe people in the school. They know that not all staff are accepting but they do know that they have people that they can talk to right there and that we have people that we can talk to that are higher up who can initiate a change specifically in our school.

Mr. Goertzen: There are some kids, though, who, maybe they're just observers, they see the bullying and, you know, they don't know how to intercede. They don't know how to interact or to get in between the person being bullied and the bully, that this might be a portal for them to report something.

* (20:00)

Ms. Didychuk: Yes. It might even be beneficial to do it on a school-by-school or division-by-division basis.

I think that part of our GSAs mandate—I don't even like to call it GSA—part of FREE's mandate is to

go around to all the different classes and give kids information so that, you know, if they did come across a situation in which they felt it was too unsafe to intervene, this is—these are the steps you can take.

Mr. Chairperson: Seeing no further questions, thanks again for your time.

Now call on Sue Doerksen, private citizen.

Good evening, Ms. Doerksen. Do you have written material for the committee?

Ms. Sue Doerksen (Private Citizen): I do not. No, I do not.

Mr. Chairperson: That's perfectly fine. We'll allow you to proceed when you're ready then.

Ms. Doerksen: Thank you very much for meeting with all us over the next couple of weeks, taking the time out for that. Forgive me if my nerves start to show.

I believe that everyone needs to be loved and accepted, and that includes my children and our beliefs. Bill 18 as written would ensure that we're not allowed to teach our own religious beliefs in the way that we have a right to. It has already done nothing but cause us, as Christ followers, to be judged and bullied for what we believe, this coming from adults. Perhaps that shows the heart issue in the matter, that bullying could continue against our children if they dare to disagree with what is being pushed into our schools. We want to protect our religious freedom to not agree with everything others believe. That freedom is systematically and quickly being stripped from us, starting with the promotion of gay-straight alliances in our private religious schools, that are supposed to have the freedom to teach what they believe.

Introducing this bill, in the way it is now, it does not promote a safe and respectful learning environment for all students. If Bill 18 as written was really about bullying for any reason, it would not need to make a special inclusion of GSAs. Excluding most others that are being bullied for all the many other reasons does not create the safe and inclusive school environment that this bill is supposed to be about. Antbullying clubs, or ABCs, are a far more inclusive option or a club like the last presenter spoke of—I thought that was quite interesting as well, what they changed it into. They could ensure that everyone feels safe. They have a place to go, regardless of the reason that they are being bullied.

There is no reason for only one group to be singled out. In doing so, it becomes an us-against-them environment. Where is the inclusiveness when you offer protective groups for only one minority? Where is the group that my sister could have gone to for support when she was tormented for body image in middle school? A GSA would not have helped her.

Amanda Todd's death was cited as a huge reason that this bill came forward. With all due respect, how would a gay-straight alliance have helped Amanda and those like her? Would a GSA have been her support for the bullying that followed her from school to school?

How would a GSA have helped Rehtaeh Parsons, a victim of rape, from being harassed and bullied for the evil that was done to her? Perhaps an ABC club or another option could have been in place and somewhere she could have gone to.

Singer-songwriter Robb Nash from southeast Manitoba speaks to youth while on tour. And this is a quote from his experience: When I first heard about the alliance, I was impressed with its pure intentions. But, while on tour I met a young girl who was depressed and suicidal. I asked what started it. She said it began the day after she joined the gay-straight alliance. Someone carved an anti-gay slur in her locker door. Someone defended her by writing an equally awful response in the other person's locker. The war began. There were tears in her eyes as she begged me, if you meet someone looking to join this alliance, make them think twice. She said it was the worst mistake she had ever made. What was to be the first day of a new-found freedom became her nightmare. He then promised he would tell her story.

We do not want any child to be bullied for any reason, be it sexual orientation, race, height, weight, appearance, religion, handicap or any reason at all. We want our kids to be able to feel safe in talking about what we believe, without the threat of being called a bully just because speaking about our beliefs might hurt the feelings of another individual.

The very definition written of bullying—sorry—written in this bill is a very broad and weak one, to include things such as hurt feelings. Enforcement of this policy is unrealistic and places the burden on teachers and principals to investigate every instance of hurt feelings in school. I'm exhausted trying to do that home between my three children; I can't imagine trying to figure this out in an entire school setting.

My son is an incredibly tender-hearted child. His feelings are hurt very easily. Any flippant, off-handed remark or smirk, not meant to cause any harm, can bring him to tears if he has misunderstood it, and he is very quick to believe that that person was out to intentionally hurt him in some way. How many children will be charged with bullying for hurting my child's feelings if we let the—this bill pass the way it is now?

Thank you.

Mr. Chairperson: Thank you very much, Ms. Doerksen, for your presentation.

Now if there are any questions?

Ms. Allan: Thank you very much, Sue, for being here this evening.

You didn't seem nervous at all; very well done. Thank you for the work that you've put into your presentation this evening, and thank you for your reflections on Bill 18.

Mr. Goertzen: I just want to thank you as well, Sue. I appreciated the comment about, I think you said, your son, whose feelings can get hurt quickly. He probably hangs around with my boy. He gets hurt feelings sometimes quickly, too, and as a parent, I mean, that sometimes you wonder, like, you know, how does a definition like this really work in practice? And so I think you brought some of that home, and I've reflected on that myself. So thank you very much.

Mr. Chairperson: Seeing no further questions, thanks again for your time.

Ms. Doerksen: Thank you.

Mr. Chairperson: I'll now call on LeAnne Froese, private citizen.

Ms. Froese, do you have a written submission?

Ms. LeAnne Froese (Private Citizen): Yes.

Mr. Chairperson: I'll ask the Chamber staff to help you distribute that.

And you may proceed, then, when you are ready.

Ms. Froese: Thank you. I'm here as a private citizen to show my support for Bill 18. I'm speaking as a senior high guidance counsellor, so that'll make me second for tonight, and as a teacher advisor for our Youth for Diversity, formerly our gay-straight alliance group. I'm also speaking as a member of a Mennonite congregation in Winnipeg, so I join that

group that's been represented here as Mennonites. And, as a parent of a student attending a Mennonite private school, I also identify as a parent. These connections form my points of reference and have influenced my experience and opinions, although I'm not an official representative of any of these groups.

Today I wish to emphasize the positive potential of Bill 18, the benefits it can ensure for our at-risk students in our schools and the positive effect it can have on whole school environments.

What Bill 18 is: Bill 18 is a statement of integrity. It acknowledges the rich diversity in our student population and that this diversity has not always been a cause for celebration in our schools, but rather has become a source of harassment for certain students. Bill 18 protects the fundamental human right, the right not to experience discrimination based on differences.

Bill 18 is a way to make schools, as social institutions, relevant for the future. Our educational system needs to address the reality that our greatest at-risk students include those struggling with their sexual identity and will 'fi'—and with finding a safe place for that struggle within their schools. Our responsibility as educators is to provide a meaningful and relevant education for students until they are 18, and with the increasingly early sexualization of our adolescents through the media, we are dealing more and more with issues related to sexual identity in the high school years.

Bill 18 provides a safe and regulated means for any student to—who choose to gather in an organized manner to affirm each other's experiences, become educated, provide support and raise awareness for the extended student body about issues that are meaningful to them. The GSA group in our school redefined itself two years ago as the Youth for Diversity group. This student-led initiative reflected their conviction that they wanted to represent any student subjected to harassment for whatever reason. Throughout the year, they've spearheaded awareness campaigns around mental health stereotyping; they put up anti-racist posters, set up an anonymous online advice page and stocked our library with relevant resources. Our YFD group is a safe place for rejuvenation, affirmation and bonding, is a place where trusting relationships are nurtured and faith in humanity is restored. It has an exceedingly positive influence on our whole school climate, is—its existence is threatening to no one.

Bill 18 is a call for justice in our educational system. It's a way of empowering the traditionally suppressed voices of the minority. It is an act of social responsibility to the marginalized and overlooked. It is a proactive, positive, healthy step towards reducing the negative effects of bullying by the redistribution of power to those students who are often voiceless, repressed and disempowered. Without any—without an intentional intervention, such as is provided by Bill 18, to safeguard GSA groups and criminalize slanderous Internet activity, social power and social control in our schools default to the loudest, rudest, most intimidating voice in the crowd. It is time to tip the balance of power from those instilling the fear of being vulnerable into the hands of those confident of their support from friends, teachers, the school system and the law.

The mere act of providing a safe forum for students to meet and identify with each other prevents a multitude of negative effects of bullying and invests the positive future—in the positive future of our most at-risk students.

* (20:10)

Bill 18 is an acknowledgement that defamatory postings on the Internet belong more in the category of criminal activity than mere bullying. The culture of conquest and boast in our young people has evolved to such a heightened state that it is second nature for our youth to grab their cellphones to document their conquests of the night. We need to send clear messages to our youth that the public distribution of photos depicting abuse, humiliation and degradation are criminal. They not only violate another person's rights, but they can lead to a sense of 'helplessness'—helplessness, hopelessness and suicide, and that to address the statement that Bill 18 may not have helped the previously identified victims of suicide.

Ultimately, Bill 18 is saying to our students, we care. We care enough about your safety, your rights and supporting your process of developing into confident, respected and affirmed individuals in our school system to take concrete political steps to ensure this level of care is consistent between our various schools across the province.

I have a grade 12 student who shared with me last year that over the previous couple of days he'd been accused of being gay on two separate occasions while walking around the community. He shrugged his shoulders. He is gay. I feel so helpless to help him. I can't protect him from prejudice on the streets,

but I can protect him from discrimination in his school. Bill 18 gives me tools to fulfill that responsibility.

It might be worthwhile to briefly highlight what Bill 18 is not. It—Bill 18 is not a threat to religious freedom. It is an opportunity for religious groups to address issues of inclusion and spiritual relevance in a modern age. It is a chance for religious groups to send a message to all of their youth about how much they value them and their future involvement in their organizations and how they are willing to support them publicly now and in the future. It is a stepping stone away from fear and towards building community.

Finally, Bill 18 is an opportunity for the provincial government to lead Manitobans into an age of accountability for the bullying that happens daily in our public schools. For many at-risk students, Bill 18 can make the difference between staying in school or staying away due to systemic and personal harassment, exclusion and invalidation. Bill 18 offers a powerful blend of positive, proactive solutions through the protection of school-based prodiversity groups and strong disincentives for the inappropriate use of the Internet.

For these reasons, I strongly endorse Bill 18.

Mr. Chairperson: Thank you very much for your presentation, Ms. Doerksen.

Ms. Froese: Froese.

Mr. Chairperson: Oh, I'm sorry. Ms. Froese.

Ms. Froese: No, it's okay. There's a lot of Mennonites here tonight.

Mr. Chairperson: I'm getting my Mennonites mixed up tonight. I apologize.

Turn to questions now.

Ms. Allan: Thank you—and he's a Mennonite too, you know.

Ms. Froese: Yes, we're all in this together, yes.

Ms. Allan: Thank you very much, LeAnne, for your presentation. It's good to hear your comments in regards to what's happening in your climate in your school and the contribution that you're making as an educator, and I appreciate tremendously you taking the time this evening to come to the committee and speak to members here this evening and share your reflections on Bill 18. Thank you so much.

Mr. Reg Helwer (Brandon West): Thank you, Ms. Froese, for your comments. I have great respect for anybody that works in our school system. You have a great deal more patience than I do, and I only have to deal with people in here and the public, and you have a great deal of patience. So thank you.

I'm wondering, your group, the YFD—

Ms. Froese: Yes.

Mr. Helwer: —sounds very empowering and has moved beyond what a GSA is and accommodates many more people. If this bill moved from a GSA to a YFD, would that be something that would make it more useful?

Ms. Froese: Your question is whether the terminology was different in the bill.

Mr. Helwer: Possibly the terminology, but I think your description of a YFD is much more than a GSA.

Ms. Froese: And my understanding is that GSA is an example of one of the groups that's included in Bill 18, and that, really, it's not meant to be exclusive nor is it meant to be determined that a GSA per se is the only group that's being identified. I find that the wording allows for great diversity of groups, prodiversity, and so I do not find it exclusive as it stands now. I think our YFD falls within the description, as I understand it, in the current wording of Bill 18.

Mr. Chairperson: Seeing no further questions, once again, thanks very much for your time tonight.

We'll now call on Marlowe Brandt, private citizen.

Good evening, Mr. Brandt. Do you have written materials for distribution?

Mr. Marlowe Brandt (Private Citizen): I do, yes.

Mr. Chairperson: Okay, we'll just ask the staff to hand those out for you, and you can start when you're ready then.

Mr. Brandt: Well I am here to voice my concerns on Bill 18. I hope to—hope you understand what my concerns are as a parent to a 5-year-old who is very energetic and just starting kindergarten.

Firstly I believe the bill needs to have a clearer definition of bullying. I understand that you are trying to make it a broad definition so that all will be included and that you propose to leave the handling of the fine detailing up to the school officials. I believe this will only cause confusion for parents and

students alike. How are we as parents to teach our children what bullying is if we don't have a clear and concise definition of bullying?

Secondly, the bill does not define what repercussions these bullies will face if charged with bullying.

My wife and I were both severely bullied all through our public education. My wife had many meetings with school counsellors, principals and teachers. Their answer was always the same thing: what did she do to cause this bullying and what could she do to change, sorry—to change to make it stop?

As the bill stands right now, the same thing will keep happening in all schools. Students will be bullied, the bullies will be given a stern talking to, and then the bullies will resume and the student and victim will feel helpless and hopeless.

Thirdly, the bill only deals with a certain set of student groups rather than all student groups. If we want to have a bill that is inclusive of all students, which you have stated many times that this is your wish, then we need to make sure all student groups feel safe.

Fourthly, I believe the bill as it is written right now will infringe on religious freedoms. A Christian's beliefs that sex—that sin actually exists and what those sins are should be protected from ridicule and discrimination as well. This does not mean having a belief that sexual deviation is wrong would be bullying another person. If a person were to forcibly impart on another that sexual deviation is wrong, then, yes, that would be bullying. But, if a person simply holds the standard of belief and respectfully and graciously voices this belief, it is not bullying.

Again, I reiterate that the need to have a more clear definition of what bullying is.

That's—thank you ever so much for your time and energy in creating this bill, and it's very important that you've done so much so far. I applaud you and commend you.

Mr. Chairperson: Thank you very much, Mr. Brandt, for your presentation. We'll now turn to questions.

Ms. Allan: Well, Marlowe, thank you so much for your presentation tonight. I appreciate your reflections and the comments that you have made in your presentation this evening. And thank you so

much for letting us know you have a 5-year-old; you're going to have a lot of fun with your 5-year-old as you take him through his educational journeys.

So all the best and thank you for being here with us tonight and for your presentation.

Mr. Chairperson: Mr. Pedersen.

Mr. Blaine Pedersen (Midland): Midland.

Mr. Chairperson: Midland.

Mr. Pedersen: Thank you, Mr. Chairman. Just want to make sure we get the right people here.

We share the same name. It's just the member for Flin Flon (Mr. Pettersen) spells it wrong and that's the only difference.

An Honourable Member: The better looking one.

Mr. Pedersen: Correct.

I want to thank you, Marlowe, for your presentation here tonight and I would—just on the weekend I was visiting with my grandchildren, who are 5 and 7, and they go to a big city school. And I was reflecting—although I didn't talk to my son and daughter-in-law about it, but certainly the challenges are there raising children in a—what I consider the big city school. So I certainly appreciate your comments here tonight and we'll certainly take your comments into consideration. Thank you.

Mr. Chairperson: Seeing no further questions. Thanks once again for your time.

We'll now call on Ian MacIntyre, private citizen.

Mr. MacIntyre, do you have a written materials for distribution?

Mr. Ian MacIntyre (Private Citizen): Yes.

Mr. Chairperson: We'll ask the staff to help you distribute that.

And you may proceed then when you're ready.

* (20:20)

Mr. MacIntyre: Thank you and good evening. Mr. Chair, Madam Minister, Mr. Minister, members of the committee, thank you for the opportunity to speak to Bill 18, and I extend my appreciation—may I extend my appreciation for allowing the citizens of Manitoba to speak directly to lawmakers. It's an exceptional idea and improves democracy.

Mr. Vice-Chairperson in the Chair

Paragraph 2 is a quick summary of Bill 18. I'm sure you know it inside and out by now, so I just—I won't bother to read that. But I will say that I'm a Presbyterian; and, even though we Presbyterians from the old land of Scotland were pretty strict and pretty God-fearing, you know, we allow certain understandings in our church. Okay? I applaud this bill and encourage its passage and enactment.

I think there's confusion about this bill and what it outlines. There have to be next steps, and the next steps require school divisions and boards to address their policies and their procedures to ensure the application of the law in a fair and consistent manner. Most, if not all, school divisions are addressing bullying inequity already. Administrators and teachers are not in fear of this bill being enacted. Students are keenly aware of bullying, and they recognize there are consequences for bullying.

Is the definition of bullying in this bill vague? No. No legislation will be able to define every form or every nuance of bullying, and trying to will be folly. There are acceptable practices and training. In fact, training occurs in Winnipeg on a regular basis. I encourage everyone, for example, to see Sameer Hinduja, co-director of the Cyberbullying Research Centre, who'll be in the city for a day in November.

As of today, nine Canadian provinces and territories have passed antibullying legislations or motions regarding strategies. Two provinces have antibullying strategies, and one province is considering legislation. No two definitions are alike. Each speaks, though, to the imbalance of power that the bully has.

And, of course, we know bullying has captured the attention of the public.

Signe Whitson, who was quoted earlier tonight, is a social worker, author, educator and bullying expert and he's—she says that administrators and teachers need to be able to draw distinctions between rude and mean behaviour and not incorrectly labelling it as bullying. She defines rudeness as inadvertently saying or do some—doing something that hurts someone else, meanness as purposefully saying or doing something to hurt someone once or twice, and bullying involving an imbalance of power. Actually, I have attached her article, is the child mean or is he a bully, why it's critical that adults understand this, from April 2013, for your reading pleasure.

Some opposing Bill 18 say the creation of GSAs protects one specific group over others. Some

opposing Bill 18 say the creation of GSAs infringes on religious rights. These are myths.

Bill 18 makes amendments for student activities and organizations and says that we Manitobans respect human diversity. Many groups and teams in schools have been created because they were asked for: football teams, grad committees, UNICEF groups, drama clubs. Schools don't come with those already in there. Someone had to have asked and started that.

Bill 18, however, does not allow a school board or an administrator to deny the establishment of a GSA. Just as some schools have procedures for prayer in school, following the guideline set out by the minister without infringing on everyone, the creation of GSAs impacts only those that are interested. Bill 18 puts the decision about GSAs in the hands of students. Shouldn't students have a say over the establishment of groups in their schools?

Politicians seek grassroots support often. Grassroots is often trumpeted in committees by saying that it gets to the truth. So a request by a student for a GSA is the closest thing you can get to grassroots.

Think of the pressure and the stress on a student going into a principal's office and laying out that request. Now picture that same event occurring in a community already outraged by the mere mention of a GSA.

A former Manitoba member of Parliament stated earlier this year that BL-Bill 18 may be unconstitutional. This is the same fear mongering heard in province—a province to our east, where the Ontario government passed a law regarding GSAs. The result? Not one challenge. Why? Because no one's rights were trampled.

In May 2013, Dr. Kent Donlevy made a presentation entitled Catholic Schools and Gay-Straight Alliance Clubs at the CAPSLE conference held here in Winnipeg. CAPSLE is the Canadian Association for the Practical Study of Law in Education. His group looked at all aspects of the law with reference to section 93(1) of the constitution act, 1967, section 29 of the Charter, and section 17 of both Alberta and the Saskatchewan act—and Saskatchewan act.

His bottom line was as long as the law—and I'll use independent schools because that's a Manitoba term—has no—there is no grounds to file a challenge

because the law is applied fairly and equitably and to every school receiving funding from the government.

Mr. Chairperson in the Chair

I'm very bored and tired with the tired sound bites that GSAs runs counter to beliefs or gays are an abomination or religious freedoms trump human rights. The Book of Leviticus is often quoted as God's law and the basis for opposition to equality when it comes to gays. It says in Leviticus 18:22, thou shalt not lie with mankind as womankind, it is an abomination.

I can't argue with what the Good Book says, but neither can you cherry-pick what you believe from the Bible because it suits your purpose. God's laws are listed throughout Leviticus. They range from not eating fat to not being allowed to wear mixed fabric clothing, from the law forbidding eating of pork and shellfish to women not being allowed to go to church after giving birth for 33 days in the case of a male, or 66 days in the case of a female, from being forbidden to trim your beard, to no allowances for scarring, marking or tattooing the body. As I said, I do not believe that you can cherry-pick what you believe. You either have to choose everything that's there or you don't.

I've attached 76 things banned in Leviticus for your record, and I suggest to you that, when a speaker stands where I am and quotes Leviticus 18:22, you ask if they abide by all the rules and all the laws in Leviticus and be specific. The person who stands here and says they abide by each and every law is the only one who is worth listening to on that point. And I'll go as far to say that you will not meet one person who meets that standard during this committee deliberation. Again, thank you for this opportunity, and I look forward to reading your what-I-did-for-my-summer-vacation essays.

Mr. Chairperson: Thank you very much, Mr. MacIntyre for the presentation. We'll now turn to questions.

Ms. Allan: Well, thank you very much, Ian, for your presentation. I appreciate you being here this evening and the work you've put into the presentation and the attachments. I can tell you that I think you've had a butter-better summer vacation than I have because I notice you're sporting a tan.

And I certainly look forward, I think that reading your summer vacation essay would be much more interesting than perhaps mine. You can read my summer vacation essay in Hansard.

Thank you so much for being here this evening and we appreciate the work that you do in schools every day.

Mr. Pedersen: Thank you, Ian, for your presentation. Obviously, you went to a great deal of work on this, and, contrary to what the minister says, I've enjoyed my summer. Thank you very much.

Mr. Chairperson: Thanks, again, once again, for your time tonight.

I'll now call—order.

Now call on Helena Harder, private citizen.

Good evening, Ms. Harder. Do you have written submission for the—

Ms. Helena Harder (Private Citizen): I do.

Mr. Chairperson: Yes. We'll just ask the staff to help you distribute that. And you may begin when you're ready.

Ms. Harder: Okay. Good evening, honourable Ms. Allan, members of the committee. Thank you for this opportunity, where citizens can present their views and concerns, and I trust that they will be taken into consideration in the process of legislating a law that will affect us all.

*(20:30)

Our country is definitely one of diversity, and I'm very proud to be a Canadian citizen for 23–44 years now, after having immigrated from South America in 1969 when I was 10 years old.

The reason I was bullied was cultural. I am now a mother of three grown sons, one which proudly serves in our Canadian Armed Forces, and I'm also a grandmother of four grandchildren, of which the oldest is signed up to start kindergarten this week.

I'm not broadly educated in politics and law, but I hope that I will be able to make myself understood and that my views are considered, as I do have concerns that I think are valid.

I'm thankful that bullying has been addressed by our government, and I truly hope that a workable solution will be found to this problematic amendment. As mentioned in the bill, an antibullying bill should protect all of our diversity of students. I will address my three main concerns with Bill 18 as it is written.

Number 1, the forming of groups that carry exclusive names: some of the wording of this bill has

created unbelievable amount of controversial discussions and has brought to light some very obvious and very deep divisions, especially on the subject of sexual orientation and religious rights. In like manner, I believe the naming of specific groups such as gay-straight alliance or any other group that also carries a name focused on characteristics rather than behaviour will not promote unity or a safe and positive learning environment. Instead, I see it causing division because it not only highlights the differences between and within the groups, thereby painting more targets for bullies, it would overload the staff and administration in trying to accommodate and monitor all the different groups. It also draws attention away from the actual problem at hand, which is bullying in our schools.

One group, however, with a name that all students could appreciate identifying with would, in my opinion, be worth considering. One that promotes value, respect and equality for all students of all characteristics, period. A group approved by the discretion of the school administration guided by adult staff who together seek solutions on how to support those that are bullied. Staff that is knowledgeable with the students, skilled and committed to diligently monitor school grounds and spot trouble students that need help in understanding equality and respect for all students of all characteristics, and staff who also would be willing to work with troubled students and their parents or guardians with understanding and to affirm their value and how they can be a contribution to a safe and positive learning environment.

There needs to be clear-cut consequences for bullying as well as teaching equality and respect for all.

Point 2: Giving overriding power to students. Who is to be the authority that determines if a good—a group's message is positive or negative within the school community? I think the school board and administration should have the discretion to decide what types of group promotions are allowed in school premises in or out of class. To give students, who are still immature, the power to override the administration of their school is also not structurally sound in my mind in regards to leadership of what is taught in their school. Children are not allowed to vote on government ballots or for MLAs or any other government office because we all know they are not ready for that. Why would we want them to override the school administration on what gets promoted in schools when they are not the age of maturity and it

is they who need the help with the bullying dilemma?

Respect for leadership is greatly undermined, in my opinion, when that happens. Not only by the students, but even more by our government that would legislate that shift of power. Even though I myself have the right to vote for government, I should, and I do, maintain the respect of my government's right of power to implement what is good and right for all citizens. Likewise, the leadership of the schools should be given the respect and the right to implement what they see as good and right for all their students.

In my opinion, it is their responsibility and obligation. They know the community and they—that they serve and the expectations of the parents.

Point 3: Morality legislation. It is obvious to me that morality is a factor in this amendment being proposed by naming the GSA as something the schools must accept and allow to be promoted in their schools. It opens the door for the morality to be taught in our schools, which, I believe, is a violation of personal, parental and religious rights and freedoms.

I hold to the opinion that all sexual orientations outside of marriage between one man and one woman is immoral. And that is not hate speech because I love LGBTQ people. They are the same as I am in value, deserving respect and tolerance. In my opinion, no religion or morality should be taught in public schools. By implementing one moral belief, you exclude all others. We must love all people and tolerate diversity, but not be forced to agree on one moral view or belief and have it imposed on our children in our schools. I would love to see promotion of equality as to the value of each person, not promotion of morality views, identities or beliefs.

It has come to light that an agenda by MTS and the Egale to incorporate the LGBTQ moral beliefs into school curriculum is already being considered by our government. Bill 18, if passed, will usher this in. Who decides which moral view is taught to our children? I believe that it is not MTS's, the Egale's nor the government's job to educate our children on what is morally acceptable and right.

I respectfully ask the Minister of Education (Ms. Allan) to not impose on the parents' rights and request that morality teaching be left in the rightful hands of the parents and faith-based schools.

We do not need this legislation that, in my opinion, undermines parental responsibilities. The question is, whose kids are they? We assume that parents are responsible for the economic raising of their children and taking care of them. We assume parental responsibility in terms of health decisions of children. It seems nonsensical to me to suggest that parents should have no role whatsoever in the educational choices in the upbringing of their children.

I choose no moral or religious promotions in our public schools. I choose the promotion and teaching of good behaviour, of respect, tolerance and equality in value of all persons. I feel and believe it is offensive, intolerant and unjust to be labelled homophobic or a bigot for holding to a view I believe to be true and right, just as it is offensive, intolerant and unjust to treat anyone of a differing view or belief in that manner. It is unacceptable how LGBTQs have been treated in the past, and just as unacceptable how students with body-image problems have been bullied even more, according to a 'tastistics' of 105,000 students in the Toronto area.

I am not afraid of change for the good, nor am I afraid of people of diversity. But I am afraid of a government that would legislate a law that I must allow a certain moral belief to be promoted and taught to my grandchildren against mine and their parents' will. Beliefs are personal, and one moral view should not be imposed upon everyone by law. I believe it to be the parents' God-given right and responsibility to teach their children morality and faith, and have the schools teach academics and good behaviour towards everyone.

And so when legislating an antibullying bill, I respectfully request that the wording of the proposed amendment on Bill 18 for what we must allow to be promoted and taught in our schools in regards to morality be reworded to promote and teach value, respect and equality for all students, period, and do away with forming and naming any student group based on characteristics, identity or faith.

In closing, I can to some extent imagine and acknowledge the very challenging task of legislating what is good and right for all concerned, because, as you say, Ms. Allan, there are many voices out there. I truly appreciate the often difficult endeavour in weighing the options to come to a right conclusion for all Manitobans. In regards to Bill 18, I would like to repeat the words spoken by Mr. Speaker of the

Legislative Assembly of Manitoba, May 6th, 2013, as follows: "O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom, know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen."

Thank you.

Mr. Chairperson: Thank you very much, Ms. Harder, for your presentation.

We'll now turn to questions.

Mr. Chief: Well, thank you, Helena, for coming to present and taking the time to travel in from out of town. I got to say that hearing someone else say the prayer besides the Speaker is a first, but I certainly enjoyed that. I do want to thank you for sharing your personal thoughts and perspectives and taking the time to come here and also for putting together the presentation. Thank you.

*(20:40)

Mr. Goertzen: Helena, thank you for presentation, particularly thank you—two things: your son who's serving in the military, thank him for that service. Many sons and daughters before him served in Canadian's military so that we would have this freedom to be here and so that you'd have the freedom to be able to speak at the podium. So extend our thanks to him for his service for our country.

I also want to thank you for—you mentioned specifically the issue of autonomy for administrators in school divisions. And I think you're the first—at least of the presenters I've heard—the first one who's mentioned that in particular about how we need to trust our ministers in the schools, our divisions and I think that's important. And I think one of the things that's been lost—a lost opportunity on this debate is, I believe, that had the government gone to the divisions, the individual schools and said we have a problem, either specifically with kids being bullied for sexual orientation or generally for bullying, can you come up with some solutions? I think they would have come up with some marvellous solutions. So I think they're doing great work out there.

Do you think that's a bit of a lost opportunity, that we didn't go to the divisions and to the different schools and said, what do you think would be good solutions in terms of dealing with bullying?

Ms. Harder: Yes, I think that would be respecting their positions and what they are there to do, what they have been entrusted to do by their community. And rather the government saying that all schools must do this, and it would be, I think, in my opinion, be helpful to go to each school individually perhaps or jurisdictionally or whatever, and see where they stand and how they—what their thoughts are on that.

Mr. Chairperson: Seeing no further questions, once again, thank you so much for your time.

I will now call on Tim Nielsen, City Church.

Mr. Nielsen, do you have a written submission? Just ask the staff to help distribute that and you may proceed, then, when you're ready.

Mr. Tim Nielsen (City Church): Thank you.

I know that you've heard many presentations and after a while it begins to sound much the same, and the hour is getting late and I just trust that I can be of some help in our presentation.

So I want to say thank you for giving City Church of Winnipeg an opportunity to express its concerns about the proposed Bill 18.

The City Church of Winnipeg board of directors passed a motion on March 9th, 2013, asking me, their pastor, to present on their behalf their concerns about Bill 18.

City Church is located at 484 Maryland Street in Winnipeg. We are an inner-city church, with about 250 people attending on a Sunday morning. In total, the church has about 500 people who would consider it to be their home church. City Church is a very intercultural church in its makeup; our congregation is made up of approximately 90 per cent immigrants to Canada, with the vast majority being former refugees who have come from oppressive situations. We have in our membership Karen and Chin ethnic groups from Burma, Pakistani, East Indian, Congolese, Rwandan, Eritrean, Aboriginal and those of European background.

The board of directors has nine members, seven of which are former refugees. The church began in 2008 and is part of the Baptist General Conference of Canada.

While we are a very diverse church, we have our faith in Christ as the central part, and the Bible and the historic Christian teachings as our common ground. We agree that bullying is wrong in all circumstances. However, we disagree with a number of points in the bill and we fear that the bill could easily become a facilitator or—of a form of oppression directed towards Christian schools and Christians in general. Please keep in mind that these concerns are from those who have experienced oppressive governments and they worry that Canada could easily be pushed in a direction that would cause intimidation of Christians and their values.

In particular, we disagree with the dangerously loose definition that is applied to bullying as well as the current government's imposing of its values on the children and the teenagers of Manitoba through the mandated accommodation of gay-straight alliance student activities and organizations.

The definition of bullying that includes hurt feelings and self-esteem is so loose that it could be wrongly applied to many situations. The legislative draftsmen of this definition may have failed to understand that a child may have hurt feelings easily about many things, precisely because they are children. Some proponents may say that it would be up to the courts to define the definition of bullying.

However, if the Manitoba Legislature knows the definition is inadequate and even misleading, then it is irresponsible to enact Bill 18. The judiciary duties are to realize the intent of Legislature, not to legislate. Legislatures are to make good laws that are fair and can be administrated in a manner that do not fill the courts with unnecessary cases and express—expenses to both the taxpayer and the wrongly accused, or, alternatively, to transform the courts into legislators by means of vague, loose and poorly drafted legislation.

The bill speaks of power imbalances, and while we would agree that this can be a problem, it defines the problem only as it relates from student to student. We think that a greater power imbalance exists when a school staff member publicly or privately intimidates a student, mocking the student for being a Christian and for believing in the Biblical teaching that LGBT behaviour is wrong. Does that student not suffer even greater humiliation than student-to-student intimidation? Ironically, Bill 18 does not provide—or protect students in such a situation as that.

The proposed Public Schools Amendment Act states that schools must accommodate pupils who want to lead activities and organizations that promote (1) gender equality, (2) anti-racism and (3) those with disabilities and (4) the mandated establishment of gay-straight alliances. The bill also states that in preparing its respect-for-human-diversity policy, a school board must have due regard to the principles of the Human Rights Code. We'd like to point out that Bill 18 in its current proposed form has already disregarded the Human Rights Code. As previously stated, Bill 18 only protects four categories of people, yet the Human Rights Code protects 12 categories of people, including religion. And that is stated here in that paragraph.

From a Christian perspective and from Christians in both the public school setting and the Christian school setting, we are insisting that you either protect everyone from intimidation or that the bill be abandoned. Discrimination of religious persons due to their religious beliefs and practices is as wrong as discrimination against those in the gay community. The Human Rights Code obviously includes protection for those who believe that LGBT behaviour is wrong or sinful.

We would like to remind you of the Constitution Act of 1982 that states, towards the beginning of the document, everyone has the following fundamental freedoms: (a) freedom of conscience and religion, and (b) freedom of thought, belief, opinion and expression. Notice it does not say freedom from religion, but rather freedom of religion. With this in mind, we insist that Bill 18 needs to protect all religions, and from our perspective, it must protect Christians, Christian thought and Christian convictions. We further insist that the government respect our views in the public school system.

With regards to respecting religion and persons of religious communities, we must then ask this committee, how can you force Christian schools to have mandated gay-straight alliance clubs when it would be in a violation of their constitutional right of freedom of religion that is guaranteed to them by the Charter and the Human Rights Code? Is this not bullying as well?

We would also like to remind this committee that the majority of those who have put their children in private Christian education are doing this out of the desire that their children be raised in historic Christian teachings and the foundation upon which has made this country great. They do this at great

sacrifice, as they not only pay their portion of the school tax bill on their property bills, but they also fund the other 50 per cent of the cost of educating the children. In many cases, it is people of modest means that are doing this because they want their children to understand the Christian faith, have good character and become productive and responsible citizens of Canada.

It has been said that because these schools receive 50 per cent funding that they should be required to comply with Bill 18, yet this very logic supports the reason why they should be exempt. These private schools are not fully funded, and as a result they should be allowed the freedom guaranteed them by the Constitution.

It has been stated that not all Christian churches believe that LGBT behaviour is wrong, as what we had heard earlier, and we would acknowledge this to be true. That said, we'd like to point out several things. First, merely because some churches or denominations believe that LGBT behaviour is an acceptable lifestyle does not negate the many churches that believe it is wrong.

*(20:50)

Secondly, the vast majority of the churches that believe that LGBT behaviour is acceptable have only held this view for the past few decades. Their exodus from historic Christian teachings was highly controversial and remains disputable today. Historic Christianity views LGBT behaviour as a sin that is equal to all other sins such as adultery or sex outside of marriage. Strictly speaking, we do not consider LGBT behaviour to be worse than other sins nor better than other sins. Sins, in our opinion, is exactly that: sins. We believe that Christ came to pay the penalty for sin, which includes LGBT behaviour and adultery among heterosexuals.

We are reminded of the words of Paul, when he said in First Corinthians 6:9 to 11: "Or do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived: Neither the sexually immoral nor idolaters nor adulterers nor men who have sex with men nor thieves nor the greedy nor drunkards nor slanderers nor swindlers will inherit the kingdom of God. And that is what some of you were. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God."

So in closing, I need to ask you: How can a Christian school that believes in historic Christian

teaching allow for gay-straight alliance clubs? The answer is that they cannot allow this any more than they can allow a sex-outside-of-marriage club. Christian teachers, Christian students and Christian parents and, hence, Christian schools and Christian churches have a constitutional right to freedom of religion. Therefore, Bill 18 requires either substantial amendments or complete withdrawal.

Thank you.

Mr. Chairperson: Thank you very much for your presentation, Mr. Nielsen.

We'll now turn to questions.

Ms. Allan: Well, thank you, Pastor Nielsen, for your presentation—Tim, if I can call you that. Thank you so much. Thank you for being here and making a presentation on behalf of your congregation and thank you for the comments that you have made on behalf of your congregation, and we appreciate you being here this evening.

Mr. Goertzen: Pastor Nielsen, thank you for your presentation, for sticking it out this long this evening and in the weeks that it took to get this committee going here tonight.

You know, you brought up a good point about refugees. You obviously have close contact within your own congregation with refugees, and I'm glad you mentioned that because, I mean, we've heard, obviously, from the Christian community, Muslim, Sikh, Coptic, Jewish, Hindu community have written and given submissions. But we haven't heard a lot from about those who are coming from war-torn or—it was refugees from other countries.

Can you talk a little bit about from your experience with your congregation what freedom of religion means to them? Because, you know, we talk sometimes as Canadians about freedom of religion, but it's often in the abstract because we don't know anything like the oppression that there is in other countries—and thankfully we don't and hopefully we never will. But, from your perspective in dealing with refugees from other countries, what does freedom of religion mean to them?

Mr. Nielsen: Well, freedom of religion for refugees that—who were religiously persecuted, they look at what's happening in Canada and they fear that it could actually be going down the same road. For example, if you take Eritreans, many Eritreans have been locked up in shipping containers in the hot sun, baking. You know, there have been more martyrs for

Christ in the last hundred years than in the last 2,000 years. Persecution of Christianity is a real thing and it is happening throughout the world, and they have experienced it, and so as a result they fear that it could begin even in civil societies such as Canada, which they're grateful to be living here, but they fear that it could erode with the removal of religious rights.

Mr. Chairperson: Seeing no further questions, thanks once again for your time.

Mr. Nielsen: Thank you for the privilege.

Mr. Chairperson: Now call on Kim Rempel, private citizen. Kim Rempel, private citizen?

Good evening, Ms. Rempel. Do you have a written submission for the committee?

Ms. Kim Rempel (Private Citizen): No, I do not.

Mr. Chairperson: You may proceed when ready then.

Ms. Rempel: Thanks, good evening. Thank you for hanging in there too. Long evening for everyone, right? And thank you, too, for all the work that you're putting into this bill and this whole big complicated, difficult issue.

I stand here as a citizen concerned about Bill 18 and the impact that it stands to make on our children, families and nation. To reduce bullying and protect children is a fantastic goal and one I really support, and who can object to goals and phrases like safe schools, inclusiveness and positive school environments. These are great-sounding phrases, but their intent concerns me.

Our culture and social landscape has changed drastically since it was first founded. We are a group of diverse faiths and sexualities, and our Charter of Rights and Freedoms encourages and allows for this diversity by providing equality for all people. To quote, fundamental freedom of conscience and religion of thought, belief, opinion and expression.

There are assertions that, to quote Donn Short, for example: The legal construction of safe schools will include a confrontation with competing religion-based rights claims, and that the emergence of this competition between religion and sexual orientation claims cannot be avoided. This should give us pause. Competition between religion and sexual orientation claims cannot be avoided? If that's true, this bill offers a solution. The solution offered in this piece of legislation is to choose between the

two: to favour one group over another and to force every school to teach children to also favour one group over another.

This bill also offers protection from bullying to everyone equally except the one group that is now unprotected, I guess, many that are unmentioned, but, specifically, people who live according to their faith, whatever faith that is. They are unrepresented, unprotected, unequal according to this piece of legislation.

This law needs to be amended to include all groups under its protection. This law also needs to be amended to retract forceful promotion of any one particular club. This government represents its people, all people and their rights, all rights.

I stand here as a concerned citizen asking you to protect religious freedoms and LGGTB freedoms that need—I'm asking you to please treat me as an equal and my children as equals. Include in the protection of this bill those who are bullied because of their faith. Would this not be truly inclusive? Thank you.

Mr. Chairperson: Thank you very much, Ms. Rempel, for your presentation.

We'll now turn to questions.

Ms. Allan: Well, thank you very much, Kim, for your presentation, and I appreciate the presentation and your personal reflections on your presentation tonight. And you quoted Donn Short. Is—you're quoting the book that he wrote?

Ms. Rempel: Sorry, I'm quoting the paper that he wrote. I left the reference on my seat. I'm sorry.

Ms. Allan: Sorry. Thank you very much. Donn Short actually wrote a book, and I actually was at his book signing and I have a copy of it. Of course, I haven't read it all yet, but I do appreciate your presentation tonight and your comments. Thank you so much.

Mr. Goertzen: So I was going to echo my thanks, Kim, for being here tonight, and I think you succinctly put what a lot of people are saying. A lot of kids who are being bullied or have been bullied in the past have been saying at this committee that we need a bill that'll protect all kids and ensure that an antibullying bill won't be the kind of bill where 98 per cent of the kids kind of feel that they're left on their own. So I really appreciate the fact that you've put it in that way. It was very helpful.

Mr. Chairperson: Seeing no further questions, thanks once again for your time.

I'll now call on Henry Hiebert, private citizen. Mr. Hiebert, do you have a written submission for the committee?

Mr. Henry Hiebert (Private Citizen): Uh-huh.

Mr. Chairperson: Okay. We'll just ask the staff to help you distribute that and you may begin, then, when you are ready.

Mr. Henry Hiebert: Thank you for the opportunity for me to come here to speak my concerns for the Bill 18.

Just a little bit of introduction. My approach is going to be slightly different because when I did my doctorate, my Ph.D., my term—my dissertation dealt with the Charter of Rights and with education in Manitoba particularly. So when I saw and read the bill and all this, that really exploded within me. So that's sort of from that side. And a number of things were said about the bill, its need to expand further, I would agree with that.

So, with that, I'd like to go on.

*(21:00)

We've been blessed in Canada over the years to freely express and to live out our Christian moral principles, including matters like evil, like civil disobedience, heterosexual families and parenting, as well as teaching and abstaining from destructive behaviour like lying, cheating, abuse of any kind, including sexual misconduct, to name just a few fundamental principles that have made Canada such a desirable country. As a matter of fact, my great-grandfather brought a number of thousands of people from the Ukraine into Canada because they were offered free religion, freedom in the schools. That's where it came from; that's where I come from.

Bill 18, however, is a step in destroying what most of us would consider the moral, ethical foundation of our wonderful country. It is all about forcing upon us the non-sex—non-scientific, immoral, sexual practices that had no legal base in our country 'til recently. If Bill 18 is legalized by our government, this will result in destroying our religious freedoms we have enjoyed so far for many years. It also has the possibility of destroying private organizations like hospitals, seniors homes, private schools and other ministries that refuse to embrace LGBTQ in their organizations. People are not—people not endorsing the sexual demands of Bill 18

stand in danger of losing their livelihood and even their children to Family Services. I know this goes on.

Let me first draw your attention to Canada's Charter of Rights and Freedoms. It says, quote, whereas Canada is founded upon the principles that recognize the supremacy of God and the rule of law. None of the moral and ethical laws we make in Canada must be in contradiction with the principles and rule of law laid out by our supreme God in the Bible. To remove God from our laws and principles denies the existence of God and makes Canada an atheistic country.

Atheism has no base for any moral, ethical values. Its principles and teachings are a major violation of the foundation of the Canadian Charter of Rights and Freedoms. Atheism is totally intolerant and destructive to values based on divine moral and ethical teachings. From where does atheism get its teaching that behaviours such as lying, cheating, sexual abuse, bullying, murder, et cetera are wrong? This comes right from the Bible, as do all other values on marriage, family, parenting and heterosexuality. Atheism is a religion with no base of its own. If there is no God, as atheism claims, there is no more accountability to our behaviour as humans than there is for the animal world to be accountable for its behaviour. Just as one animal can kill another animal, eat it, I can kill another human and eat him—cannibalism. There are tribes today who do not know our God that freely practise cannibalism. And I've given you where you get it.

Where do we get it that our behaviour must not follow that of the animal world? To whom are we accountable if there is no God? The Charter of Rights and Freedoms does not only recognize the existence of God, it recognizes His supremacy. The supremacy of God clause was added as an amendment to the Charter under Prime Minister Trudeau's support. The god that was added to the Charter was not just any god but specifically the God of the Bible.

Evidence of this is in the Christian recognition of the Lord's Day, which was recently eliminated because of the courts said it forced Christian religion on people. Christmas, Easter, Thanksgiving and the use of the Gregorian calendar—that's a Christian calendar, okay. We acknowledge the authority of the Bible when we are legally demanded to swear to our honesty and faithfulness in the courts when we are to place our hands on the Bible. Any principles and

laws that contradict the Bible also contradict the claim on the supremacy of God, as is stated in the Charter of Rights and Freedoms.

Sex in the Bible is permitted only in a marriage relationship of one man and one woman. This was said already earlier. All other sexual relations and sexual activities defy the principles and rule of law ordained by the supreme God we acknowledge in our Constitution Act of 1982 and had no legal recognition. Bill 18 stands in clear contradiction of the Canadian Charter of Rights and Freedoms and the 1982 Constitution Act.

Here's a vital question: How could human life be sustained if we had to depend on the homosexuals lesbians for reproduction? The Canadian government violated this in 1982; it violated the Constitution when the Civil Marriage Act legalizing gay marriages was passed in 2005. I believe Bill 18, if passed, will destroy at every level on our society private schools, home schooling, families, faith-based organizations, et cetera, that practise their legal Christian, Jewish, Muslim religious convictions concerning sex.

The issue of bullying: I'm well familiar with bullying in a Manitoba public school and in the community. My parents claimed to be born-again Christians in a social, religious setting where this claim by an individual is looked upon with great scorn. Consequently, we were seriously bullied and mistreated in the public school as well as in the larger community. Our family was bullied to the ex- and mistreated to the point where we became victims of drive-by shootings. The bullying of Christians has a history of thousands of years. Millions of Christians are killed for their faith in the supremacy of God.

I was involved in teaching and administration in public schools for 14 years and then also did private schools and colleges. Where I served—when I served as an assistant area superintendent with Frontier School Division, we had many Christian teachers and principals in our Indian reservation schools. These young people went to serve the native people up north as a compassion they had for them. When a new anti-Christian general superintendent came to power at Frontier School Division, he informed us at our first administrative meeting with him that the first thing we need to do is get rid of all these missionaries. When he carried out on this, the consequences were devastatingly destructive for the teachers and the schools. Frontier's action against

these faith teachers was nothing short of the worst kind of bullying.

The constitutional teaching in the Bible by our supreme God is that you shall love the Lord your God with all your heart, with all your soul, with all your strength and with all your mind, and your neighbour as yourself And I give you the places there. Bullying is completely anti-biblical and completely anti-Christian. This does not mean that all Christians are innocent of bullying, definitely not. However, none are ever excused of violating the teaching of the Bible on this.

It is very clear that all bullying is condemned in the Bible. We are to love our enemies. That's agapao, which means if you love to the extent where you give your life for a person. Agapao, the prayer for those who preserve us, even give our lives for them as Christ gave his life for us, and this is what true Christians are doing all over the world. But loving people who practise false, destructive behaviour does not demand of us to endorse such behaviour. You must love the murderer, but that does not mean that you must endorse murder.

Mr. Chairperson: One minute.

Mr. Henry Hiebert: In the same way, love the homosexual, but don't endorse his or her behaviour, just like murder, cheating, rage and a host of other negative behaviours are choices individuals make to practise. Homosexuality is also a behaviour that comes not from biological genes, but from a choice of individual behaviour, and I know individual friends of mine that became homosexuals and then left again.

Ruth Hubbard, Harvard emeritus professor, biology and biochemistry, and author of *Exploding the Gene Myth*, said this: that searching for a gay gene is not even a worthwhile pursuit. Research studies on homosexuality by Ruth Hubbard, Dean Hamer, Michael Bailey, Richard Pillard, Simon LeVay and others like that have failed to show proof of a gay gene. There is no scientific evidence that shows that lesbians and homosexuals is genetic. It's practised.

Now—

Mr. Chairperson: Sorry, I'm going to have to interject, Mr. Hiebert and apologize, but our time has expired. I'll move to questions now.

Mr. Henry Hiebert: Okay.

An Honourable Member: Point of order.

Point of Order

Mr. Chairperson: Point of order, Mr. Goertzen.

Mr. Goertzen: Mr. Chairperson, I'd just ask if there's leave to allow for the presenter to complete his report. I think he's got one page left.

Mr. Chairperson: Leave has been requested.

* (21:10)

Ms. Allan: I would—I was wondering, Henry, if you wouldn't mind, and further to the suggestion that the MLA for Steinbach has made, I think we can do this, that we include the attachment. This is the last page of his presentation, and we can include his attachment in Hansard. And then that way, all of the work that you've done on your presentation will be recorded in Hansard.

Mr. Henry Hiebert: Sure.

Mr. Chairperson: Okay, is there leave of the committee to include the remaining portion of the written presentation in Hansard? [Agreed]

Dr. Paul Galessiere made a presentation to the Hanover School Division Board June 4th on Bill 18. He was not able to make a presentation to this committee but he has authorized me to present the following portion of his presentation on his behalf.

Dr. Paul Galessiere writes:

I have a vested interest in Bill 18 because I have two children who attend school in Hanover, as well as a family member has been employed by Hanover for several decades. It is my belief that the adoption of Bill 18 will have a direct effect on them.

I am a physician and it is important to me to be well informed about the matter of homosexuality. I have conducted a thorough review of the medical research on the matter. I am also a longtime supporter of a national ministry called Living Waters, with a chapter in Winnipeg, which helps individuals with relational and sexual issues. Through their ministry I have come to appreciate the distress, loneliness, and difficulties of, as well as the bullying that may occur to those dealing with same sex attraction. I also have come to recognize the hope and freedom that is possible for them. I know personally many formerly gay individuals who, through the work of this and other ministries like it, have left a homosexual lifestyle and are currently married with children. They too have a story to tell that is rarely discussed in the media.

We all recognize no student should be bullied in school. They should not be made fun of or demeaned because of any personal attributes or beliefs and should be allowed to voice their thoughts in an environment free from pressure or intimidation. But, I think a public school division should not be seen to promote one world view over another that may lead to the bullying of some of its students who may not agree with that world view.

Adopting Bill 18 may result in inappropriate accusations of bullying as well as be instrumental in promoting bullying. The bill appears to single out one group that is at risk of being bullied, namely the self-identified homosexual student. Although the bullying of any student who has identified him or herself as homosexual is not appropriate, Bill 18 seems to go further by aligning itself with a particular world view of homosexuality that is not universally accepted and is in fact controversial. The promotion of a gay-straight alliance may imply a pro-gay world view which suggests that a homosexual orientation is entirely genetic and inevitable, equivalent to heterosexual orientation, that there should be an endorsement of homosexual marriage, and that any sexual expression resulting from this orientation is good, healthy, appropriate and moral. The view implied in this alliance is that any dissenting opinion that does not fully accept endorse or promote such a world view will be considered to be promoting bullying of the homosexual student and would thus not be allowed to be expressed.

My concern that a student may not be allowed to express their beliefs or convictions for fear of being accused of bullying is based on Bill 18's broad definition of bullying. Someone may be accused of bullying if their opinion results in "distress to another person's feelings or self-esteem" (Sec 1.2(1)). By this definition any opinion expressed no matter how respectfully may still be considered bullying. There should be tolerance shown to all students who may have differing opinions.

We'll now move to questions.

Ms. Allan: Thank you very much to the committee for allowing that.

And thank you very much, Henry, for your very thorough presentation that you have put together tonight. It's obvious you've done a lot of work, and you provided us with a very thought-provoking presentation. And we appreciate you being here this evening, and appreciate your reflections on Bill 18.

Floor Comment: Thank you. Thank you for allowing me to come.

Mr. Chairperson: Mr. Pedersen—oh, sorry, Mr. Hiebert, I'd ask that—there's just a little bit more time for questions.

Mr. Henry Hiebert: Oh, I thought this was the end of it.

Mr. Chairperson: No, almost—no problem.

Mr. Pedersen: I just wanted to thank you, Mr. Hiebert, for your very in-depth and thoughtful presentation and for staying here tonight to present it to us.

Mr. Henry Hiebert: Thank you.

Mr. Chairperson: Thank you, once again, Mr. Hiebert, for your time.

I now call on Jared Penner, private citizen. Jared Penner, private citizen. Mr. Penner's name will be dropped to the end—the bottom of tonight's meeting list, and then continue with calling the next presenter.

Mr. Robert Praznik, director of education, Archdiocese of Winnipeg Catholic Schools. Mr. Praznik, do you have written materials for the committee?

Mr. Robert Praznik (Archdiocese of Winnipeg Catholic Schools): I do.

Mr. Chairperson: We'll ask the staff to help you distribute those. And you may continue with your presentation, then, when you're ready.

Mr. Praznik: Honourable ministers, the members of the Legislature, ladies and gentlemen. Good evening. It's been a long evening.

My name is Robert Praznik. I'm the director of education for Winnipeg Catholic Schools. This brief is made on behalf of Manitoba Catholic schools; the Roman Catholic Archdiocese of Winnipeg; His Grace, James Weisgerber, Archbishop; the Roman Catholic Archdiocese of Saint Boniface; His Grace, Albert LeGatt, Archbishop; and the Ukrainian Catholic Archeparchy of Winnipeg; His Grace, Lawrence Huculak, Metropolitan Archbishop.

Catholic schools have a long history in the province of Manitoba. The Manitoba Act of 1870, which is an act of Parliament of Canada that is defined by The Constitution Act of 1982 as forming part of the Constitution of Canada, provides

guarantees for publicly funded Roman Catholic schools.

Section 22 states: In and for the Province, the said Legislature may exclusively make laws in relation to education, subject and according to the following provisions: (1) Nothing in such law shall prejudicially affect any rights or privilege with respect to denominational schools which any class of persons have by law or practice in the Province of the Union; and (2) An appeal shall lie to the Governor General-in-Council from any act or decision of the Legislature of the province or of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

The Catholic population of Manitoba has long, long felt discrimination, and our rights were trampled with The Public Schools Act of 1890 that appropriated our school system. These constitutional rights were further denied with the failure of the government of Manitoba to restore the Catholic school system after the ruling of the Privy Council and the federal remedial order of 1895.

Catholic schools in Manitoba survived through the sacrifice and dedication of religious orders, pastors, parishes and parents who built and operated them for 100 years without any support from the Province of Manitoba. These communities wanted their children to be educated in a faith-based environment that followed the teachings of the Church.

It was only successful challenges by the Francophone community in Manitoba to the Supreme Court of Canada in the 1980s, that were based on The Manitoba Act, that led to the restoration of their language rights. A case was then registered with the Supreme Court of Canada by the Catholic community to restore our rights to a fully funded, denominational school system.

Catholic Schools of Manitoba, in partnership with the Manitoba Federation of Independent Schools, then negotiated the fair funding agreement of 1990 that restored partial funding to Catholic schools on the condition that we withdraw our case to the Supreme Court.

As part of the negotiations, the original funding agreement recognizes our ability to operate within the unique religious perspectives, cultural objectives and values of an independent school and its community. The 1996 funding agreement also

contains this provision, which was put in place to allow faith-based schools to maintain their identity and values. Catholic schools were willing to not pursue our right to a fully funded system so that we could maintain the independence of our schools.

As such, Catholic schools in Manitoba are independent and not public or separate schools, like Ontario or Alberta, and are only subject to certain provisions of The Public Schools Act that relates to private schools, sections 59 to 60.5, and as such, the current legislation, Bill 18, is an amendment to The Public Schools Act that we would not be included in. And, as Catholic schools, we would prefer not to be included in Bill 18.

The Minister of Education, the Honourable Nancy Allan, has informed all independent schools that we will be required to follow the terms of the legislation, Bill 18, as per section 60.5(g) that states, the private school is in compliance with such other requirements as may be described by regulation, and the minister may make regulations respecting the making of grants under this subsection and prescribing requirements for the purpose of clause (g).

While we recognize the legal right of the minister to require us to follow these provisions as per 60.5(g), we also believe that it is our constitutional rights coming from section 22 of the Manitoba Act that protects our ability to operate our schools within church teachings. This right or privilege was in place when Manitoba entered Confederation and cannot be removed by legislation or any provincial authority.

We have met with the minister to express some concerns with the wording of the legislation and the ministerial requirements that come from it for possible limitations to our schools to operate within the teachings of our faith. There were direct concerns raised with the broad definition of bullying, as mentioned by many presenters here this evening, and the use of the term gay-straight alliances.

The minister has stated in a letter dated February 5th, 2013, that Manitoba Education acknowledges that for many MFIS member schools, faith-based instruction is core to their mission and mandate and essential in meeting the needs of the parents whose children attend them. The legislative framework in place in Manitoba respects the rights of parents, through independent schools, to access provincially approved curriculum within a learning milieu suffice with the tenets of their faith.

With this assurance from the minister, Catholic schools will be working with MFIS and Manitoba Education to review the wording of the requirements placed on our schools so that they are keeping within the original funding agreement, 1990, which recognizes our ability to operate within the unique religious perspectives, cultural objectives and values of an independent school and its community and our constitutional rights to operate Roman Catholic denominational schools which are based on the teachings of the church. You cannot have Catholic schools that do not follow Catholic Church teachings.

We approach the issue of safe and inclusive schools with the firm belief that every person is created in the image of God and, as such, needs to be treated with respect and dignity. The program and policies in Catholic schools is built on the teachings of the Church and this faith permeates all aspects of school life. We already have a support network in to support students who are LGBTQ, and we felt that this would suffice. We believe that all areas of the Manitoba Human Rights Code needs to be included, including the freedom of religion.

* (21:20)

The Catholic bishops of Manitoba will be working with the Catholic schools office and the 17 Catholic school communities to review and create policies that are in compliance with church teachings and the requirements from the Minister of Education (Ms. Allan). Catholic schools want to support all our students, and we work hard to create safe and caring school communities. Professional development will be provided to all staff.

We are very proud of the role we play in educating 5,000 students each year in a faith-based environment. It is our desire that our constitutional rights for denominational schools will be continued to be recognized and that we can be partners in educating the future leaders of our province.

Mr. Chairperson: Thank you very much, Mr. Praznik, for your presentation.

We'll now turn to questions.

Ms. Allan: Thank you very much, Robert. Thank you for being here this evening to make your presentation. We appreciate the many dialogues, officials in my department as well as myself. I appreciate the opportunity. We've had many thought-provoking discussions and many dialogues about Bill 18.

But for sure, one of the other things that we've always said about our relationship is that we value our relationship. We value the work that you do in this province. You are a valued partner. You've always worked with us to create safe and caring schools and safe and caring communities. And we believe that you are an important education partner and that you are creating citizenry in this province because of the wonderful work that you do in your schools. So thank you very much for being here this evening.

Mr. Chairperson: Mr. Goertzen—

Floor Comment: Could I respond?

Mr. Chairperson: Oh, yes. I'm sorry, Mr. Praznik.

Mr. Praznik: Thank you. You can't pass a Praznik in front of a mic that's not going to respond.

We appreciate the work that we've done with the Minister of Education. We would prefer not to be included. We have had the discussion that a gay-straight alliance, if our students do require to—us to form one, that we have rules. We have policy in place and rules and regulations for all student groups that they will—all activities have to fall within church teachings. So our GSAs, if they do form—we don't know if our students will require that—will look—will not be political but be support networks for students and would probably look different than what you would find in your local public school, high school. But we would accommodate that within church teachings, and that's similar to what has taken place within the Catholic school system in Ontario.

Mr. Chairperson: Thanks very much, Mr. Praznik.

Mr. Goertzen: I can see the Praznik in you, Robert. I remember it well.

I want to expand on that last little bit that you talked about, about the experience in Ontario because we had a presenter earlier on who sort of said, well, this is similar to this Catholic school situation in Ontario, and everything was sort of fine there. But I understood that there were very specific policies laid out in Ontario, that the Catholics' schools developed very specific policies around student groups and the activities and how they operated. Is that correct, and is that the kind of thing you'd be looking for here in Manitoba? *[interjection]*

Mr. Chairperson: Mr. Praznik.

Mr. Praznik: Sorry. The Catholic school system in Ontario is what was supposed to take place in

Manitoba by the Manitoba Act of 1870, that we had a fully funded denominational school system. And as a separate school system in Ontario, they are totally publicly funded with the government paying for capital as well as the total expense of the Catholic boards. We've—at that 50 per cent rate that we are, we would be in a totally—a different rate, that we have given up part of our funding, or not pursued—rather, not pursued part of our funding in order to maintain that independence and the ability to maintain our faith base.

That being said, the Ontario system has developed, with the Ontario bishops, student guidelines for groups and—that are within Catholic teachings that we are modelling our policy off of. We would be—our bishops would be able to live with that here in Manitoba with GSAs, as long as they are able to be within the Catholic teachings and to be support group and not political. And so that's the policy that we plan to put in place if this—if the requirements of the minister from section—are required upon our schools.

Mr. Goertzen: So, just for greater certainty, because I've read those policies and I guess they could be applicable to other faiths, as well, if they choose to—if they chose to go that route, but the Catholic policies in Ontario, your organization would be satisfied with those if they were similar here in Manitoba? *[interjection]*

Mr. Chairperson: Mr. Praznik.

Mr. Praznik: Sorry. Our policies would be based on the Ontario policies.

Mr. Chairperson: Seeing no further questions, thanks once again for your time tonight.

Now call on Ewald Kasdorf, private citizen.

Mr. Kasdorf, do you have written materials for distribution?

Mr. Ewald Kasdorf (Private Citizen): I do not.

Mr. Chairperson: You may proceed, then, when ready.

Mr. Kasdorf: For the 20th time this evening, thank you for this opportunity and for all the work that you do for us. My concerns, my thoughts and reflections on Bill 18 have been voiced by the majority here tonight, so there's no point in repeating all of those one more time. So I assure you my presentation will be the shortest one tonight, but it will be, I think, to the point.

Having read Bill 18 and the amendments, and upon much reflection it is very clear that this bill is not about bullying, but is to fall in line with the greater agenda that, quite frankly, most of North America's promoting. We have bullying guidelines in our schools as we speak, and I believe we have educators who have common sense and good ethics of knowing how students should respect each other.

What Bill 18 is really about is, just as I mentioned, is to promote the homosexual lifestyle and to promote it so aggressively that those who are straight are bullied. What the bill does is help advocate that the homosexual lifestyle is normal. The Teachers' Society has announced they have a curriculum ready to teach all our children about the gay lifestyle, regardless of what our very own convictions tell us. Common sense would have to agree that this itself is absolute bullying.

You must admit there's a greater agenda here. Bill 18 singles out a particular group of people, and not naming the—any of the many other groups of people in real life—again, makes it clearer the purpose of the bill. We care and love homosexuals just the same as those who are not, so I ask you to drop Bill 18 because antibullying is looked after for all our kids in the school system.

And, in closing, I want to say this very, very respectfully. I am deeply troubled what has happened here tonight. The person who had the strongest presentation in favour of Bill 18 was the only presentation that was, and I quote, fabulous. So I close with a question: Will these hearings have any impact on our politicians' decision making? Thank you.

Mr. Chairperson: Thank you very much for your presentation, Mr. Kasdorf. We'll now turn to questions.

Ms. Allan: Well, thank you very much, Ewald, for your presentation this evening, and thank you so much for waiting all evening to make your presentation and for travelling from out of town.

The reason I mentioned the word fabulous was because the presenter had talked about the word fabulous in her presentation, and so I was kind of linking it to what she had said. I appreciate your comments this evening in regards to Bill 18. I believe that we live in a democratic society, and I'm very proud of the fact that we have, right here in Manitoba, we are the only jurisdiction in Manitoba that has the opportunity to hear comments from the

public in regards to Bill 18 or any legislation for that matter. Tomorrow night we will have two committees sitting in two different rooms at the same time, and we will be deliberating over five pieces of legislation tomorrow evening. It's my understanding Bill 18 in this room and four other pieces of legislation in another committee. This is important legislation, and all legislation is.

I—before I was the Minister of Education I was the Minister of Labour and Immigration and I have, in my term as a politician, I've done close to 30 pieces of legislation. This is important for us to hear people's voices. Quite often, because of this process, we make amendments. Sometimes we make amendments in committee. Sometimes we make amendments when we move to the final stages. This is very unique in Canada, this process, and it's very important.

Thank you for your comments this evening, and we appreciate you staying this late to make your presentation.

Mr. Goertzen: Okay, well, thank you for being here and for—I saw you sitting there all evening waiting your turn. I think me and you are old enough to remember the caboose at the end of the train, and I think we've hit the caboose at the end of this train tonight.

* (21:30)

I appreciate your comment about the committee hearings and what will come from them. I'm also a believer, as the minister is, I think, that this is a good process, but it's only a good process if people listen. It's not enough if people just, you know, are allowed to come and speak and nobody's listening or people decide before the hearings that they're not going to accept any changes. So your caution is a very good one, that this process is diminished if there aren't the willingness to listen and to bring forward changes.

I can assure you, for presenters last night and tonight and for the remaining hearings that I'll be a part of, I've been taking notes and we will present amendments based on what we've heard over the last couple days and in the days ahead, and I certainly hope that the minister is true to her word that she'll be listening and open to amendments.

So I appreciate you putting that on the record, because that's a very important point. Thank you.

Mr. Chairperson: Seeing no further questions, thanks once again for your time tonight.

I will now call on Jared Penner, private citizen. Jared Penner, private citizen? Seeing that Mr. Penner is not here, his name will be dropped to the bottom of the global list and called at another night.

That concludes our list of presenters for tonight. The hour being 9:31, what is the will of the committee?

An Honourable Member: Committee rise.

Mr. Chairperson: Committee rise.

Before we rise, it would be appreciated if members could leave behind copies of the bill so they may be collected and reused for the next meeting.

Committee rise.

COMMITTEE ROSE AT: 9:31 p.m.

WRITTEN SUBMISSIONS

As you may or may not know, the government of Manitoba is in the process of contemplating a bill for passing in September 2013 that will mandate the allowance of Gay-Straight Alliances in all Manitoba schools regardless of whether the school is an independent faith-based school or not; in other words, if you're receiving any funding from the government then you have to accept this bill when it is passed. That bill is Bill 18.

Bullying and Bill 18

First of all, the bill recognizes bullying as an issue: "The Bill defines bullying. The definition recognizes that bullying can take a variety of forms, including cyberbullying. A school employee, or a person in charge of pupils during school-- approved activities, must make a report to the principal if they think a pupil has engaged in, or is negatively affected by, cyberbullying." Yet, this is how the bill describes bullying: "In this Act, "bullying" is behaviour that (a) is intended to cause, or should be known to cause, fear, intimidation, humiliation, distress or other forms of harm to another person's body, feelings, self-esteem, reputation or property; or (b) is intended to create, or should be known to create, a negative school environment for another person." (Manitoba's Safe and Inclusive Schools Act Bill 18, Section 1.2.1.a, 1.2.1.b)

But, for clearance, read the statement again with some words omitted: "'Bullying" is behaviour that... should be known to cause... harm to another person's... feelings, self--esteem..." This is dangerous; feelings are hurt with all sorts of things

and not all of them meant to hurt another person. For instance, if I said to someone "I don't like your ", the person that I said that to could slander me as a bully under the definition of this bill because I caused his or her feelings to be hurt.

This is in contrast to North Dakota's anti--bullying law that defines bullying as, "Conduct that occurs in a public school, ... which: (1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities; (2) Places the student in actual and reasonable fear of harm; (3) Places the student in actual and reasonable fear of damage to property of the student; or (4) Substantially disrupts the orderly operation of the public school..." (North Dakota's Anti-Bullying Law & Policies, Students and Safety, Chapter 15.1-19-17)

Isn't this more definitive? Wouldn't you define bullying in such a way if you were to define it?

There are many other issues that could be addressed here but will not be for the sake of the issue that I want to address.

The bill is also biased. The only groups mentioned by name are "gay--straight alliances."

Canadian Charter of Rights and Freedoms and Bill 18

Section 15 of the Canadian Charter of Rights and Freedoms states, "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

Under the Charter, it is against the law to have protection for some groups and excluding others.

Under the title, "Student activities and organizations," Section 41(1.8) states, "A respect from human diversity policy must accommodate pupils who want to establish and lead activities and organizations that (a) promote (i) gender equity, (ii) antiracism, (iii) the awareness and understanding of, and respect for, people who are disabled by

barriers, or (iv) the awareness and understanding of, and respect for, people of all sexual orientations and gender identities; and (b) use the name "gay--straight alliance" or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils." (Manitoba's Safe and Inclusive Schools Act Bill 18, Section 41 (1.8)) "This is the inherent problem with listing groups that deserve protection: some are always left out. Fundamentally and principally, every student should receive equal protection and equal opportunity." (Bill 18 - Some Simple Talking Points, Association for Reformed Political Action (arpacanada.ca)) By trying to list groups needing protection, they have omitted protection for Christian or other religious groups* within schools which is against the Canadian Charter of Human Rights and Freedoms.

Bullying in Bill 18

Another issue here is the freedom of speech and the freedom of religion for those that oppose Bill 18. The Honourable Nancy Allan, M.L.A., has declared that this bill is Manitoba--wide; all government--funded schools, private or not, religious or not, have to accept the bill or risk losing funding from the government. This is not only unfair; it is criminal.

The very government that allows for the freedom of thought, conscience and religion are now attempting to infringe upon independent faith--based schools' freedom of thought, conscience and religion by forcing them to allow and support groups that entirely contradict their own religion, thoughts and conscience. As you may or may not know, I am a Bible-believing Christian, and as a Bible-believing Christian I fear for other Bible-believing Christians that from their reading of the Bible that homosexuality is a sin and more so an abomination that can be overcome by the grace of God. (See for reference Leviticus 18:22, 20:13, Romans 1:26, 27, 1 Corinthians 6:9-11). This bill will ultimately infringe on their rights and freedoms, and they will be punished for simply telling others what the Bible says about this such thing and declaring that they are unable by their religious convictions to support such a behaviour. That is why I say, "This bill is not about bullying. ... It will ultimately become a force of bullying itself," and is therefore unacceptable for government legislation. I'll go so far as to say that anyone who supports this bill is against religious liberty. I have word for those folk; it is because of Christianity and Christianity alone that we have such

liberties to believe and act according to our conscience in this country!

I want to clarify something; I am not against attempts to stop bullying, and no one should be bullied, but this bill is not about bullying; it is about pushing the homosexual agenda so that anyone who opposes them can be slandered as a bully and punished for it.

Also, need I remind people that there is already legislation in place to counter bullying? The only trouble is, some schools aren't doing their jobs making sure the rules are followed!

Suffice to say, the bill is a perfect example of bad legislation. But, once the majority realizes this, Bill 18 may already have become law.

Richard Sheppard

* * *

Hello,

I will not be making an oral presentation but I do wish to submit this written for consideration.

I would first like to thank all those involved with this standing committee for taking the time to hear the public opinion on this matter.

I know everyone who has weighed in on the debate wants the same thing and I hope that this bill will help to achieve this common goal. Safer schools for all children.

I feel that Bill 18 as written needs to be amended, below are the following reasons why:

In the name of diversity and respect for others, Bill 18 proposes that the Government of Manitoba enforce select perspectives and belief systems, seeking to render the school system increasingly homogenous, rather than encouraging proper respect for each Manitoban child and the unique cultural and religiously informed perspective and up-bringing chosen for them by their parents.

1.) Is There a Need for such Legislation

I feel bill 18 specifically protects certain groups and leaves out others. The bill specifically mentions gays and lesbians groups our gay straight alliance.

The bill requires the schools to create a school environment that accommodates gay-straight alliance clubs. I know of no existing impediment to students forming gay-straight alliance clubs or forming straight clubs or forming any other non-criminal clubs.

There is nothing to prevent a group of students from now organizing a gay-straight alliance. If a school attempted to prohibit such a club, such action could easily be corrected by administrative action of the Department of Education.

Bill 18 is a perfect example of the principal legislative rule: Do not legislate unless it is necessary to do so.

2.) Exclusion of Religious Groups and others

Nowhere in this bill is there any protection for Religious groups. For example this bill opens up the door for the possibility of Christian children be labeled a punished as a bully just for stating their religious beliefs. This must not happen in a free country with freedom of speech. Also there is a vast difference between disagreeing with a persons beliefs and disrespecting the person.

In studies that have been done children are bullied for religious beliefs just as much as for sexual orientation.

In the study I think they stated reason most children are bullied is for body image. My point is that no matter what the reason is I think the bill could do better in not specifically naming groups and leaving others out.

I think the province of Manitoba would do much better to simplify this bill to a clear short definition of bullying without pointing out specific groups.

All people need to be respected and everyone has value. Lets not remove the right of one group just to give it to another.

Thank you.

Justin Mendel

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