

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

*Chairperson*  
*Ms. Melanie Wight*  
*Constituency of Burrows*

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**Fortieth Legislature**

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

**Saturday, September 7, 2013**

**TIME – 10 a.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Ms. Melanie Wight (Burrows)**

**VICE-CHAIRPERSON – Mr. Ted Marcelino (Tyndall Park); Ms. Sharon Blady (Kirkfield Park) at 4:01 p.m.**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Ms. Allan, Hon. Mr. Chomiak*

*Messrs. Cullen, Dewar, Maloway, Marcelino, Pedersen, Schuler, Mrs. Stefanson, Mr. Whitehead, Ms. Wight*

*Substitutions:*

*Hon. Mr. Swan for Hon. Mr. Chomiak at 3:29 p.m.*

*Mr. Smook for Mr. Cullen at 3:51 p.m.*

*Hon. Mr. Rondeau for Mr. Whitehead at 4:01 p.m.*

*Ms. Braun for Mr. Maloway at 4:01 p.m.*

*Ms. Blady for Mr. Marcelino at 4:01 p.m.*

*Hon. Mr. Robinson for Mr. Dewar at 4:14 p.m.*

*Mr. Goertzen for Mr. Schuler at 4:14 p.m.*

*Mrs. Driedger for Mrs. Stefanson at 4:14 p.m.*

*Mr. Friesen for Mr. Pedersen at 4:14 p.m.*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

**PUBLIC PRESENTERS:**

*Mr. Ed Hume, private citizen*

*Mr. George Edenhoffer, private citizen*

*Mr. Susan Eberhard, Manitoba Federation of Independent Schools*

*Mr. Chad Smith, Rainbow Resource Centre*

*Mr. Donn Short, private citizen*

*Ms. Kelly Moist, CUPE Manitoba*

*Ms. Deborah Schnitzer, private citizen*

*Mr. Michael Nelson, Brandon Pride Committee*

*Mr. Patrick Woodbeck, Rainbow Ministry*

*Mr. Robert Charach, Linden Christian School*

*Ms. Celesta Thiessen, private citizen*

*Mr. Leo Thiessen, private citizen*

*Ms. Sydney Davies, Maples Collegiate Gay-Straight Alliance*

*Mr. Roger Armbruster, private citizen*

*Ms. Elfrieda Penner, private citizen*

*Ms. Naomi Kruse, Manitoba Association of Parent Councils*

*Mr. Tim Koop, private citizen*

*Ms. Cheryl Froese, private citizen*

*Mr. Ryan Appel, private citizen*

*Mr. John Hoogerdijk, Canadian Reformed School Society of Winnipeg, Inc., Operating Immanuel Christian School*

*Mr. Arie Veenendaal, Dufferin Christian School*

*Ms. Sandra Saint-Cyr, private citizen*

*Mr. Luke McAllister, private citizen*

*Ms. Crystal Klassen, private citizen*

*Mr. Joey Reimer, private citizen*

*Ms. Keziah Thiessen, private citizen*

*Mr. Joel Nedohin, private citizen*

*Mr. Brad Unger, private citizen*

*Mr. Lawrence Hamm, private citizen*

*Ms. Melanie Froese, private citizen*

*Mr. Brad Klassen, private citizen*

*Mr. Roger Giesbrecht, private citizen*

*Mr. Kris Kenemy, private citizen*

*Mr. John Fehr, private citizen*

*Ms. Shahina Siddiqui, private citizen*

*Ms. Kathy Plett, private citizen*

*Mr. Kelvin Plett, private citizen*

*Ms. Darlene Duce, private citizen*

*Ms. Lindsay Brown, private citizen*

*Mr. Silas Giesbrecht, private citizen*

*Ms. Jess Reimer, private citizen*

*Mr. Mark Reimer, private citizen*

*Mr. Bob Loewen, private citizen*

*Ms. Bonnie Loewen, private citizen*

*Mr. Scott Wells, private citizen*

*Ms. Carla Schmidt, private citizen*

*Mr. Brian Schmidt, private citizen*

*Ms. Kristy Penner, private citizen*

**MATTERS UNDER CONSIDERATION:**

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

\* \* \*

**Madam Chairperson:** We're going to begin. The Standing Committee on Human Resources will please come to order.

Before the committee can proceed with the business before it, it must elect a new Vice-Chairperson. Are there any nominations?

**Mr. Gregory Dewar (Selkirk):** I nominate Mr. Marcelino, Tyndall Park.

**Madam Chairperson:** Are there any other nominations?

Mr. Marcelino has been nominated, and hearing no other nominations, he is elected the Vice-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, today we will hear from 56 of the presenters registered to speak on Bill 18, and you have the list of those presenters before you.

On the topic determining the order of public presentations, I will note that we do have a special-needs request today, and so, with that, we would ask if that person and their caregiver could go first. And—they are George Edenhoffer, No. 50, and Mr. Ed Hume, No. 22.

And also, with regard to the order of the presenters, it has been suggested—yes, Minister Allan.

**Hon. Nancy Allan (Minister of Education):** Last night what we did—usually the procedure can be that we ask out—rural people to go first, but last night the MLA for Steinbach suggested that we just go in order because most of the presenters are rural and it's not going to make that big a difference. So is—do we have the unanimous consent to do that today?

**Some Honourable Members:** Agreed.

**Ms. Allan:** Or leave, sorry.

**Madam Chairperson:** Sorry.

**Mr. Ron Schuler (St. Paul):** Yes. We normally we do take out-of-town presenters first. I think, however, that a lot of people will have been called and told where they are—what number they are as a presenter and some of them may not be here today 'til later on this evening because committee does sit 'til late into the evening. So I think that would be fair for them if we would do it in order.

**Madam Chairperson:** Great. So all agreed and is everyone agreed with regard to the special needs? *[Agreed]*

Excellent. So that's where we're going to begin after I've gone through this.

All right. So I would also like to remind members of the committee that, in accordance with agreement mentioned above, 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 information that we need to consider. For the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need help with the photocopying, please speak with our staff.

As well, I would like to inform presenters that, in accordance with our rules, there's a time limit of 10 minutes allotted for presentations and then there's an additional five minutes allowed for questions. So, in the 10 minutes, at nine minutes, I will try to remember just to give you a little note that there's one minute left, just so you can wrap it up. I'm not being rude; I'm just trying to let you know that there's a little bit of time left.

Also, in accordance with the rules agreed in the House for the meetings—hearings from presenters on Bill 18, if a presenter is not in attendance when their name is called, they will drop 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 the global list of presenters.

Prior to proceeding with public presentations, I would like to 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, so each time someone wishes to speak, whether it's an MLA or a presenter, I first have to say the person's name. That's the signal for Hansard recorder to turn the mics on and off. Okay. So I'll be doing that, and thank you for your patience.

We're now going to proceed with the public presentations, so I will now call on Mr. Ed Hume, private citizen, and Mr. George—to be followed by Mr. George Edenhoffer, private citizen.

**Floor Comment:** Edenhoffer.

**Madam Chairperson:** Edenhoffer, thank you so much.

And did you have materials?

**Mr. Ed Hume (Private Citizen):** Yes, I do. I'd like to have this distributed, if I could, please.

**Madam Chairperson:** Thank you and just go ahead whenever you're ready.

**Mr. Hume:** Okay. The first thing I'd like to mention, I'd like to thank the Clerk of the committee today for extending the courtesy to George Edenhoffer, who's a friend of mine, and to be able to speak first, so we certainly appreciate that. The other thing I want to mention is, when George makes his presentation following my presentation, I'm going to be here as assistance with him. I'm just—so that's why I will be here for the first two presentations.

Are you listening, Bill 18 public hearing committee members? Are you really listening?

First, no one here today, including me, would ever be against antibullying policy. Having been an educator for over 39 years, 33 years as a retired teacher and the last six years a substitute teacher, I have seen the daily effects of bullying on youth first-hand in our schools. All students need to be protected against this demeaning, disgusting and hurtful practice. Unfortunately, many youth have been bullied at one time or another, including me, and the negative memories can remain a lifetime.

Youth bullying, sadly to say, doesn't end there. It continues into the adult world and we continue to feel its negative effect in the workforce, government, corporate leadership and in community life. If bullying is to be reduced or curbed, we need to call it whenever we see it—in school, at home, in government and in the workplace, and expose it to the light of conscious condemnation, nipping it in the bud before it can get rolling.

\*(10:10)

All forms of bullying, whether it is physical, verbal or cyber, need to be addressed in our society. Schools are a natural place to start our antibullying efforts. Bill 18 sets out to do this, but, unfortunately, instead of attacking bullying on a general level, which we can all agree on, it has become too specific. By giving special protection to gender equality, anti-racism, people with disabilities and people of all sexual orientations and gendered

identities, including student-led clubs or groups that use the name gay-straight alliance, the government is actually saying bullying these groups is worse than other groups of affected students, like different student body types—fat, skinny, short; students with lower academic grades and students of different religious affiliations. In short, by offering special protection of some groups, we are putting other groups of students at greater risk of being bullied. Other students might consider them uncool and pick on them. Ultimately, we need to encourage student-teacher dialogue in our schools that respects all different student groups, including the 'protecsh'—including the four special groups Bill 18 has highlighted. Fundamentally, every student should receive equal protection and equal opportunity. Thus, specific groups should not be highlighted in this bill.

Secondly, in my opinion, Bill 18 attacks the religious freedom found under the Charter of Rights and Freedoms of Christians, Muslims, Jews, Sikhs, since none of these groups support the homosexual lifestyle. When government tells private schools associated with these faith groups that they have to include gay-straight alliance clubs in their school if requested by a student, they are telling them to violate their core faith values. For example, in the Christian Bible, God's Word clearly doesn't support the homosexual lifestyle. Quote: You shall not lie with a male as one lies with a female. It is an abomination—in Leviticus 18:22. And: It is unnatural—in Romans 1:26,27. Other scriptural references also support these two principles.

There's a misunderstanding that needs to be corrected here. Just because Christians don't accept the homosexual lifestyle, it doesn't mean Christians hate homosexuals. Christians are instructed to love God first, and to love their neighbours as themselves—in Matthew 22. Based on their religious convictions, Christians are instructed to love homosexuals just like anyone else. But that doesn't mean they have to endorse their lifestyle. I can love an alcoholic, but that doesn't mean I have to endorse—or I have to endorse alcoholism. I can love the sinner but hate the sin. If the government were to pass Bill 18 in the form it is now, this bill would most likely be challenged in the Supreme Court of Canada, just like the Whatcott decision in Saskatchewan.

Thirdly, the government's view is that some of these private schools are receiving money, therefore they have no right to refuse Bill 18, or else. The implication is that their government grants could be

reduced or withdrawn altogether. Is this situation not a form of blackmail? I hereby remind the government that these private schools are actually doing the 'financ'—a financial favour to the public purse, since private tuition reduces government spending on education. I therefore raise the question: Is Bill 18 being fair to private schools? Is government acting fairly towards private schools? Is government not especially violating their religious freedom?

Fourthly, whatever happened to critical thinking and the ability to criticize anything in public? Presently, it seems that to criticize anything controversial that a government supports is considered and looked upon as being paranoid or having a phobia. What has happened to free speech in this country? If you criticize anything in the homosexual culture these days, you are considered homophobic, which essentially shuts down any real critical debate on issues involving that culture.

Since Bill 18 overemphasizes bullying against one group, mainly homosexuals, it is my opinion that there is a deeper set of motives at work here, represented by various aspects of the United Nations' social engineering Agenda 21 program. The promotion of this program has become a dangerous trend in our society.

Finally, the present attitude of the Minister of Education (Ms. Allan) and her government is troubling. In spite of the tremendous opposition that exists, as footnoted here, and I'll just read through the footnoted names quickly, people who have opposed the bill, or want amendments: the Manitoba Islamic Association; Jewish learning centre; Sikh Cultural and Seniors Centre; Coptic Heritage Society; many local Christian churches; Evangelical Fellowship of Canada; Vic Toews, MP for Manitoba; Rod Bruinooge, MP for Manitoba; Sid Green, lawyer and former NDP Cabinet minister; the Whatcott Supreme Court decision; the Robb Nash article; and 3,000 pieces of correspondence on the bill, mostly opposed to it, as quoted in the Winnipeg Free Press, February the 26th.

In March 16th, the Winnipeg Free Press article, the Education Minister stated, and I quote: "The government is comfortable with the proposed legislation and unwilling to make any substantive changes." In a Winnipeg Free Press article on May 2nd, the Minister of Education was quoted as saying: Her government is determined to pass Bill 18 before breaking for summer, so it will in effect—

so it will be in effect when class—classes start in September.

I'm just about finished, thank you.

How can elected representative hold such an undemocratic, rigid, arrogant and, may I dare say, bullying attitude, even before there has been any public hearings? Is members of the public to assume—as—are members of the public to assume this is a done deal? Why bother presenting at the hearings? In a democratic country, where open debate, free speech, collaboration and compromise are valued, you would hope this isn't the case.

No one is arguing against antibullying legislation. But let's consider amendments to Bill 18 that would protect all students and be fair all people. Thank you.

**Madam Chairperson:** Very good timing, Mr. Hume.

**Mr. Hume:** Ten minutes right on?

**Madam Chairperson:** It was perfect. Thank you so much for—perfect timing—for presenting. And we'll do the questions and then go on to Mr. Edenhoffer, if that's okay. All right, so, Minister Allan.

**Ms. Allan:** Thank you very much, Mr. Hume, for being here today and presenting to the committee. We appreciate it and we look forward to hearing your other colleague who is here with you today.

**Mr. Schuler:** Thank you very much for coming, Ed, and to everybody else in this room. Very nice morning here in Manitoba and we're not going to get very many like this. We appreciate that you're here.

And if I understand you correctly, it's not that you're opposed to protecting gay and lesbians from bullying—[*interjection*] Just, you have to wait and then be recognized.

So what would you like to see, a more of a Nova Scotia style which puts in, basically, that there can be no bullying of any kind and then puts definitions to that? What would you like to see, if not this bill?

**Mr. Hume:** Okay, well, personally I'd like to see it more a generic style, where all students are—you know, as soon as you start naming groups, you isolate other groups. So I think it needs to be clearly stated that all groups need to be protected. So I would like to see that clearly delineated that way, without singling out special groups for special attention.

**Hon. Dave Chomiak (Minister of Innovation, Energy and Mines):** Yes, thank you for your presentation.

Just based on your presentation, I want to ask you a question. Would you be against holding an Alcoholics Anonymous meeting in a school setting?

**Mr. Hume:** Are you talking about, now, with students or adults renting a facility? What—can you define what you're talking about here?

\* (10:20)

**Mr. Chomiak:** I'm finding the—I'm trying to stay away from generic. I'm trying to determine whether or not it would be acceptable under the circumstances for you to not believe in a lifestyle but still accept a gathering of people with regard to that lifestyle.

**Mr. Hume:** Specifically, with the alcoholism or—

**Mr. Chomiak:** Yes, with alcohol.

**Mr. Hume:** Would I be opposed to that—having that? I mean, we're—I think we all want the—to see the betterment of all people. It makes it for a stronger, healthier society if we're able to help those that are addicted, have certain addictions, to make them stronger makes us all stronger. So, no, I certainly wouldn't be opposed.

**Madam Chairperson:** All right.

**Mr. Hume:** Okay.

**Madam Chairperson:** Seeing no further questions, thank you again for coming to present.

And now we will move to Mr. Edenhoffer, and just give him a moment, if we could, to come up.

And was there any additional materials to hand out? No. Okay, thank you.

So, whenever you're ready, Mr. Edenhoffer.

**Mr. George Edenhoffer (Private Citizen):** Well, thank you for giving me this opportunity.

I would have to take a little different angle on this subject.

As you may imagine, I've had lots of bullying when I was a student in most stages of schooling. But, fortunately, my family made—they were very supportive of me, and they helped me in ways that would prepare me for life. And the one thing that they insisted on is that I understand that it's not what

happens to you that determines your outcome; it's what you do with what happens to you.

So bullying actually prepared me for life because there are lots of bullies in life. And so it is important to understand that we live in a world where bullying happens, not that I endorse it or anything like that, but all you have to do is pick up the paper and see it.

Well, I—throughout my life I haven't—I wasn't able to study a lot of history and the unavoidable fact that I've noticed was that by far—I mean by a country mile, most bullying happens by governments. You can research that. So I'm concerned because I see that religious freedom is being bullied into an arena that it doesn't want to be in.

Getting back to the school system, the problem that I see is that if we completely outlaw every kind of delinquent, we are also infringing on freedom because when your government—when there's no room for delinquency, there's also no room for freedom. And that is the way that life is, as I have learned, but it doesn't matter because it's what we do with what we—what happens to us that matters.

\* (10:30)

I'm also concerned that there's a—looking at this bill in terms of the gay and straight alliance, the—according to my research and you can look it up, too, it does seem to me that there's an underlying growth to prove, to promote homosexual behaviour by making it more acceptable or by normalizing it. Not that I have anything against the people but looking at the rest of the world the way that the rest of the world is, homosexuality is an anomaly and I don't believe that it's wise to normalize an anomaly. All of nature would collapse in that kind of a situation, and it does appear to me that United Nations Agenda 21 is in support of all this kind of normalization because it is hopefully reduce population. This being one method. So basically we need to look further than our noses.

**Madam Chairperson:** I'm just going to interrupt for just one moment and ask for leave for Mr. Edenhoffer to be able to complete, if that's okay with the committee. *[Agreed]*

Please, go ahead just for a few minutes to finish off.

**Mr. Edenhoffer:** I'm almost there. The—so at some point when you look at where in your head this comes from, because it's very common for people in charge to try to achieve their goals by way of—or by

cold means, when they knew that it's not a popular act.

So I'm open to your questions.

**Madam Chairperson:** Thank you so much for presenting, and we will move to questions now. Any questions from the committee?

**Ms. Allan:** Well, thank you, Mr. Edenhoffer, for being here today. It truly is our honour and our privilege to have you here today to make a presentation and share your thoughts on Bill 18.

You started your presentation today talking about how you had a very, very supportive family, and I am so pleased that you mentioned that. I think we would all hope that in our lives we have supportive families, but not all students do these days and sometimes school is the only safe place that they have. School is their safe place, and that's why we have this legislation before us today, because we want to create safe and inclusive schools for all students. And I think you and I would both agree on that.

Thank you so much for your presentation and thank you for being with us today. It's our honour and our pleasure.

**Mr. Schuler:** George, before you go, normally as a committee, we don't rank presentations and reflect on presentations. In the 15 years that I've been a member of this Legislature, yours is one of the most courageous, and I'd like to thank you for coming out today. It takes a lot of courage, and to Ed Hume's question when he started his, he said: Committee, are you listening? Well, I think you got it. We were all listening very intently and we appreciate that you came out. You put a different perspective on it, and we really appreciate the fact that you shared with us out of your personal life. And I certainly can't understand everything that you've gone through, but the fact that you've come here to committee, you've given us a lot to think about. I want to thank you for that.

**Hon. Jon Gerrard (River Heights):** I want to thank you for coming and for making your presentation. It took a lot of effort, and I think we really appreciate your being here, as you've already heard, and I want to say thank you.

**Mr. Ted Marcelino (Tyndall Park):** Yes, one of the statements that you made, it's regarding the room for delinquency, I like that. You said that if there's no room for delinquency, there's no freedom. Is there

any way that you could maybe elaborate on what you said? Because from my point of view, I was a delinquent child and I remember every delinquency that I had, and I enjoyed it.

**Madam Chairperson:** Mr. Edenhoffer, do you have a comment?

**Mr. Edenhoffer:** Well, yes, I love delinquents, even though I've been bullied. You know, like I say, my—what I meant was that by enacting so many laws that a person has no room for delinquency that that would—like, especially when you're stretching boundaries. You're stretching the envelope. And bullying is one of the delinquent behaviours that we do as kids, and we need, again, coaching on how to respond to that. So that's what I meant.

\*(10:40)

**Madam Chairperson:** Thank you. Thank you so much.

Seeing no further questions, I'd just like to thank you once again for making the effort in coming down to speak, both of you. Thank you so much.

And we will move on to our next presenter, and that will be Susan Eberhard and Manitoba Federation of Independent Schools. And do you have any materials? *[interjection]* All right, we'll get some help for you to get those handed out, and then whenever you're ready. You can begin whenever you're ready.

**Ms. Susan Eberhard (Manitoba Federation of Independent Schools):** Honourable Nancy Allan and members of the Human Resources Committee, my name is Susan Eberhard. I am the executive director of the Manitoba Federation of Independent Schools and will represent them in this brief today.

The Manitoba Federation of Independent Schools, referred to as MFIS for the rest of the brief, was incorporated in 1974 for the purpose of representing the funded independent schools to the provincial government. Those involved in the first years were included as a partner in Manitoba's education and prepared the way for the positive relationship we now enjoy with the Department of Education and the minister's office.

All funded independent schools follow Manitoba curriculum, employ certified teachers and meet the legislative and regulatory requirements. Manitoba's 59 funded independent schools comprise approximately 14,000 of the province's enrolled students. The schools represent approximately



17 faith associations, many ethnicities, rural and urban populations and varied socio-economic groups. The MFIS works respectfully and co-operatively with Manitoba's diverse families.

The MFIS has been very pleased with the relationship that we have enjoyed with the Province of Manitoba over the last number of years. We are grateful for the partnership that has developed but are concerned with the fact that we, as partners in education, were left out of the consultation process for the drafting of Bill 18. This is ironic, considering the bill is aimed at fostering inclusiveness.

The MFIS and its member schools respect the Canadian Human Rights Act and the Manitoba Human Rights Code. We applaud the work that has been done over the years in protecting human rights and have often been at the forefront when it comes to educational initiatives and student voice in these matters. We also support the intention of Bill 18 to equip schools to prevent and address incidents of bullying and would choose for all students to be safe in Manitoba schools.

However, we are concerned with some of the language in Bill 18 and the ramifications that it may have for all Manitoba schools, their staff, families and students. While MFIS clearly understands that this is an amendment to The Public Schools Act that does not apply to our independent schools, unless ordered by the Minister of Education, according to section 60.5(g) in the Manitoba Public Schools Act, we support safe and inclusive schools and the premise behind the legislation.

We request that consideration be given to a change in the language to ensure that all students are protected and included. We also request that if a decree is made by the minister to have this implemented in independent schools, that it be postponed until further consultation is carried out with MFIS, to ensure that the act and the implementation guidelines accompanying it fall in line with the government's agreement and commitment to ensure that independent schools are able to offer a learning milieu suffused by the tenets of their faith and the communities that they serve.

The Minister of Education (Ms. Allan) has indicated that those independent schools that are faith-based are essential to meet the needs of some Manitoba families and that the legislation is in place to support the faith-based institutions. While MFIS supports safe and inclusive schools and the premise behind the legislation, we would request that

independent schools be able to implement it in a manner that is respectful of their independence and the communities that they serve.

Upon the premise that the provincial government believes that faith-based schools have the right to practise the follow tenet—and follow the tenets and teachings of their faith as part of their educational programming, we request considerations and changes that indicate this. If funded independent schools are included in Bill 18, we request the insertion of the phrasing from the first agreement signed with Manitoba's independent schools. This would serve to assure that the previous statements of the Honourable Nancy Allan, Minister of Education, would be honoured. These sections of The Public Schools Act would be applied to Manitoba's independent schools in accordance with the unique religious and cultural objectives of an independent school and its community. We also request changes in the language would be implemented to respect the independence of our institutions and the communities that they serve.

Our first area of concern with the bill in section 1.2 is how the term bullying is defined. Our concern with this section is the broadness of the definition. While we acknowledge that someone who is bullied may experience distress or harm to their feelings, one must also admit there are many causes for distress and feelings that are not connected to bullying. We could anticipate that a staff person in a school might say things at any given time that might cause distress or harm to a student's feelings. Will that staff person now face the accusations of being a bully? A tone, a facial expression, a call to the office, an explanation of a term or historical event are common occurrences in a school but might be perceived as bullying under this definition. The MFIS recommends a succinct definition be used to replace the present definition.

The second area of concern for the MFIS is the proposal of one tool to be used to address the needs of someone who is bullied. The tool I'm referring to is the formation of a group with activities and/or an organization that will promote gender equity, antiracism, the awareness and understanding of and respect for people who are disabled by barriers, or the awareness and understanding of and respect for people of all sexual orientations and gender identities.

There has rarely been one solution to give support. There is rarely one solution to educate.

There is rarely one solution to the issues of life. In education, tools for support or educating are not usually legislated, but are more often recommendations in handbooks or guidelines. We are aware of the research conducted proving an efficacy of this tool. The group, the organization, however, perhaps research of other tools might prove to be equally effective, or perhaps research of various tools used together might prove an even greater efficacy. We often hear that the latest research has proved that the previous research was only partially effective or a partial study. Why is the Province about to pass legislation on research of one area only?

In addition, the name of the tool is going to be made a law through legislation. Educators have been known for their affection of changing terms in an endeavour to finally produce the solution to an issue at hand. The name gay-straight alliance is ironically non-inclusive of many groups that are bullied within legislation for the inclusive schools. MFIS recommends the naming of tools that promote and support inclusion being—be moved from the legislation to guidelines included within Manitoba education publications and that support groups not be named by a law, but rather by the members of the group who are determining the goals and mission of the group.

The third area of concern is the differential treatment of an individual and/or group on the basis of ancestry, nationality, ethnic background, religion or creed or religious belief, religious association or religious activity, age, sex, gender identity, sexual orientation, marital status, source of income, political belief, association or political activity, physical or mental disability or related characteristics or circumstances or social disadvantaged that are ignored by the proposed Bill 18. MFIS recommends the inclusion of all these areas from the Manitoba Human Rights Code be added to Bill 18 to avoid their omission which might result in discrimination or bullying.

\*(10:50)

MFIS supports the concept of safety, inclusion and positive experiences as fundamental to all of Manitoba's schools. Bill 18 is an attempt to move schools in this direction, but we feel it is in need of improvement, improvement that should be result of all the educational partners working together for the goal of safety, inclusion and positive experiences in every Manitoba school.

The MFIS board of directors thanks you, the committee, for this opportunity to give their perspective in the presentation today.

**Madam Chairperson:** Thank you very much for your presentation.

And questions from the committee?

**Ms. Allan:** Thank you very much, Susan, for your presentation today. I value the working relationship that my department officials and I have with you. Manitoba Federation of Independent Schools has been a partner of ours for a very long time and will continue to be a partner.

Thank you for the suggestions in your presentation. Bill 18 is a framework for creating safer and inclusive schools, and we will continue to work with you to give you a comfort level that I will be honouring my commitments that I have made to the Manitoba Federation of Independent Schools. We will also work with you in regards to the implementation guidelines around the framework of legislation. There was a similar process in Ontario in regards to Catholic schools, and I know that MFIS is looking at those guidelines now, and we will continue to work with you.

In regards to the consequences that had been mentioned at this—by the opposition in regards to their—one of their criticisms of the legislation is that there are no consequences in the legislation. I made an announcement that we would have put together a provincial code of conduct, and that would be done by our oversight committee with all of our education partners on it. And it is critical that MFIS is part of that discussion and that dialogue, and I want to thank you for making a commitment to work with us in regards to what those consequences will look like.

Thank you for your presentation, and it's wonderful that you're here with us today.

**Madam Chairperson:** Thank you.

**Mr. Schuler:** Thank you very much for coming this morning, and we appreciate the fact that you put together a very well-thought-out and that you gave suggestions. That's very important.

Troubling to the committee is the sentence on page 1—I'll quote your words—but are concerned with the fact that we, as partners in education, were left out of the consultation process for the 'tra'—drafting of Bill 18. End quote. That is a concern because we would think that all vested interest groups, especially those that are going to be directly impacted, that they

would have been consulted on this piece of legislation; that would've been a courtesy.

You've put forward concerns and you've put forward suggestions. My question to you is: Have you had a chance to meet with the minister since the introduction of the bill to lay this out and have a discussion with her about your concerns and the kind of changes you're recommending in your presentation, or is this the first opportunity that you've had?

**Ms. Eberhard:** Thank you, Mr. Schuler. Yes, we actually have met on several occasions to meet with Minister Allan, and we have also been in discussion with the deputy minister and some of his staff to present certain ideas.

We're not always quite sure where we are in the process, so always looking for more contact, which has been offered to us by Minister Allison-Allan this morning.

**Madam Chairperson:** Thank you.

**Mr. Gerrard:** Thank you, Susan, for your very carefully put-together brief with a lot of good ideas, and—thank you.

**An Honourable Member:** Use the mic, Jon.

**Mr. Gerrard:** I've got two here. Okay.

Thank you very much for your well together-put-together presentation, for how you articulated a number of concrete suggestions. I just want to say thank you.

**Madam Chairperson:** Thank you so much. We heard that, thank you.

Seeing no further questions, thank you again for coming down. Very much appreciated.

And our next presenter is Chad Smith, the Rainbow Resource Centre. Do you have any materials, Mr. Smith?

**Mr. Chad Smith (Rainbow Resource Centre):** Yes, I do.

**Madam Chairperson:** All right. Our staff will come and help you with that, and then you can begin as soon as you're ready.

**Mr. Smith:** Great, thank you. First, thank you to the Standing Committee on Human Resources for giving us all the opportunity to speak.

Good morning. My name is Chad Smith. I am a social worker and I'm the executive director of the

Rainbow Resource Centre. We work with thousands and thousands and thousands of Manitobans that are lesbian, gay, bisexual, transgender and two-spirit, and so I'm speaking on behalf of my community of thousands and thousands and thousands of people.

The Rainbow Resource Centre is the community and resource centre for the gay, lesbian, bisexual, transgender, two-spirit and allied communities in Winnipeg, across Manitoba and northwestern Ontario. The centre is a safe space for the community and provides LGBT individuals with a place to meet, learn and grow, much like GSAs do. We provide social programming, social support, counselling services and antihomophobia education and diversity training across our province and within northwestern Ontario.

In 2012, our centre was recognized with the Human Rights Commitment Award of Manitoba by the Human Rights Commission, the Canadian Human Rights Commission and the 'manitobia' so—Manitoba Association for Rights and Liberties.

Last year we saw 112 individuals within our drop-in counselling program, provided 926 individual counselling appointments and provided group counselling and support throughout the year to the LGBTQ community. We hosted a total of 215 different groups and events for the community over the year, and our education program provided 208 antihomophobia and diversity training workshops to a total of 4,683 individuals last year. We are well aware of the effects of homophobia and of the need for Bill 18.

Specific to Bill 18 is the connection that our centre has with LGBT youth. Each year, our centre hosts Camp Aurora, which is a summer camp specifically for LGBT and allied youth. The camp provides a safe space for 55 youth, and for many of them this is their first time ever attending a summer camp program. Often they've experienced discrimination, harassment and violence for being LGBT, and the idea of attending a summer camp isn't fun, it is terrifying. Camp Aurora provides an incredible opportunity for LGBT youth to experience nature, summer camp, outdoor activities and the chance to make new friends, all the while not having to hide who they are for fear of the repercussions of violence.

At the Rainbow Resource Centre, we provide counselling, support, acceptance and safety for LGBT youth. Our youth program hosted a total of 121 workshops at the centre for LGBT youth last

year and had a total of 2,156 youth visits. Our youth program is built on three pillars: creating community for LGBT youth, developing leadership skills through youth-identified activities and building self-esteem and resiliency in our youth.

Creating community allows LGBT youth to meet other youth like themselves. Developing leadership skills helps to create youth that contribute now and in the future, through positive community development and citizenship. And sadly, we have to build self-esteem and resiliency, for our youth often get to be themselves when they come to our centre only to have to leave and go back to a world that tells them that they aren't welcome, where their schools aren't safe and to families that don't want them. At our centre, we support LGBT youth that often aren't supported in other places in their lives.

Many of our youth come from great schools that have GSAs, places where they feel safe to be themselves and to be a part of their school and their community without having to hide who they are. Many of our youth come from great families, with parents and caregivers that drop them off at the centre, that will come to the events that the youth put on and attend different programming events that we host. But sadly, many of our youth don't have safe schools with GSAs or safe families with parents who accept who they are.

Every year we play host to youth that turn 18, and on their birthday, they don't receive a cake or presents. Instead, parents that are disgusted that their child identifies as LGBT give them the gift of homelessness. Every year for the past four years that I have been in my position as executive director, we are contacted by youth that turn 18 and are kicked out with nowhere to go and only a bag of clothing and their belongings, if they're lucky. We help 18-year-old kids figure out how to be adults overnight, how to find a room or an apartment, how to go on social assistance to help pay for this room or apartment, how to try and stay in school while dealing with the fact that their families don't want them, and the centre provides them with the food and support that these families don't give.

We also play host to youth under 18 whose families discover that they are LGBT, and these youth are also often given the gift of homelessness, depending on the situation, and they may become involved with the child welfare system. We help youth try and figure out how to stay in school and

how to feel good about themselves after their parents and families have made them feel like nothing.

Twice a week we host youth programming; twice a week we hear stories from the youth that attend our centre, stories of being beaten up at school, harassed, picked on, threatened, over and over. We hear the stories of youth that use self-harm, cutting themselves on their arms, their stomachs, their legs and their bodies as a way of coping, because for these youth the physical pain that self-harming behaviours create is easier to tolerate than the emotional pain that they experience just because of who they are.

\*(11:00)

We hear the stories of youth that struggle daily with thoughts of killing themselves and ending what they see as a horrible existence with no future just because of who they are: lesbian, gay, bisexual, transgendered, two-spirit. We help them feel good about who they are in a world that is often structured to make them feel worthless and like nothing; a world that tells them that they are evil, less than, sinners, mentally ill, sick and disgusting; a world that tells them that a school group or a club that tries to make their schools feel like a safer and more accepting place, a school group or a club that welcomes and accepts who they are shouldn't be allowed; a world that says such a group is morally corrupt.

We help connect LGBT youth with people who accept who they are with communities that have real family values, values of love, acceptance and understanding. We help connect them with faith communities that value who they are and accept that their Creator made them who they are with no mistakes and with no faults in their Creator's image.

The past two years, we have hosted a provincial GSA conference with attendance from students and teachers and schools from across the province, from Winnipeg, Brandon, Thompson, The Pas, Flin Flon, Gimli, Portage la Prairie, Eriksdale and Kenora, to name some. GSAs make a difference in schools, and schools are requesting the tools and training to support youth and make their schools safer places. Bill 18 will help them do this. During the school year, the Rainbow Resource Centre is contacted by 10 to 15 schools a month with questions ranging from how to support a student that is being bullied for being LGBT, to how to make their school safer for transgender youth, to how to handle incidences of homophobia, to how to create a GSA. This year's

third annual conference will play host to over 400 students and teachers from across our province and northwestern Ontario.

To quote Heather Anderson, a teacher involved with the GSA at Vincent Massey Collegiate in Winnipeg, GSAs save lives. The work that we do with youth and the safe spaces that we create with youth are mirrored in Bill 18. The youth that come to our centre, that attend schools with GSAs, talk about their schools, talk about their teachers, talk about feeling connected, having friends and feeling safe, regardless of what their home life looks like. These youth participate and contribute to their schools, to their communities and help make their schools and neighbourhoods safer and more welcoming. They are more connected to their schools and do better in their classes. These youth like who they are and while their 'stu'—their schools may not be perfect, they are a lot better and a lot safer than the schools attended by our youth that don't have GSAs.

At the Rainbow Resource Centre, our youth program is about community, leadership and development and building self-esteem and resiliency. Our youth program creates safe spaces, encourages community participation and development and challenges ideas of oppression and works to support human rights. Bill 18 will help create safe spaces and inclusion for all students, not only LGBT students. Bill 18 will combat bullying and provide schoolteachers and administrators with the tools to investigate bullying and support students.

Today, I've chosen to use my presentation time to reflect on the realities of many LGBT youth, the realities that we experience every week. At these—as these hearings continue, you will hear the voice of exclusion repeatedly telling you why Bill 18 should not be passed, why Bill 18 shouldn't be allowed. I'm here to remind you of the voices of the youth that Bill 18 will help to protect. Bill 18 will help to change these realities within our schools and our communities.

As a social worker, I value that our government values the safety of all students. Thank you.

**Madam Chairperson:** Thank you, Mr. Smith, for coming to present.

Questions from the committee? *[interjection]*

Minister Allan.

**Ms. Allan:** Oh, sorry. Chad, thank you so much for your presentation today, and thank you for all of the

work that Rainbow Resource Centre does for LGBTQ youth all across our province. It is important work, and I also want to say I understand you're leaving. It makes a lot of people sad, but I know it's still going to be a great organization and I know whatever you choose to do, it's going to be fantastic. Thank you for being here today, Chad.

**Mr. Schuler:** Chad, thank you very much for coming today.

There's probably a lot of things you could've been doing on a beautiful morning like this, and you chose to be here at committee and let your voice be heard and those that you represent. We appreciate that very much as a committee, to hear all presenters, and it was very well written and thank you very much.

**Mr. Gerrard:** Yes, I want to thank you, Chad, for putting, very clearly, the perspective of the situation at the Rainbow Resource Centre and the people that you deal with and the work that you do. Thank you for that. I think your presentation is a really valuable contribution today and thank you.

**Mr. Chomiak:** Yes, I want to thank you because the committee was very troubled yesterday when we heard a presentation that 95 per cent of people who are bullied, this bill wouldn't make any difference. And your presentation says something totally opposite to that, and something which I think more actively and accurately reflects the reality out there.

So, with those words, I want to thank you for bringing some of those statistics to this 'communi'—to this committee, because I think it will help us to deal with some of the troubling statements that we heard yesterday.

**Floor Comment:** Thank you.

I would invite any member of the committee to come down—

**Madam Chairperson:** Mr. Smith.

**Mr. Smith:** —to the Rainbow Resource Centre, and I'd be glad to give a tour.

**Ms. Allan:** Actually, if you can get to the Rainbow Resource Centre, they have, for the first time in Canada, a display, and it's a display about what happened to gay people during the Holocaust and it is incredibly moving and phenomenal.

**Madam Chairperson:** All right. Seeing no further questions, I just thank you once again for coming down, taking the time.

And our next presenter is Donn Short, professor, private citizen. And do you have any materials?—*[interjection]* Okay, thank you.

So you can just go ahead then, whenever you're ready, Mr. Short.

**Mr. Donn Short (Private Citizen):** Thank you very much.

Freedom of religion is a fundamental right. It can even go to the essence of someone's identity. The Charter of Rights and Freedoms affords expressed protection to freedom of religion in section 2(a). But as the Supreme Court has also consistently asserted, religious rights are not unlimited. In the Supreme Court of Canada's landmark decision in 1985, *Big M Drug Mart*, the court defined freedom of religion under section 2(a) of the Charter in this way: the essence of the concept of religion is the right to entertain such religious beliefs as a person chooses, the right to declare religious beliefs openly without fear of hindrance or reprisal.

However, in the same decision, the Supreme Court also underscored that freedom of religion is, and I'm quoting, subject to such limitations as are necessary to protect public safety, order or the fundamental rights and freedoms of others.

Madam Justice Wilson—Justice Wilson, in the *Jones* decision in 1986, is worth noting. Freedom of religion under the Charter—and this, again, is a quote—does not require the Legislature to refrain from imposing any burdens on the practice of religion. The ultimate protection of any particular Charter right must be measured in relation to other rights and with a view to the underlying context in which the apparent conflict, if there is one, arises.

One such other Charter right is the right to equality protection offered by section 15(1). The Supreme Court of Canada in its 1985–1995 decision in *Egan* has confirmed that sexual orientation is included in the Charter's equality provisions.

Those asserting freedom of religious rights can do so only by first acknowledging that their right is not unlimited and that gay and lesbian students have rights which must also be respected, acknowledged—and acknowledged on an equal basis.

Not only has the Supreme Court of Canada made it very clear that rights are not absolute, the Court

has also emphasized that there is no hierarchy of rights in the Charter.

That defining principle was articulated in the Court's decision in 1994 in *Dagenais*. A hierarchical approach to rights which places some rights over others must be avoided, both when in interpreting the Charter and when developing the common law.

When the protected rights of two individuals come into conflict, as can occur, Charter principles require a balance to be to 'chee'—to be achieved that fully respects the importance of both sets of rights. The Supreme Court of Canada has given a very broad interpretation of protected religious belief and practice in its 2004 decision in *Amselem*, in which the court made clear that there is no requirement on a person asserting the protection of a sincerely held religious belief, that they must establish that that belief is part of religious dogma or doctrine.

\* (11:10)

A sincere belief is a belief that brings the holder closer to the divine, whether or not other co-religionists, other followers of that particular religion, share that belief. In other words, the test is purely subjective. Religious belief may be subjective and personal and may vary from one individual to the next, but where it is alleged that religious freedoms have been infringed, it is not enough for someone to claim that their religious rights have been infringed.

In the Supreme Court's decision in *scolaire*, the Court emphasized that in order to establish an infringement on religious freedom, objective evidence of the infringement would be required. The Supreme Court of Canada made it very clear in the reference regarding same-sex marriage that merely recognizing the equality rights of one group, in the instance before of sexual-minority students in the instance of Bill 18, does not in itself constitute an infringement of the rights of another. Here those asserting are claiming that their religious freedom rights have been infringed.

The question would be: Would a reasonable person believe that permitting GSAs constitute an infringement of freedom of religion where no religious beliefs are being imposed on anyone? Students and staff alike are still free to continue to believe whatever they wish. It is not enough just to claim your rights have been infringed.

Constructing safe schools by permitting the establishment of GSAs ensures that sexual minority

students have access to education the way all other students do. Permitting GSAs—permitting students to form a GSA has no impact on anyone's belief system, students, parents or anyone else. To put what I am saying in very informal terms, if there is a GSA meeting going on in room 211 of your high school, you are free to sit in room 308 and not like it. You are free to walk the halls and really not like it. You are at liberty and have the full right to eat in the cafeteria with full regret that the GSA is going on in your school. The mere existence of the GSA does not in any way impact on your ability or freedom or right to believe whatever you want. Nobody is demanding that you like it and nobody is demanding that you participate in it. There is zero impact on your religious freedoms. The fact that someone may object so strenuously to the presence of the GSA in their school actually confirms that those religious beliefs are intact.

Also in *scolaire*, the Supreme Court has made it very clear, in the context of religion, that a claim by parents that exposing their children to the religious values and belief system that might be different from those that the parents are trying to pass on to their children will not prevail as a claim of infringement on religious freedoms under the Charter.

And again, I quote: Parents are free to pass their personal beliefs on to their children, if they so wish. However, the early exposure of children to realities that differ from those in their immediate family environment is a fact of life in society. The suggestion that exposing children to a variety of facts in itself infringes their religious freedom or that of their parents amounts to a rejection of the multicultural reality of Canadian society and ignores the government's obligations with regard to public education. Although such exposure can be a source of friction, it does not in itself constitute an infringement of section 2(a) of the Charter. It is only actual and significant interference by the state that triggers infringements on religious rights not perceived infringements or even trivial or insubstantial burdens.

Any argument by a staff member or teacher who might be required to perform an administrative task in relation to a GSA, such as booking a room or bringing in a guest speaker or photocopying posters, would at most be a trivial or insubstantial burden and would not constitute an infringement of their religious freedom rights.

I do not believe that Bill 18 infringes on religious beliefs at all. Assuming that religious freedom rights and sexual orientation rights did conflict, at most this would be a competing rights claim. The Supreme Court of Canada has said that competing rights claims should be reconciled, if possible, through accommodation, and if a competition is inevitable, then through balancing. Balancing competing rights claims must be approached on a case-by-case basis and by answering the question, which would be posed in this case as: Would the benefits of Bill 18 outweigh its negative effects on freedom of religion if, indeed, there were any? The analysis is deeply contextual, there is no absolute rule that applies without context, without looking at the facts of the actual situation.

What are the facts? The facts disclose the need to do something about the pressing and substantial problem of widespread bullying in schools generally and the issue of homophobic, transphobic and gender-based bullying, specifically. Addressing bullying purely as a generic phenomenon is merely our refusal as a culture to face our fears. Far from resulting in isolation by specifically mentioning homophobic bullying, leading bullying as a generic phenomenon results in isolation. The facts disclose scientific evidence that schools with GSAs and/or antihomophobia policies offer benefits to all students, regardless of sexual orientation.

The provincial government has a constitutional responsibility to deliver education in the province and to ensure that the ability of students to access education is free from burdens based on differential treatment. Homophobic, transphobic and gender-based bullying is differential treatment. Bullying of any kind is based upon a desire to vilify difference and often to establish the victimizer as a member of the privileged class of what is normal, dominant or desirable.

In truth, most school boards and schools throughout Canada are decades behind the progress made outside the context of schools in the larger Canadian society, where great strides have been made in addressing discrimination based upon sexual orientation, as well as the achievement of full citizenship of sexual minorities in present-day, complex, multicultural Canada. Rather than undermine Bill 18, the jurisprudence of the Supreme Court of Canada confirms that Bill 18 is on solid legal ground and I support it strongly. Thank you.

**Madam Chairperson:** Thank you very much, Professor Short, for coming down to present, and we'll now have committee questions.

**Ms. Allan:** Professor Short, thank you so much for being here today, and I should let you know that that is a wonderful presentation. And, of course, I'm going to remember all of it, so I was wondering if there'd be a possibility of getting a copy of it, because I would like a copy of that presentation.

And also, thank you so much for writing the book. I appreciate the book and, actually, a—many presenters here have mentioned the work that you have done, so thank you so much for being here today.

**Mr. Schuler:** Donn, I can save you a lot of work. Minister, Hansard will be out within the week, and then everything you've said, the minister will get.

Donn, thank you very much for coming—appreciate it. Like we've said to many other presenters, probably a lot of other things you'd rather be doing outside. And very important for individuals to come forward. This is a right you have and we appreciate that you took that opportunity.

**Mr. Gerrard:** Yes, I want to say thank you for coming forward and presenting so clearly many of the Supreme Court and other rulings that have occurred and interpreting them for us. I think the wonderful thing about a committee meeting like this is that we get a wide variety of input, scholarly input like yourself, which is very helpful from people who have personal experiences with bullying and to get this cross-section of opinion as we look at how we move forward on this bill is, I think, very impressive. Thank you.

**Madam Chairperson:** Thank you so much. Seeing no other questions, we appreciate you coming down, spending the time. Thanks, once again.

**Floor Comment:** I actually do have some copies if you'd like. I'm treating you like my students; I'm not handing out the handouts until after I'm done.

**Madam Chairperson:** Thank you very much, Professor Short.

Our next presenter is Kelly Moist, president of CUPE Manitoba. Do you have anything to hand out? No? Okay, then you can just go ahead whenever you're ready.

**Ms. Kelly Moist (CUPE Manitoba):** Hi. Thank you to the committee for allowing me to come speak

today. And I'd also like to thank all of the presenters seated behind me because I'm proud to be part of a society where citizens put this much importance on political engagement, so I thank all these that come before you today.

CUPE Manitoba is pleased to have this opportunity to be speaking to the standing committee on education to express our support for Bill 18, The Public Schools Amendment Act, which is—which has, as its objective, the promotion of safe and inclusive schools in our province.

CUPE Manitoba represents approximately 25,000 workers across the province, including teachers' aides, librarians and school support staff province-wide, as well as members of the Rainbow Resource Centre. Our members share the government's conviction that all forms of bullying and discrimination have no place in Manitoba schools. This bill provides vital tools necessary to help stop the many new forms of bullying and cyberbullying that we face in our society. The requirement for all school boards to establish respect for human diversity policies is a positive step, to help ensure harassment and bully-free school environments for all students. We strongly agree that there needs to be this proactive type of legislation to ensure a safe place for LGBT students in particular.

\* (11:20)

A survey by Egale Canada revealed that 64 per cent of LGBT students feel unsafe while at school and 58 per cent of straight students report feeling upset by homophobic comments. In fact, over two thirds of students are hearing homophobic expressions like that's so gay on a daily basis. Many of these young people have been subjected to belittling, humiliation and physical harm simply because of their actual or perceived sexual orientation or identity. With respect to gender identity, an overwhelming 74 per cent of trans youth have been verbally harassed about their gender expression. The effects of all of this hateful behaviour can be devastating, often leading to trauma, depression and, in worst cases, suicide.

CUPE has a proud tradition of being at the forefront of the struggle against harassment and discrimination in our workplaces and in the broader community. Homophobic and transphobic bullying is an attack on human rights and it hurts everyone from the targets to the witnesses to society at large. Moreover, it is not just a schoolyard issue; it pervades our workplaces and our communities. In



fact, many of our LGBT members still face verbal and physical harassment at work, preventing them from fully participating in our society.

CUPE's ongoing campaign, speak out and stop bullying, embraces the same principles of diversity and antidiscrimination that are advanced in Bill 18. I've a copy here of the pamphlet which we use in this campaign and have to say it is one of the most popular brochures ever produced by our union. We have requests from all over the country for these materials, not just from our members but from schools, churches and community groups. In addition, CUPE proudly supports and promotes other initiatives which work to prevent homophobic and transphobic bullying, such as the Day of Pink and Egale's safer schools campaigns.

It appears from the media coverage that one of the most controversial aspects of the bill, according to its detractors, is the requirement that schools accommodate students who want to establish and lead activities and organizations that promote gender equity, anti-racism, the awareness and understanding of and respect for people who are disabled by barriers or the awareness and understanding of and respect for people of all sexual orientations and gender identities, and the use of 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 peoples.

Egale Canada explains that a GSA is a student-run group that provides a safe place for any and all students to meet and learn about all different orientations, to support each other while working together to end homophobia and to raise awareness and promote equality for all human beings. In addition to being a group dedicated to support, it also strives to educate the surrounding areas and the community on different gender and equality issues. We fail to understand why allowing this type of activity in our schools is construed by some in such a negative fashion, and we strongly believe that the aspect of this bill will be a positive step forward to help ensuring a safe and inclusive school environment.

In closing, we would like to reiterate that we commend Minister Allan and her colleagues in the government for introducing Bill 18, which will further help protect students from cyberbullying and promote a safe, respectful and accepting learning environment for all students. The changes contemplated in Bill 18 will send a powerful

message that we as Manitobans are committed to ensuring that all students in our province have the right to feel safe and welcome at school, and we urge you to pass this bill.

Thank you.

**Madam Chairperson:** Thank you, Ms. Moist, for making this presentation.

We'll go now to questions for the committee.

**Ms. Allan:** Kelly, thank you so much for your presentation, and thank you for all of the work that you have done across Canada in regards to equality and diversity.

And thank you for mentioning the work that Egale has been doing. Dr. Catherine Taylor has worked with Egale and is—they published their book this year in regards to statistics about young people and how they feel in schools, and it's not just LGBTQ youth, it's straight students as well, and you mentioned those statistics and how disturbed people can be in school about what happens in regards to language and activities. So thank you for mentioning that.

And thank you for being here with us today.

**Mr. Schuler:** Kelly, thank you very much. In your opening statement you thanked people for taking up their citizen right and coming forward and being part of the process, and that applies to you. Thank you for being here.

**Mr. Gerrard:** Thank you for coming, Kelly, and one of the questions which has been fairly hotly debated here has been the definition of bullying, all right, whether hurt feelings should be enough to—and the use of the word hurt feelings in the definition. And as we have heard opinions on both sides, I'd just like to offer you an opportunity to express yours.

**Ms. Moist:** Thank you. I kind of believe that if a student is complaining to a teacher or another student about hurt feelings that that's something that's worthy of investigating. I think that to err on the side of it being simply hurt feelings is disastrous, and we've seen the results of that. But I believe that it's incredibly important which is why, on behalf of all of the members of CUPE, I'm here supporting this bill.

Thank you.

**Madam Chairperson:** Thank you.

Seeing no further questions, thank you once again for taking the time to come down.

Our next presenter is Deborah Schnitzer—and if I pronounce that wrong, please let me know—private citizen. Do you have anything to hand out? Yes, she—no? All right. Go ahead whenever you're ready. And correct my pronunciation for me.

**Ms. Deborah Schnitzer (Private Citizen):** It was brilliant.

**Madam Chairperson:** Thank you.

**Ms. Schnitzer:** I'm absolutely—I have a frog. I'm sorry. I will—oh, well. I want to thank you for the opportunity to be here. I—and I'm speaking in favour of this very courageous and important piece of legislation.

I'm going to read an excerpt from a piece I presented as a context for what I would like to say today. This was part of a month-long series of town hall presentations regarding whether or not Winnipeg School Division No. 1 ought to introduce what at the time was defined as antihomophobia education for all practitioners. This original presentation was made to school board trustees on November 9th, 1999. That is 15 years ago. The policy, while hotly contested on the basis of many of the arguments that we will have seen and heard in the past months in relation to bill C 18, was subsequently approved.

November 9th, 1999—I will speak it in the present tense as it was written. Unhappily, it's a present tense that it still obtains in so many heart-wrenching ways.

My son told me he was gay when he was 15. He told me he was gay and he shared with me the range of strategies he had had to develop in school to protect himself from comments—fag, fairy, queer, freak, wimp, sissy, wuss, fruit—from the language of hate that circulated endlessly in corridors, classrooms, schoolyards, lunchrooms. It was clear that if he ever came out, he would be attacked verbally, emotionally, psychologically and physically. At every turn, he had to amputate integral parts of his identity, conceal his history, his story, his narratives, his experience, the values within his family, extinguish his human right to be represented, valued, treated equally and fairly as a complete human being. He was disabled by a school culture that had no way of handling the intolerance and abuse, the silence that annotated every dimension of

his interaction with his peers, teachers, classroom text resources.

Some religious, secular and political groups have decided that one way of life is better than another, and so that antihomophobia education should be dismissed, believing that it will only promote tolerance for second-class, perverse, perhaps, life choices. We celebrate diversity in every aspect of the Manitoba curriculum and school culture. Excellence in education is measured by the system's—the educational system's ability to comprehend and ensure that erasure of identity is not prerequisite for good standing within a school community.

And so, while my son is raised to believe in equality of all human beings, cultures, language, races, religion, gender and orientation, the school system could not adequately address that range of rights. My son had no recourse, no way of ensuring that his identity is valued within his community. His peers, teachers, administrators, staff, curriculum writers, assessment officers, superintendents, education professors remained mute, silent, unable to respond to the world in which he lives, works and contributes.

And the rights of my eldest son are excluded, his voice silenced, and so are the rights and voices of my second son, younger, heterosexual and unable to deal with precisely the same intolerance that documents his brother's school life. In the corridor, the classroom, the lunchroom, the playground, when his peers used hateful names—hateful words to name homosexuals, he has no safe, meaningful and ongoing way of dealing with that intolerance, no way to express his profound respect and love for his brother, for the values and realities within his family and his community.

How is an 8-year-old boy, how a 16-year-old boy, to speak up within the system, that would support him—that should support him and educate others, that cannot respond, is not ready to respond, does not think that it has the right to respond? How constrained are we? How illiterate do we remain?

\* (11:30)

There has been a long and significant history within the public school system of opening the mind and heart to differences that have been demonized and criminalized, so it is unthinkable for a school not to respond on issues of racism, sexism, classism and religious discrimination; unthinkable that if a

woman, a young woman, is harassed that the school will not respond; unthinkable that if an Aboriginal, a Jew, a Hindu is insulted, the school will not respond; unthinkable that if a straight male is verbally assaulted, the school will not respond.

I am resenting this context of November 1999 because I see in the drafting, passing and implementation of earlier anti-homophobia education within the school division, educational communities an understanding of what it means to expand and deepen our grasp of human right practices in publicly funded institutions—an evolution that is intrinsic to the vision and practice of bill C 18. Any school that is publicly funded in whole or in part must operate in compliance with the vision that ensures that no members of its complete or partial public schools will be silenced in terms of the right of antibullying or po–pro-rights advocacy and/or assembly.

Bill C 18 intends to respond to bullying within this context: bullying that includes homophobia, bi-phobia, trans-phobia in schools, bullying that includes a respect for gay-straight alliances, as well as related alliances among students, staff and faculties within educational communities which increasingly aspire to understand the impact of intolerance fuelled by ignorance and contempt. It meaningfully addresses issues of safety and security relating to equality in terms of race, culture, sexual orientation, ability and gender. It demands awareness and practices that intervene and disrupt actions and attitudes that wound, disrupt, diminish and defile communities legally and ethically obligated to care for and support the rights of all its members.

Will there be grey areas, conundrums, ambiguities, contestations, opportunities for new learning, possible amendments borne of experience and growing expertise, the 'opportunity' for ongoing reflection and refinement? I would hope so. My reading from my November 1999 presentation demonstrates this capacity to respond with intelligence and right action. This is why we exist as a democratic culture, alive to the teachings of the past and the present. We demonstrate the potential for the further evolution of human rights revisions that will embody developing and developed better and best practice in terms of inclusivity and antibullying. This is our shared responsibility, our human right.

The members of educational communities that benefit from bill C 18 will also be those who inform our ongoing refinement of its form and application. And I am less afraid of the grey areas that will lead

to possible revision than I am of the grey areas that repudiate the need for bill C 18 in its current form at this time. Our children, their teachers, administrative staff, members of the public achieve increasing literacy about antibullying and the tools to eradicate its presence through this bill. We can ask for more, but we won't discover its dimension unless we take this crucial and essential next step to the realization now of a better practice in place for public schooling space that honours the lives and experiences of all children and youth and provides those who are mandated to superintend those public spaces, spaces that are funded in full and in part by public funds, with the vision and tools to achieve that actuality. Thank you so much.

**Madam Chairperson:** Thank you so much for coming down to present.

Questions from the committee?

**Ms. Allan:** Well, Deborah, thank you so much for your presentation. Thank goodness you saved a presentation that you made 15 years ago so you could read it to us again today and add your comments about Bill 18. Trustee Kristine Barr from the Winnipeg School Division presented the first night of Bill 18 committee, and she started it with, well, here we go again. So thank you so much for being here today and we appreciate your presentation.

**Mr. Schuler:** Thank you, Deborah, for being here—appreciate everybody who comes forward and puts some comments on the record, and committee thanks you.

**Mr. Gerrard:** Thank you very much for your presentation, and certainly it's reminiscent of what we heard many years ago. I think it's—sends a pretty important message. I would ask the question that I asked earlier, in terms of the precise definition of bullying, which becomes very important, and there's been a big debate over whether the word feelings should be included along with the other word—*[interjection]*—the word, feelings, hurt feelings, right?

And, you know, as someone who has been involved for many years, I'd like to give you an opportunity to talk specifically about, you know, the use of the word, hurt feelings, as part of bullying.

**Ms. Schnitzer:** I would say as an educator, as a parent, as a member of the planet, that those words are internalized and carried as wounds forever and, therefore, they have to be taken seriously.

Name-calling is not a euphemism; it's a very serious offence against the rights of people. And we know what happens when those names are used publicly against individuals and they have to be understood with the full impact.

**Madam Chairperson:** Thank you. Seeing no further questions, we'd just like to thank you one more time for coming down and taking the time. Much appreciated.

Our next presenter is Michael Nelson, chair of the Brandon Pride Committee. Do you have any materials to hand out, Mr. Nelson? No, okay. Come on up, and go ahead whenever you're ready.

**Mr. Michael Nelson (Brandon Pride Committee):** Thank you for the opportunity to speak today. My name is Michael Nelson and I'm a resident of Brandon, Manitoba. I'm part of Brandon's LGBT community and then this past year's chair of the Brandon Pride Committee. I'm nervous.

I'm here today on behalf of the Brandon Pride Committee to urge the Manitoba provincial government to approve Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools). As a committee, we've discussed this bill at length, and we fully support and believe in this piece of legislation. I do not think many people in this room would dispute that our schools should be safe for any and all students and free from discrimination of any kind. There does, however, seem to be some controversy over the section requiring school boards to establish respect for human diversity policies—sorry—and accommodating gay-straight alliances within all schools.

In my estimation, the spirit of this bill is to prevent bullying within our schools. As you know, bullying is defined in this bill as behaviour that 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 is intended to create or should be known to create a negative school environment for another person. This is exactly what GSAs exist for. They exist in schools to educate and inform the schools they serve about bullying as it relates to the LGBT population within that school.

It's also important to note that intolerance and discrimination does not just affect LGP—LGBT students within our schools, it affects every student. When any young person goes to any school they deserve to feel safe and respected in that

environment. By not being inclusive and accepting of LGBT students and accommodating GSAs, schools stop being a place of growth, innovation and inspiration.

The Brandon Pride Committee itself has officially existed in Brandon for four years. In that short time, we have worked towards a safer and more inclusive experience for Brandon's LGBT population. Groups like the Brandon Pride Committee and gay-straight alliances within schools have an immeasurable impact. They allow people of all walks of life to feel like there's a place for them where they otherwise may not have. It is the hope of the Brandon Pride Committee that this bill gets passed in the Legislature with the safety and well-being of all Manitoba students in all of Manitoba's schools in mind. Thank you.

**Madam Chairperson:** Thank you for coming down to present. We'll now have questions from the committee.

**Ms. Allan:** Well, I kind of feel awkward because I had to run out for—seriously, I had to run out. But thank you so much for being here today and I will get a synopsis of your presentation. Thank you for the good work that you do in Brandon. I know that you have a very active pride committee and that's fantastic and thank you for making the trip here today to speak with us.

**Mr. Schuler:** Michael, thank you for being here. I know it's—for you guys, it's a shorter distance evidently than from Winnipeg to Brandon, so thanks for being here and putting your thoughts on record. Safe trip home.

**Mr. Gerrard:** Yes, thank you very much for coming and presenting. One of the phrases in the legislation which has entailed a lot of debate has been the reference to whether hurt feelings should be part of the definition, and the concern is that this would be too broad but from others that it's absolutely essential. And I'd like to give you a chance to comment.

\* (11:40)

**Mr. Nelson:** I would just say it's essential as well. I feel like negative comments and hurt feelings definitely have a drastic—can have a drastic, negative impact on high school students, or any student, actually.

**Madam Chairperson:** Thank you.

Seeing no further questions, thank you again. That's okay. It's okay. Thank you again for coming out. We appreciate it.

And our next speaker is Patrick Woodbeck, minister, Rainbow Ministry, chair of the board.

Do you have any materials to hand out, Mr. Woodbeck?

**Mr. Patrick Woodbeck (Rainbow Ministry):** I do.

**Madam Chairperson:** All right, we'll help with that.

And you can go ahead whenever you're ready.

**Mr. Woodbeck:** In saying that, you will have a copy of what I'm going to say today but, being a true extrovert, I will try really hard to keep to this and not go off on tangents.

**Madam Chairperson:** Thank you.

**Mr. Woodbeck:** Good morning. My name is Patrick Woodbeck, and I'm the rainbow minister with the Rainbow Ministry, an outreach ministry of the United Church of Canada. Our work at Rainbow Ministry is one of education to United Church of Canada congregations around affirming and welcoming issues and how they might become more inclusive of the LGBTTTQQ, lesbian, gay, bisexual, transgender, two-spirit, queer and questioning community.

We also do outreach to the LGBTQ community, and are a visible sign of care and concern to this same community. Part of this work includes advocacy on behalf of this community, and it is in that capacity that I appear before you today.

We have seen first-hand the damage that is done to young people when they are marginalized, bullied and, in turn, not given a safe environment in which to grow. The loss of self-esteem and self-worth can last throughout a lifetime. School is a time of great change for young people, and it should be a time when they can flourish and grow into the people they were meant to be. But for those being bullied, that growth can be stunted, and they may never reach their full potential. And this is a loss for all of us.

In 2011, Egale Canada Human Rights Trust, along with Catherine Taylor from the University of Winnipeg and Tracey Peter from the University of Manitoba, published *Every Class in Every School*, final report on the first national climate survey on homophobia, biphobia and transphobia in Canadian schools. This report paints a grim picture of the climate that many young people face in schools

today. This survey has given solid evidence to educators and administrators so that they might, as quoted from the report, "make evidence-based policy and programming decisions."

The statistics speak for themselves: 70 per cent of all participating students, LGBTQ and non-LGBTQ, reported hearing expressions such as, that's so gay, every day in school; and 48 per cent reported hearing remarks such as faggot, lesbo and dyke every day in school. More than one in five, 21 per cent of LGBTQ students, reported being physically harassed or assaulted due to their sexual orientation. And 20 per cent of LGBTQ students and almost 10 per cent of non-LGBTQ students reported being physically harassed or assaulted about their perceived sexual orientation or gender identity.

We, at Rainbow Ministry, see Bill 18 as a positive step forward for all youth who are seeking a safe environment in which to learn. Bill 18 calls administrators and educators to account and ensures a level of accountability. This accountability will ensure that all instances of bullying are investigated and dealt with by those who are in power.

There has been much opposition to this bill, and much of that opposition has centred on the provision of the bill which allows for the establishment of GSAs, gay-straight alliances, in all schools, should one be requested. There appears to be a great deal of opposition to the bill from certain faith groups who are stating that this provision allows for the formation of GSAs in faith-based schools and goes against their religious beliefs.

As Christians, Rainbow Ministry, we also look to the Scriptures for guidance. We are called in Scriptures to recognize the least among us and to ensure that those who the—who are the least are looked after. Matthew 25:42-45 states: For I was hungry, and you gave me no food. I was thirsty, and you gave me nothing to drink. I was a stranger, and you did not welcome me—naked, and you did not give me clothing. Sick and in prison, and you did not visit me. Then they will also—will answer, Lord, when was it that we saw you hungry or thirsty or a stranger or naked or sick or in prison and did not care of you? Then he will answer them, truly I tell you, just as you did not do it to one of the least of these, you did not do it to me. Who could be more, of the least of these, than any child or youth who is being bullied?

As Christians, we recognize that this passage talks not only about physical needs, being hungry

and fed, being thirsty and provided with drink, but also spiritual and emotional needs. Being sick and in prison, and being visited.

Bill 18 clearly addresses the spiritual and emotional needs of young people who are being bullied by offering a clear avenue of accountability to administrators and a way for these young people to find the support they need, regardless of why they are being bullied. Bill 18 is not only addressing these young people who are bullied because of their sexual orientation or gender expression, it addresses bullying in all forms and for all reasons.

We believe that we are told in Genesis that we are all made in God's image. That includes all of us: straight, gay, bisexual, transgendered, two-spirit, queer and questioning. We are all made in the image of God; made to be the way we were meant to be. We have a responsibility to ensure all young people have a safe place in which to learn, a place that will nurture their learning and not stifle it. We are also called as Christians to love one another as we have been loved—Matthew 22:34-40.

When the Pharisees heard that he had silenced the Sadducees, they gathered together, and one of them, a lawyer, asked him a question to test him: Teacher, which commandment in the law is the greatest? He said to them: You shall love the Lord your God with all your heart and with all your soul and with all your mind. This is the greatest and first commandment, and the second is like it: You shall love your neighbour as yourself. On these two commandments hang all the law and the prophets.

Love is not found in fear in homophobia. It is not found in any youth to endure bullying. We need to challenge and empower ourselves and others to stand up against bullying for any reason. Bill 18 challenges and empowers those in power to stand in solidarity with those being bullied and ensures safety for all.

We, at Rainbow Ministry, people of faith, as Christians, stand in solidarity with Bill 18. We encourage this government to continue to put the safety of all students first and pass Bill 18. Thank you.

**Madam Chairperson:** Thank you, Mr. Woodbeck, for coming down to present.

Questions from the committee?

**Ms. Allan:** Patrick, thank you very much for being here today. It's nice to see you again, as always.

Thank you for the reflections on behalf of your ministry in regards to Bill 18, and we appreciate the work that you do in your church. And thank you so much for being here.

**Mr. Schuler:** Patrick, thank you very much for being here and making your presentation. And like we said before, thank you for waiting your turn. And there's better things you could probably do today, but we really appreciate the fact that you and everybody else is willing to come forward and let this committee know where you stand on this piece of legislation. So thank you.

**Mr. Gerrard:** Thank you very much for coming and presenting so clearly.

One of the issues that has come up repeatedly here is the phrase—the reference to hurt feelings being included as part of what one would judge in terms of whether bullying is present or not. And there are strong feelings, in this case, on both sides, that it would be absolutely necessary to include this phrase, and on the other hand, that this would need—lead to complaints which were too minor to be concerned about. So I'd ask you to comment.

**Mr. Woodbeck:** As somebody stated before, that they would rather err on the side of caution than not on the side of caution.

\* (11:50)

When dealing with issues of name-calling and issues of bullying, hurt feelings are a part of that, and the damage that can be done when someone is repeatedly denigrated and called down, that does hurt the feelings. That hurts our self-perception, it hurts who we see ourselves as and how we see ourselves in relation to others. And so the idea of feelings, if we—if that was to be taken out of the bill, then what does that leave you with? Physical assault. How do you say that someone who calls someone else a name is not bullying, is not degrading that person, is not calling that person down?

**Madam Chairperson:** Thank you.

Seeing no further questions, I just thank you one more time for coming to present.

Our next presenter is robber—sorry, Robert Charach, principal of the Linden Christian School, and you can correct my pronunciation for me.

**Mr. Robert Charach (Linden Christian School):** You did really well—close, Charach.

**Madam Chairperson:** Charach, we're correct?

**Mr. Charach:** Yes.

**Madam Chairperson:** And do you have anything to hand out?

**Mr. Charach:** I do have 20 copies prepared.

**Madam Chairperson:** All right. Staff will help you with that.

And, yes, just go ahead whenever you're ready.

**Mr. Charach:** Well, I do appreciate the opportunity to speak to you this morning, and after sitting here for two hours I also appreciate air conditioning in my office every day.

My name is Robert Charach, and I serve as the principal of Linden Christian School. Linden Christian School has a population of 860 students, employs over 100 staff and represents individuals from over 100 communities of faith. A number of our families do not attend church, yet understand and affirm the faith component that is an important part of our educational program. Parents sign a statement that acknowledges a Christian perspective is foundational part of our educational program.

Inherent to our belief system is a reality that every person is born in the image of God and therefore is to be treated with respect and love even if we disagree with their position on different issues. External surveys affirm that Linden Christian is achieving the goal of creating a safe and caring learning environment, which is one of our core values. In a Youth Health Survey reported—report conducted by the Winnipeg Regional Health Authority for all students in grades 6 to 12, Linden Christian School reported these results: 92 per cent of our students strongly agree or agree that they feel close to the people in the school; 97 per cent of our students strongly agree or agree they feel safe in the school.

Faith-based schools provide a moral, ethical and philosophical foundation to address bullying. Faith-based schools strengthen the moral fibre of our communities, city and province.

We are all concerned by the tragic impact of bullying. Bullying is a serious and growing problem, especially with the advancement in technology that allows students to interact through the use of that technology. This is a complex and extremely difficult challenge for school leaders. Every one of us wants to find solutions to prevent the occurrence of tragedies families in our country have experienced in recent times. The impact that social media plays in

bullying needs to be the focus of training, education and public awareness, and I—not only for all staff, students and parents, but from grades K to 12.

I believe that Bill 18 brings an important awareness to these—this problem, and yet there are concerns. Our first concern related to Bill 18 is that the definition of bullying is too broad and will lead to adverse implication for educational leaders. There are important elements of the definition that are missing. Firstly, the phrase pattern of behaviour—and one of our presenters already used the word repeated—needs to be included in the definition of bullying.

In spring of 2013, the government hosted the safe and caring schools conference initiated by the Honourable Minister Nancy Allan, which was attended by representation from all school divisions within our province and seven delegates from Manitoba Federation of Independent Schools, which I was one. It is important to note that the experts in the field, when presenting on the issue of bullying, all included the words pattern of behaviour in their definitions. We must make careful not to label all interactions, even negative ones, as bullying. Some interactions reflect immature behaviour, and others may warrant being labelled as criminal behaviour where direct police involvement is required.

Please sit in my chair for a moment and consider the number of interactions that occur in a single day with a school population of over 800 students, or really any school regardless of the size. Students will disagree, may interact in a rude or immature manner or debate an issue without tact and diplomacy and consideration for another person's opinion. Feelings may be hurt, and self-esteem wounded. The reality: This happens in all schools. And to be frank, many political interactions that I have observed lack respect or consideration for the opponent, and some of your feelings may have been hurt.

However, is this bullying? It may be defined as rude behaviour, unkind behaviour or unprofessional behaviour. These types of behaviours need to be corrected and addressed. However, when a definition of bullying is so broad, as presented in this legislation, every potential negative interaction becomes a bullying concern.

We must remember that children will express thoughts and emotions that, depending on the level of maturity and understanding, will require correction and teaching and should not be labelled bullying. The definition needs to be refined to

strengthen the legislation. Bullying involves a pattern of behaviour, and I strongly recommend that the definition be adapted to include the words, pattern of behaviour or repeated behaviour. It is unwise to have such a broad definition for such a serious issue as bullying.

There are additional concerns with the definition in terms of—such as, should have been known, will lead to interpretational challenges which will open a Pandora's box of after-the-fact accusations and debate that will be unmanageable for a school leader. It is not hard to envision parents raising concerns and will accuse schools that they have missed the warning signs of an issue. However, sometimes it is difficult, especially if the harassment is subtle in nature or a student has been secretive about an online relationship which has become abusive or toxic. The terms should be known. It's far too ambiguous to include in legislation. It must be removed from section 1.2(1)(a).

Another concern which has been referenced in—by your questions, is the use of the term, causing harm to one's feelings. It is a reality that almost all students will have their feelings hurt in an unintentional manner. This type of incident is not at the same level as an ongoing bullying issue which the legislation hopefully wants to address.

The other major area of concern from a faith-based perspective is the mandating of clubs that hold to positions that contradict important elements of a community's religious teaching. Faith-based schools are voluntary educational communities where people join together around certain faith-based belief systems. Staff, parents and students voluntarily join faith-based schools with an understanding that the beliefs of the faith community will be central to the instructional environment.

We are very open and direct about our core beliefs and we do not attempt them—attempt to force them on anyone. We are responding strongly to expectations that faith-based schools be required to support mandated clubs in our school that do not reflect our religious values. Please understand, these concerns are not only held by Manitobans who reside in communities such as the promised land of Steinbach. A large number of people in urban communities also have expressed concerns.

And I'd like to share personally for a minute. I come from a very unique family tradition, both Jewish and Mennonite heritage. Relatives from both sides of my family came to Canada to escape

religious persecution. Sadly, those who remained behind in European countries where religious freedom was not upheld ended up perishing. We must remember that freedom of religion in conscience is a fundamental freedom under the Canadian Charter of Rights and Freedoms. It is understood that not everyone in Canada will hold the same beliefs. However, the law clearly protects the communal aspects of religious freedom.

Freedom of religion is to provide individuals the right to hold and declare their beliefs and practice, and the right to transmit one's faith to our children and to congregate or associate with individuals who share those religious beliefs. Faith-based schools provide a critical sense of community. There was an understanding for those who choose to invest in a faith-based education that the core values of the faith will be upheld. Faith-based schools must be allowed to maintain the integrity of their beliefs. Thus, to require faith-based schools to adopt policies inconsistent with their beliefs is to infringe on the fundamental right of religious freedom.

This may not have been the intent of the people who drafted Bill 18, however, we are concerned that the current way that Bill 18 is written may create a path that will impact the religious integrity of our faith-based learning communities.

Bill 18 needs to be amended to assure religious freedom of faith-based schools. The central issue for faith-based schools is that we cannot in good conscience affirm actions when they are in direct contradiction with our faith-based perspective. We must remember that faith-based schools are formed to support the values and teaching of the religious traditions of a specific faith-based community.

\* (12:00)

Unfortunately, it appears that the debate has been positioned as a win-lose situation without any room for compromise on the issue of mandatory GSA clubs in all school settings. I would encourage an option for faith-based schools to address bullying in a manner that does not compromise their beliefs and still achieves the purpose of the legislation, preventing all forms of bullying.

School-based solutions are best to address the challenge and the bullying as they open the door to the creative ideas that I believe gifted students and teachers of Manitoba are very capable of putting in to practice.



Thank you for the opportunity to share with you this morning and for your considerations of my ideas to strengthen Bill 18.

**Madam Chairperson:** Thank you very much for coming down to present. We're going to turn to questions, and—Minister Allan.

**Ms. Allan:** Thank you very much, Robert. It's nice to see you again and we appreciate the presentation that you have made this morning and thank you for being here with us today.

**Mr. Schuler:** Thank you, Robert, for being here and for your presentation. I just want to quote out of page 4, a sentence, and I quote: "I encourage an option for faith-based schools to address bullying in a manner that does not compromise their beliefs and still achieves the purpose of the legislation, preventing all forms of bullying." I have two questions for you: (1) What kind of new approaches would your school put into place to address all forms of bullying? Perhaps you could give us an example or two. Second question is: What kind of things are working in your school right now that address bullying?

**Mr. Charach:** Thank you. I'd like just to respond to that question. You know, in our code of bullying we make a statement: bullying of any kind is unacceptable at our school and will not be tolerated and it goes on to outline that. So it's fundamental.

What sort of new things we would do? (1) I think we would like to strengthen the professional development of our teachers. You know, we have a fair number of new teachers so one of the things you want to do is teach them to look for the warning signs, the behaviour in students that may be experiencing some emotional distress. I envision forming a committee of our students. We're very unique because we're a K-to-12 school. But I'd like input from the students. I'd like to get selection from a number of students, partner with parents and staff and give them a charge. We're doing a lot of things well. How can we improve it, lower the gap? How can we ensure that all forms of bullying are being addressed? So I'd put them to a task and create sort of an action committee, and that would be one thing.

And you asked the second question, what are some things that are doing—that we are doing that I think is helpful is that we work very hard in building a sense of community and belonging. That's really important. You know, when we see—you know, you've got to be intentional. Just this week we

had probably from kindergarten to 12, 80 new students enter our school. We've got to put ourselves into the shoes of those students and we've got—we have mentors ready for them. We had people to meet them. We're going to do some things to integrate them into the community. So that's one of the things, you've got to build a sense of community and you've got to celebrate community within a school.

A third item that I—that we do in our school that I think is really important: we recognize different giftings. It's not just the athletic group or the, as I say to my athletic director, it's not just your groups that I love and highlight. Our performing art students, they're highlighted, students who are artistic, some in creative dance. You need to highlight and celebrate a diversity of gifting and find—and really recognize that every student is unique.

You know, some of you are aware—and it's just a thing that I want to share—we—I was sent a picture just yesterday from Nelba Marquez-Greene. Some of you may know that she was—you know, is now—from Sandy Hook. And we had a former student who was killed in that tragedy and she sent me a picture—that's something that we do do for every student from K-to-6 that when they—we recognize three individual traits within that student. And she had the picture of her little daughter with that certificate, leadership, musical gifting, academic proficiency, and she said thank you for affirming her. You need to affirm individuals for their gifting and you need to ensure that they are part of the community and you need to be alert.

And there's one more thing I'm going to say. As an educational leader you need to be willing to respond. If I can just share for a quick minute—I probably have a minute left. I go back from my experience in the Winnipeg School Division, and there was a situation where we weren't aware of a student who was being harassed after school. It was a subtle thing, but, once you become aware, you need to act and I pulled the student in and he explained what was happening. It was after school. This kid was always saying, I'm going to get you, I'm going to beat you up. So then we thanked him for coming forward.

When a student comes forward, you need to respond and you need to put protection there for that student. It wasn't long. I said, you tell me if there's a problem. But I also alerted our EA in a classroom, you listen, and I made a comment to the whole class and I also talked to the individual. It took about

10 minutes; like, they were lining up for recess. I'll never forget it. He just whispered in his ear and our EA heard it. I'm going to get you after school, and that's where I responded. And then we took it to an administrator and we addressed it with an appropriate discipline measure.

So it is the assurance of a response because nothing will impact. It's horrifying to hear that there are students that are being physically beaten up in our schools. You need to address those matters in a manner that is just appropriate to the offence. Thank you.

**Madam Chairperson:** Thank you. Our time for questions is up. I know we—people had more things they wanted to say, but thank you so much.

**Mr. Charach:** Sorry, I was a—that was a long answer.

**Madam Chairperson:** No. We appreciate you coming down. Thank you so much.

Our next presenter is Celesta Thiessen, private citizen.

And do you have anything—seeing if I see her. Is she there? Yes. Do you have anything to hand out?

**Ms. Celesta Thiessen (Private Citizen):** Yes, I do.

**Madam Chairperson:** All right, we'll help you with that, and then if you could go ahead just as soon as you're ready.

**Ms. Celesta Thiessen:** Thank you for the opportunity to share my concerns about Bill 18.

I was born in Winnipeg. I have two children, 10 and 4 years old. I consider bullying a very serious issue. In fact, I pulled my older daughter out of the public school system just last year. How she would be treated going into middle school was certainly a big part of the reason that I decided to home-school her for now. Her self-esteem and a sense of self-worth are still developing, and I felt that it was important I give her a safe place to grow and find her footing. But my 4-year-old claims that she's going to school on the big yellow bus next year, and she might. And, as for my older daughter, right now I'm thinking she'll go back into the public school system in grade 9 when she's more stable and sure of herself.

But, certainly, part of the reason that I decided to home-school her was because of what happened to me when I was that age. They told me I was ugly. I still hate looking at photos of myself from back then when I was in grade 6. There were three very

aggressive bullies in my class, two boys and one girl, but almost all the other kids joined in to varying degrees. None of them wanted to become the targets. After a while, I stopped telling on the bullies because nothing ever happened to them. It only seemed to make things worse. But bullying was very frightening because I knew that no one would help me.

Once, when I got back to class first and it was only me and one of the male bullies in an otherwise empty portable, he said, I want to—then the swear word that means sex—you. As he leered and leaned towards me, I was absolutely terrified. Another boy routinely exposed himself to me outside at recess. I felt there was nothing I can do about it. Once a group of kids cornered me outside up against the brick wall. They asked me if I knew what a condom was and drilled me about other sex-related questions. But I refused to answer, I didn't know what a condom was and I didn't want to know. I was only 11. I didn't tell my parents the details about what was going on. I felt they were powerless to help me too.

The bullies got physical sometimes. I got shoved and tripped, but not every day. Usually, it was just the words. Every day the bullies in my class said derogatory things to me. You're so ugly, fat, what a loser. Your hair is so messy, then they would touch my hair. Eew, I'm dirty and disgusting. Why do you wear that? Your clothes are so ugly. You're weird. The words hurt and found their way deep inside of me. It took years until I was able to mostly shake free. But, on the last count, I knew they were right, and that was the only thing that didn't bother me when they said it. I was weird and still am, and that's why they really came after me, because I was different and I wouldn't conform to their pattern.

\* (12:10)

Even my guidance counsellor thought so. When my mother went to the school to speak to the guidance counsellor about the difficulties I was having, she told my mother that I should try to be more like the other kids. In my class, most of the kids liked swearing and some of them had started experimenting with cigarettes or alcohol. The girls, aged 11 or 12, were all into makeup and boys. My mother objected, that I didn't want to be like that.

The guidance counsellor conveyed that I would continue to be picked on if I didn't try to be more like the others in my class. My mother was frustrated. She came home and offered to buy me acid-washed

jeans; all the cool kids wore them. I refused. Outward conformance wouldn't be enough. And I knew I could never conform to the behaviour patterns of the other people in my class. My religion was the most important thing to me in my life. No matter what they did to me, I would never conform and I would continue to do what I knew to be right.

I was different because of my religion. I was not protected, and nothing happened to the bullies.

Bill 18 concerns me deeply. They say it's the antibullying bill, but I don't see how it's going to help stop bullying. The bill doesn't state what's going to happen to the bullies. The bullies need consequences for their actions, they need help to heal the hurts in their own lives. But Bill 18 doesn't address what's going to happen to the bullies at all.

Bill 18 does lay out some groups that are to be promoted in the schools, which is nice for those groups, I guess. But what is communicated when some groups are to be promoted in the schools and other groups are not? It seems to send a message that some people are illegitimate or have lifestyle choices that are not to be protected within the school setting. Religious groups are not included in the list.

It comes across to me like this: you're saying that what I am and who I am isn't worth mentioning or protecting and that my children won't have equal rights or equal protection in the school system. I was bullied because of my religion and nothing happened to the bullies. There are children who are now when I was then. Anyone different gets bullied—anyone. They need real help. Bill 18 is not okay as it is written. I would like to see Bill 18 changed so that all groups are listed equally, not certain groups being promoted over other groups.

It is also important that children and parents who feel powerless to stop the bullying are given clear con—a clear recourse for what they can do if they feel like the situation is not being addressed adequately at the school or school division level. I would like to see this included in amendments to the bill.

We need something that will clearly define bullying and give some guidance as to what should happen to and for the bullies, while also upholding the freedom of all, including the freedom of religion.

**Madam Chairperson:** Thank you so much, Mrs. Thiessen, for coming down and presenting.

We'll go to questions from the committee.

**Ms. Allan:** Thank you very much, Mrs. Thiessen, for your very personal presentation today. It's—it—Bill 18 has been a very emotional piece of legislation for many people, and it has also brought up for me a lot of things that I remember about raising my own kids and things that happened. I am sorry that you were bullied, and I have to tell you that the words that were used against you were completely and totally unacceptable, and I'm sure that those words hurt your feelings, and you made it very clear that they hurt you and they found their way deep inside you, and I'm sorry that that happened.

I want you to know that Bill 18—there are many people that say that Bill 18 does not protect people of religion. Section 41(1.7) 'requells'—requires school boards to respect all protected groups under Manitoba's Human Rights Code. That has always been the case and remains the case. And the legislation requires school boards to have due regard for the principles of The Human Rights Code and, in drafting their human diversity policy, the code includes religion as a protected characteristic.

So I want you to know that we absolutely have respect and believe that you deserve equity, and that is very important to us in this legislation.

Thank you for being here today.

**Mrs. Heather Stefanson (Tuxedo):** Thank you very much, Mrs. Thiessen, and thank you for being here today and sharing your incredible story. It's not an easy thing to do and takes a lot of courage to come forward and do that. So just on behalf of all of us, I just want to thank you for doing that today.

**Madam Chairperson:** And seeing no further questions, we just thank you one more time. You're clearly, beautifully different.

Our next speak—presenter, is Leo Thiessen, private citizen. And do you have any materials to hand out, Mr. Thiessen?

**Mr. Leo Thiessen (Private Citizen):** Yes.

**Madam Chairperson:** All right. We'll help you with that. And then please go ahead, whenever you're ready.

**Mr. Thiessen:** All right. Hi. Thank you for hearing me. My name is Leo Thiessen. I was 'lardly'—largely raised in Winnipeg.

Six months after 9/11, I was laid off from my current job in Winnipeg and found employment in Steinbach. After working there for a year, my wife

suggested we move closer to my work to save travel time. So we've lived in Steinbach for the last 10 years. I'm 40 now. I have two children; one in grade 6 and one pre-school age.

Thank you all for your dedication to helping create a good school environment for Manitoba. Thank you for the time that you take to ensure a safe environment for the children. And God bless you for that.

At one place of employment, I worked in an environment that—where I had what seemed to be a homosexual boss—the boss never volunteered this information and I didn't ask him—and an openly homosexual co-worker. I did not have a problem with this. I kept largely to myself and did not volunteer my opinions, speculative or otherwise, on the subject of gender identities. It was, and still is, my view that each person gets to choose their own lifestyle. They can really do whatever they want, as long as it's legal, of course.

I believe that ultimately everyone will be judged and sent to heaven or hell, but that time is not yet while we're here on earth, and each person can make their own choice while we're here. Besides, back then, I had my own sin issues in my life that I was working through, like pornography. So who was I to judge anyone else?

One day, the homosexual co-worker approached me, one on one, and specifically asked me what my views were about homosexuality. Is it a sin or isn't it? I replied something like, whoa, I don't know what constitutes hate speech or not, so I can't do that. But what I could do is give you my opinion on what I understand the Bible to say about it, if you want, and that would just be my opinion. The co-worker asked me for my opinion and seemed genuinely interested in understanding my position. I gave my opinion, something along the lines that I believe the Bible clearly indicates homosexuality is a sin, along with many other sins, such as lying or stealing. The conversation ended peacefully, as far as I knew. It turns out that this one-on-one conversation was not to remain private. Rather, it was shared with the other—others in our small crew of about five people in this particular work cell.

For the next several months, this work crew proceeded to verbally harass me daily, belligerently and loudly. It was unfortunate for me that there was one person the crew who was generally very witty, and I was—I became the focus of negative attention and derogatory joking—just let me find my place

here. It became too much for me, so I emailed my boss. My boss was very good about it and the harassment stopped immediately—mostly stopped immediately.

A few months later, however, I found myself in a different work department altogether. I can't say for certain my move was related, though the timing fits that hypothesis. I proceeded to work harder than ever and eventually ended up getting a better work position, a position which required me to facilitate, process improvement teams, which generally consisted of a healthy cross-section of workers, everything from managers to office workers to factory workers. It was a very challenging but very rewarding job. I loved it.

Now, I'm sure that you all as politicians, trying to do some good in this world, you've—you are well-acquainted with resistance to change, as you're experiencing here.

During my work, I came across a tactic that is very effective in bringing about change; more specifically, expediting unwelcome changes. It's really simple; you make it a safety issue.

\* (12:20)

If I or my team could successfully present an issue as safety related, it effectively stripped the power of anyone designing to oppose the change. Is this what you have done with Bill 18? Did you dub it the antibullying bill specifically for this reason: to push through unwelcome changes, making anyone who has concerns about the bill automatically look like they are probullying by default?

My problem with Bill 18 is this: it is not what it appears to be. That's my problem.

Bill 18 does not provide a safe environment for anyone who disagrees with the common but unfounded perception that people are born gay. It is an umbrella—in its umbrella of protection it specifically excludes those with opposing views. Are we or students not allowed to think that sexual orientation is a lifestyle choice by each individual?

It is my personal experience that an openly homosexual person right now has way more power than I as an openly Christian person does, couple this with the fact that legislation like Bill 18—then NDP—and the NDP spending money on injecting gay teachings into our education system, I propose that over time you will see open persecution against religious people who hold to a different view than popular opinion holds to.

I would like to ask the NDP government not to spend any of my tax dollars on getting their own personal opinions to be taught to me children. I also ask that you would collect statistics through means that avoid all bigotry on what bullying is actually happening, then tackle it logically and systematically. Once the data's in, deal with the top issues, which according to the stats I've seen is neither gay nor religious persecution, but rather body image.

Thank you taking the time to listen to all opinions on Bill 18, both for and against it.

**Madam Chairperson:** Thank you very much, Mr. Thiessen, for coming to present today. We'll go to questions now from the committee.

**Ms. Allan:** Mr. Thiessen, thank you very much for your presentation today and for taking the time to be here and present your personal reflections on Bill 18. Thank you.

**Mr. Schuler:** I thank you very much for coming to committee, and certainly waiting as long as you did. We appreciate what you put on the record and I had the opportunity to hear it from outside. And important that everybody have an opportunity to come forward and thank you very much. Appreciate it.

**Mr. Gerrard:** Yes, thank you for your presentation, and clearly you have very strong feelings about the need to decrease bullying and you played a role in—an effective role in process change in some of the work you do. I'd like to give you, you know, an opportunity to talk about, if not this bill, what should we have to decrease bullying?

**Mr. Thiessen:** All right. Thank you. What should we have to decrease bullying? I'm not actually against this bill and hearing some of the stories is good, although it's painful. It's painful to hear, you know, people getting abused in this.

What I would like to see personally? Being one of these process improvement guys, I would like to see true and valid and unbigoted—I mean that honestly, not Christian slanted, not, you know, Jewish slanted or anything like not, and not gay slanted—statistics collected and the top hitters identified and dealt with.

You know, my experience, I got bullied, I—you know, I found through lots of discussions people tend to identify either with the bully or the victim. I was usually not the aggressor.

Definitely, consequences need to be there, that I think is paramount. For example, just a practical example, the way I stopped being a speed maniac is I got about 11 tickets or something like that in a year. So I—they sent me to school and told me I can't continue to drive unless I take this schooling and stop speeding. So that worked, right? So I think there needs to be consequences. I don't think we're by default always good, sometimes we're out of line and we need to be corralled in.

So definitely a clear—let the data drive you where it is and don't just push an emotional agenda which I and anybody else is prone to. Let the data and the stats that are objectively collected drive you as to how this bill should be shaped and define clear consequences as a result of actions because that's what's going to change behaviour. And help the bullies, too, that was mentioned earlier too. If they have issues, I mean, help them. You know, hurt people hurt people, is a saying I've heard before. I think that's pretty much true so.

**Madam Chairperson:** Thank you. Seeing no further questions, I'd just like to thank you one more time for coming and presenting today.

Our next presenter is Sydney Davies, Maples Collegiate Gay-Straight Alliance. And do you have any materials to hand out?

**Ms. Sydney Davies (Maples Collegiate Gay-Straight Alliance):** Yes, I do.

**Madam Chairperson:** All right, we'll help you with that. And then you can just go ahead as soon as you're ready.

**Ms. Davies:** Okay. So I'd like to address the gay-straight alliance aspect of this bill.

Okay. So the first time that I said the words I'm gay to another person was about three years ago in—when I was grade 9. Soon after I came out, I joined the GSA at my school.

Being in a GSA has literally changed my life. The GSA has provided so many more opportunities, like this one, that I would never have otherwise had. GSAs are amazing support groups where people can feel free to express issues that they may be having, whether that's issues with coming out, body image, gender identity or even just regular family drama. Teen issues, you know?

For many people, like myself, a GSA can become your second family, especially when some people have families who don't accept them for who

they are or have families whom don't acknowledge them. And a GSA can also be a safe space for those whose families have kicked them out onto the streets for being something other than straight or cisgender, cisgender being someone who isn't transgender.

A misconception about gay-straight alliances is that a GSA is a club for just LGBT people, just queer people, when in actuality, there are more allies, straight people who support the LGBT community, than there are actually LGBT in the majority of GSAs.

Not allowing for GSAs in schools shouldn't be a religious rights issue. It 'shou'-it's a human rights issue. Yes, and to quote Thomas Jefferson here: All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable, that the minority possesses their equal rights, which law—which equal laws must protect, and to violate would be oppression.

Lastly, ignorance is the opposite of knowledge, and that's what GSAs do: we provide knowledge.

Thank you.

**Madam Chairperson:** Thank you very much for coming down to present today. And we'll move to questions now.

**Ms. Allan:** Great. Sydney, thank you so much for being here today to present. I think it's—you're the—actually the very first presenter that we have had at the Bill 18 committee hearings from a gay-straight alliance, and we—*[interjection]* Absolutely, let's give her a round of applause—

**Madam Chairperson:** No, no, no, we can't give her a round of applause.

**Ms. Allan:** Oh, we can't. Sorry.

**Madam Chairperson:** Sorry, just—in committee, you have to applaud only inside, quietly.

**Ms. Allan:** So we're applauding inside quietly. Thank you for your comments today. We appreciate them. And all the best with high school. Thank you.

**Madam Chairperson:** Mr. Schuler—sorry, no. Mr. Pedersen.

**Mr. Blaine Pedersen (Midland):** Thank you, Sydney, for coming out today and—very articulate and sharing your personal experience with that. And it was—it helps all of us understand what is going on there, and your experiences have been very

enlightening. So thank you for coming out today and doing that.

**Mr. Gerrard:** Thank you. I think it's really good that you're here and being able to speak from the heart about your experience with a gay-straight alliance.

Let me—one of the questions in this bill that has drawn a lot of positions, both on one side or the other, is the including and the word feelings and hurt feelings as part of what would be judged in the context of bullying. And on the one hand people have viewed this as absolutely essential, and others have viewed this as, you know, it would pick—result in too many people being brought forward for bullying actions. Maybe you can talk from your position and within a gay-straight alliance.

**Ms. Davies:** No, I am totally for the feelings aspect. If someone's feelings are hurt, then that needs to be addressed all the time. And, if someone is confused as to what their feelings are about a specific situation, that's perfect, they can come to their GSA and talk about it, and then as a group or as an individual you can see what you should do after that. So feelings should definitely be included in the bill.

**Mr. Chomiak:** Yes, thank you for your presentation. I'm always impressed and appreciative of individuals who come forth and state candidly who they are and what they are in terms of their approach to life.

\* (12:30)

So I went to high school between 1968 and 1971, and I know of at least four contemporaries of mine who took their own lives. Don't know why. Can speculate but don't know why. I also was very participant in a religious-based school system, and when I was a child there was no one in the Ukrainian community that was gay. But we know that wasn't true and we know now that is now an open and a confident concept that we discuss and deal with.

So my question to you is: Are we better off now with a bill like this or would we be better off not having a bill like this and continuing on the road that we continued in the past?

**Ms. Davies:** To me the answer to that question is obvious. We are definitely a lot better off with this bill than without it.

**Mr. Schuler:** Sydney, thank you very much for coming forward. And back on the hurt feelings things: Do you think this bill should apply to all hurt feelings, not just the gay and lesbian community, but

it should apply to all students equally in the school on all issues and all things?

**Ms. Davies:** Yes, definitely. It should apply, yes.

**Madam Chairperson:** Thank you. Seeing no further questions, I'd just like to thank you one more time for being here. We appreciate it.

And—excuse me, sorry—our next presenter is Nathan Knell, private citizen. Is he here? If not, he'll be dropped to the bottom of the list. Oh, we do have some people in an overflow room so we'll just give him a second just to see if he happens to be sitting in the overflow room. No? All right, then he will drop to the bottom of the list and be called again at the end of the evening.

So we will move on to Roger Armbruster, private citizen, and do you have any materials?

**Mr. Roger Armbruster (Private Citizen):** Yes, I do.

**Madam Chairperson:** And if I said your name wrong, please—

**Mr. Armbruster:** No, that's correct.

**Madam Chairperson:** Thank you. You can go ahead, sir, whenever you're ready.

**Mr. Armbruster:** Yes, thank you so very much. I'm very grateful for this opportunity to address the members of this standing committee. You people are to be lauded and appreciated by all Manitobans for being willing to hear so many different presentations and different seemingly irreconcilable points of view but in the spirit of goodwill and respect for all. Thank you very much for your patience and for your courtesy, and I applaud you all.

While we are discussing Bill 18, we know that it is not even as hot of a potato as the education policy recommended by the Manitoba Teachers' Society at their general meeting last May as reported in the Winnipeg Free Press on May the 27th of 2013. What is now being demanded is that the province would reflect sexual orientation in all curricula.

To put things into historical perspective, we know that the sexual revolution and the modern sex ed movement began in the 1960s, using Alfred Kinsey's model of modern sexuality as a foundation. This man's personal sexual philosophy has been institutionalized within much of modern sex education, and now the pressure is on to extend this pansexual philosophy to all curricula in our schools.

Today, all over North America, Kinsey's world view has given sanction to all sexual orientations, inclusive of all, exclusive of none. Referring to Kinsey's research, Dr. Mary Calderone, the founder of SIECUS, stated that professionals who studied children have affirmed the strong sexuality of the newborn, and Kinsey's studies certainly bear this out. Go to the bottom of the second page, the last paragraph. I'm concerned that instead of teaching our children the true meaning of love, we seem to be sexualizing our children at an ever younger age. The question is, at what age are small children mature enough to decide that they want to form GSAs that promote all sexual orientations and gender identities? In this regard, it appears that Bill 18 in Manitoba goes even further, from my understanding, than Bill 13 in Ontario did, in that Bill 13 applied to high schools but did not apply to elementary or primary schools. Donn Short, who was with us here this morning, assistant professor of law at the University of Manitoba, he must be pleased with this, as he has stated: I have argued elsewhere that cultural transformation must include and begin at the earliest grades.

*Mr. Vice-Chairperson in the Chair*

And, you know, I have it, in his paper, that he understands that religious freedom must be cut back somewhat. This morning here he said that religious freedom will not be affected. There's a contradiction in what's being said here.

So it is some of my concerns about Bill 18, as presently written: No. 1, it provides no minimum grade level to accommodate pupils who want to establish and lead activities and organizations that promote the awareness and understanding and respect for people of all sexual orientations and gender identities.

From this wording, I do not see anything that would hinder a group of grade 1 students to lead and to organize activities that are not so much about antibullying per se, as about promoting all sexual orientations and gender identities.

Number 2, the ambiguous phrase, all sexual orientations, is not defined in this legislation, nor is it defined anywhere in Canadian law. And this ambiguity seems to be by design, yet it opens the door to future court challenges down the road to consider any type of sexual activity as a human right. At the very least, it includes bisexuality as a human right, and that includes multiple sex partners, and we know something of the brokenness of trust in

human relationships when multiple sex partners are involved.

While pupils of any grade are allowed to establish and lead these activities and organizations that promote all sexual orientations, there is no system, that I can see, of accountability in place here whenever student organizations go in directions that reveal the dark side of human nature. The need for some limitation of student expression was nowhere more evident than in yesterday's news story from the Saint Mary's University in Halifax that underlined that even university students need some mature supervision at times. These student-led chants have been going on for years, but now that it was captured on camera, some participants run to their neutral corners, once it comes out into the open, that they were chanting, Saint Mary's boys, we like them young, and Y is for your sister; U is for underage; N is for no consent.

And I will not even mention the obscenities for the O and the G.

I know this is what we are trying to avoid, what we're trying to prevent. But the point is that there has to be safeguards in place when student-led activities run awry. If this is true for university students who should be more mature than high school students and elementary students, surely, these safeguards are needed for all pupils who are at different levels of maturity.

While nothing in the—today's world is shocking anymore, I found it almost unbelievable that some young girls would say, as they said on the TV news, on the CBC, that they are not feminist and that they find this type of language quite appropriate. How can youth like this lead an organization if they have no compass other than the writings of Alfred Kinsey?

Number 4, when it comes to the bullying issues, it is clear that the definition of bullying is far too broad and subjective to be objectively enforced. What—when bullying includes behaviour which is intended to cause harm to another person's feelings, and that need not be repeated behaviour and may be direct or indirectly—see clearly that this can be misused if applied subjectively without greater objective criteria to clarify what was intended and what was heard. So there has to be a processing heart-to-heart before judgments are made.

Now we have it on the public record that the Honourable Andrew Swan, our Minister of Justice, was very recently criticizing the bill proposed by the

Honourable Jon Gerrard because of his definition of bullying is too vague, when it is worded just like Bill 18. Does anybody see a contradiction here? On this very basis, he should be voting against Bill 18, as worded.

\* (12:40)

Then, finally, No. 5, I appeal to your conscience in applying the law of the land even-handedly. We know that when prayer was mandatory in our public schools—we now realize that it was not right to force prayer on everybody, so we came to have an opting-out clause because of those who did not choose to participate. Eventually, in most public schools, it became an issue not of opting out but of removing prayer from public schools altogether. Fair enough. And this has resulted in many people of faith preferring private schools, which reflect their family values while still continuing to pay taxes to the state.

My question is why is there no opting-out clause in Bill 18 for private schools that reflect the faith values of the parents who send their children there. Would it not be respectful to honour the faith values of those who believe that there is a difference between human identity and human behaviour? When it comes to truly being inclusive and respecting one another, I wonder why the intransigence, why the dogmatism and why the inflexibility. Can we not agree on this respectfully without imposing one moral belief system upon everybody while respecting the rights of others to believe differently and to give the option to opt out of a state-imposed morality that is not on the same foundation that our nation was founded upon according to the Canadian Charter preamble?

Honourable members of the standing committee that is considering Bill 18, I appeal to you that this founding principle of the Canadian nation lay the foundation for what is no doubt one of the greatest and the freest nations in history, and yet that foundation is now being undermined by another foundation—a foundation that is based upon the sand of state-initiated rights rather than on the inalienable rights of a Creator and a transcended order that was the vision of our founding fathers and was elevating Canada to become one of the great democracies of the world.

The state is a compulsory society based on social contract whereas all churches are voluntary based on conviction—



**Mr. Vice-Chairperson:** Sorry to interrupt, you have one minute. Thank you.

**Mr. Armbruster:** One minute, okay.

Whatever happened to the separation of church and state? People of faith and conscience are quite willing to pay taxes, and faith-based communities like Steinbach pay more than their fair share of taxes while being one of the most charitable communities in all of Canada. This community has contributed to a stronger Manitoba, a stronger Canada. The Mennonites know what it is to be persecuted and are a peaceful people who are not in favour of any kind of bullying and should be allowed to practise their faith in peace. Never forget that faith and belief go far deeper into the human psyche than state and external legislation can ever do.

I do not believe we're going to ever come to a time where everybody on this planet believes the same, and so we're not going to come to a common belief. It's the matter of does the state have the right to impose one belief system on everyone when it comes to matters of conscience. Thank you.

**Mr. Vice-Chairperson:** Thank you very much. You were right on time. And we now go to the questions. Can you please stick around?

**Ms. Allan:** Mr. Armbruster, thank you so much for your presentation. You've obviously done a lot of research for this presentation and we appreciate some of the personal reflections in your presentation, and thank you for being here today.

**Mr. Armbruster:** Thank you.

**Mr. Cliff Cullen (Spruce Woods):** Thank you very much, Mr. Armbruster, for coming in this morning, and thank you for your presentation. You've obviously put some time and thought into this, so we certainly appreciate it and appreciate your comments, and some thought-provoking comments they were. So thank you very much.

**Mr. Armbruster:** Thank you.

**Mr. Schuler:** Thank you very much, Roger, for coming and staying. To the rest of the people, I suspect it's just going to keep getting warmer in here—welcome to our world. And that's how we, as politicians, always stay so calm and collected—we don't air condition the building.

I just want to ask if you could take a moment. You mentioned Donn Short in your presentation. Donn Short was here and made the argument that

this is, in fact, not a attack on any kind of religious freedoms, and you seem to disagree. Could you just take a moment and perhaps just lay out why you disagree with him on that particular point?

**Mr. Armbruster:** I have right in my hand here a copy of his thesis that's on the Internet, Queering Schools, GSAs and the law. On page 3, he's making the case, and here I quote from page 3. He says quite simply freedom of religious expression needs to be a little less free. And then he goes on to say that—you noticed that he's saying that religious freedom has to be cut back, but he's not calling on any limitation whatsoever on rights and freedoms that are based on an undefined, ambiguous terminology of sexual orientation. He's not calling in any limitation there, but he is calling on a limitation on the freedom of religion. It's right here in the document.

**Mr. Vice-Chairperson:** Thank you, Mr.—thank you, Mr. Armbruster, and we'll go to the next presenter.

May I now call on Ms. Elfrieda Penner.

Elfrieda Penner, do you have any materials for the committee? And, thank you. You can proceed any time you're ready, please.

**Ms. Elfrieda Penner (Private Citizen):** Okay. Thank you for this opportunity to share my concerns about this bill. I am happy that you want to protect our students. We have had our numerous experiences with bullying, but I do not believe that Bill 18 will solve our bullying problems.

I am troubled by the new Bill 18. I am very uncomfortable with the fact that I believe Bill 18 will take away the innocence of children. We need to let our children be children and grow up to be adults in a timely manner, the way God intended. Bill 18 will push a lot of sexual identity in the schools. Let the teachers teach school, like math and English and so on, and parents can parent.

Bill 18 may well have been written with good intentions, but I believe that this will only further harm people. It does not recognize the different nationalities, cultures, religions and values that create the multiculturalism of Manitoba. This bill favours some groups over others. Also, I don't see this as an antibullying law; it is actually more focused and it has become a just—a specific group.

For example, I have a son who has ADHD and has been let go of a couple of jobs already. He has been bullied, teased, called names and so on, and just because it takes him longer to learn something than

other people he gets pushed aside. They don't have patience for someone with ADHD. Why is there not protection for our son, for others with disabilities? What about the bullying of our faith-based community? Right now people in our various faith-based community are being bullied because they don't believe the way a gay does or someone else. Where is our freedom of religion? Where is our freedom of speech? Where is there freedom in our country?

This bill will cause people not to be want to be seen or heard because of what happens if they're in innocent blame for something that wasn't even bullying.

The gays are saying that we are bullying them by not allowing them to put up GSAs in the schools. But they are, in fact, bullying the independent schools because people don't agree with them. Our children are being forced to believe what a government wants them to believe. Sometimes I have to wonder what a parent's role is in the education of children. Parents are excluded from educating their own children, and bills like this makes the teachers a whole lot busier and takes away their jobs for teaching. Bills like this make for such a—sexual education and meanwhile our children are graduating not being able to read, write or spell and do math.

People in our country do not like the way things were taught to their children in our public school system, and so instead of causing a disturbance like Bill 18 they chose to build their own schools, thus becoming an independent school. If other groups really believe that they need to have a place to do as they believe is right, then let them have their own schools. It should not be forced upon everyone to learn that. School is for learning math, reading and writing.

Our faith-based independent schools also do not force their beliefs on any school system, yet they are the ones that are being bullied. I personally have a huge respect for all groups in our country; I have done business with many of them and I ask that we—our faith-based community—get the same respect that I and many others have shown.

This bill has caused a lot of controversy and has divided many people in our province. I believe that we need to be united as opposed to being divided. If you pass this bill, how many people can you expect to see in a court over even the slightest misunderstanding? It could even go as far as children against their parents or teachers. This bill needs to

exclude the part of hurt feelings. We all know that everyone of us has hurt feelings sometimes, we are all a unique person. And what some see as hurt and bullying others may not intentionally have done that, like, it could be just be fun. I do not see where this bill will protect the innocently blamed victims. I personally am one of them, along with my children where we have had some very rough roads to walk and we have had no protection at all. It is bills like this that exclude protection of the innocent. Every student should receive equal protection in all our schools. I believe that this bill is aimed to protect only one specific sexual group.

\* (12:50)

It would be wise to consider that independent schools be an exemption and allowed to have their own bullying policies in place that best work for them. I know that they also want to protect the children and keep them safe. I was a student at one of them, and know that they truly have the best interest of the children in mind.

Please do what you can to stop this bill from proceeding. There are much better ways to deal with bullying than heavy-handed measures from our government such as what you have proposed.

Thank you for your kind attention to my concerns about this bill.

**Mr. Vice-Chairperson:** Thank you, Ms. Penner.

We go to the questions, if you could stick around.

**Ms. Allan:** Thank you very much, Ms. Penner, for your presentation today. We appreciate the comments that you have made in your presentation, and I'd just like to thank you for being here today. Thank you.

**Mr. Schuler:** Thank you very much for coming, and if there's one thing that we've heard a lot at this committee, it's that there are a lot of forms of bullying and a lot of individuals have come forward. In fact, I was here on the first night and I went home with a very heavy heart. This is one of the tougher committees that I've ever sat on, and I've done 15 years' worth—troubling, and I had trouble sleeping that night. And we appreciate the fact that you've put a lot of work into this. You've come forward, you made it personal about your reflections, and I'm sure this committee and this Legislature will have heard yours and many other voices, and we appreciate the fact that you came here today.

**Mr. Vice-Chairperson:** Seeing no further questions, thank you very much, Ms. Penner.

We call on Ms. Naomi Kruse. That's Manitoba Association of Parent Councils.

Do you have any materials for the committee?

**Ms. Naomi Kruse (Manitoba Association of Parent Councils):** Yes, I do.

**Mr. Vice-Chairperson:** And please proceed when you are ready. Thank you.

**Ms. Kruse:** Thank you, and good afternoon. As was noted, my name is Naomi Kruse. I am the executive director for Manitoba Association of Parent Councils, which I will be referencing as MAPC from this point forward. I'm also the parent of two children, one who has very recently graduated high school, and the other who is currently enrolled in middle school.

I've been involved in the public school system for the past 12 years, the last seven of which have been in my current role with MAPC. MAPC is a non-profit, volunteer-driven organization representing the parental voice in Manitoba's education system. We employ two staff, myself and a half-time administrative assistant. We're governed by a diverse, volunteer board of directors, representing much of the province geographically. Our membership consists of more than 350 public schools, independent schools, private schools, individuals and organizations interested in education. We are funded by a grant received annually from Manitoba Education, as well as by the membership fees received from groups previously mentioned.

I would like to highlight that the mission of MAPC is to support, promote and enhance meaningful involvement and participation of parents in order to improve the education and well-being of children in Manitoba. It is with this purpose in mind that the board of directors, in consultation with our voting membership, developed the position statement, titled a response to Bill 18, which is attached to the document in your hand. A response to Bill 18 was originally shared with membership at our last annual general meeting in May of 2013. Based on feedback from membership at the AGM, it was redistributed to membership in mid-May, where it was—where it received approval to be shared publicly. I will share that with you now.

MAPC believes all schools in Manitoba have a responsibility to foster an environment which

supports the physical, social, emotional and mental well-being of all students. MAPC understands that bullying takes place in many different ways within school communities, and that all students may be at potential risk during their school journey. MAPC recognizes that while addressing and identifying bullying behaviour can be complex, certain characteristics reflecting the need for respectful human diversity policies are understood to be universally true. These characteristics include that some actions are intended to cause fear, intimidation, humiliation, distress or other forms of harm to another person's body, feeling, self-esteem, reputation or property, that some actions are intended to create, or should be known to create, a negative school environment for another person.

MAPC supports the need for school administration teams to have the professional autonomy to make the distinction between bullying behaviour and poor choices within a school environment that impact another individual. MAPC encourages all educators to include parents in these conversations to further increase understanding of, and support for, respectful, safe and inclusive school communities.

MAPC recognizes that every child needs to feel safe and free from harassing, tormenting or ridiculing behaviour in a school community. All adults in school communities have a responsibility to contribute and create a safe and respectful and inclusive environment which provides a rich and meaningful experience for all students. MAPC believes that in order to create and support a truly inclusive school environment, the most vulnerable populations of students must be offered supports. This will help ensure that their experiences in school communities are inclusive, safe and respectful, as well as meaningful.

MAPC believes that it is the right of every child, as well as the expectation of every parent, that they be respected and safe regardless of race, colour, family or socio-economic status, language spoken, culture, religion, gender, mobility, physical or mental characteristics, disability, sexual orientation or gender identity. This belief is embedded in the guiding principles found within the Canadian charter for rights and freedoms, as well as the Canadian Human Rights Act.

MAPC has a very long history of advocating for inclusion and safety for all children in Manitoba, especially for our most vulnerable populations.

MAPC has expressed its support for the philosophy of inclusion developed by 'manitoge'—man—developed by Manitoba Education many years ago. And we will continue to support the spirit and intent contained within Bill 18, to ensure meaningful inclusion, support and safety for all students attending school in Manitoba.

Thank you for the opportunity to present this this afternoon, and I wish you success in your deliberations.

**Mr. Vice-Chairperson:** If you could just stick around, if you please.

**Ms. Allan:** Thank you very much, Naomi, for the presentation today and the response to proposed Bill 18, safe and inclusive schools.

The Manitoba Association of Parent Councils is a partner in education with us, and we appreciate all of the work that you have done on our oversight committee—work in regards to our province-wide report card, our class-size initiative, and we look forward to Manitoba Association of Parent Councils working with us to develop our provincial code of conduct, around consequences, and your input will be critical.

Thank you for all the work that you do for parents in the province of Manitoba.

**Mr. Vice-Chairperson:** Thank you, Minister Allan.

**Mr. Schuler:** Thank you very much, Naomi, for coming forward, having the patience to sit and wait.

I'd like to quote two things out of your presentation: (1) create a safe and respectful inclusive environment which provides a rich and meaningful experience for all students; second of all, out of paragraph—sort of the third last one—a truly inclusive school environment, the most vulnerable populations of students must be offered supports.

The No. 1 bullying demographic is body image, and yet it's not really mentioned. In fact, most aren't mentioned. In fact, none are mentioned, other than really one group, in Bill 18.

Is it MAPC's views that Bill 18 should proceed even though—in your own words, the most vulnerable populations of students must be offered supports—Bill 18 actually doesn't do that?

**Ms. Kruse:** We've reflected on a very long history that MAPC has had of advocating for all students of every type. And our response is that the intent of Bill 18 has covered this.

**Mr. Vice-Chairperson:** Seeing no further questions, thank you very much for your presentation.

And we'll call on Tim—Mr. Tim Koop, private citizen.

Do you have any materials for us, Mr. Koop? Thank you, and please proceed when you're ready. Thank you.

\* (13:00)

**Mr. Tim Koop (Private Citizen):** My name is Tim Koop. I live in Ste. Anne. I'm here because of bullying.

I'm glad bullying is being addressed by the government of Manitoba because it is important. In fact, bullying is a vice that is not just limited to children. The truth is, that anyone can be a bully: children, adults, businesses, governments, even whole nations.

Seventy-four years ago this week, Germany bullied its way into Poland. Beginning in 1478, the Spanish Inquisition bullied hundreds of thousands of good people to violate their own beliefs or suffer the consequences. And, dare I mention it, in this very province of ours, not that long ago, people from a foreign culture bullied the original habitants off their land and into smaller and smaller geographical areas.

Bullying in its true state is an evil that can live in the heart of any person or a collection of people, regardless of age, religion, sexual orientation, gender or culture. To try to stamp it out in children by passing laws against it is admirable.

When I think of bullying, I get a picture of an older, stronger kid threatening a younger, weak kid to hand over his milk money or get a pounding. While financial loss and physical harm are certainly bad enough, I think there is a worse bully. It's the older, stronger kid threatening a little kosher Jewish girl or little Muslim boy to eat a ham sandwich or get a pounding. The reason it is worse is because physical bruises heal, but when you're forced to violate your own religion, that's different. It's in your heart. It's in your soul. It's deep inside of you. How can you recover from that? That little girl or boy will remember that bullying incident the rest of their lives. Religious bullying is the worst of all because if you believe in heaven and hell, being bullied could result in eternal consequences.

The person being bullied can't do that much for him or herself. And the person doing the bullying doesn't want to stop. That is why it is critically

important for the person witnessing a bullying incident to not just witness it but to do something about it. It's the rest of us who are not involved in bullying who should become involved. We, the uninvolved third party, have a moral obligation when we see injustice taking place to stand up for those being bullied and say, stop it, you're being a bully, quit doing what you're doing, leave that little girl alone.

And that's why I'm here today. My wife and I have four children. They're not in public school. They're not in private schools. We home-school. So this bill doesn't really affect us that much. And yet, I see an injustice taking place, so I am under the moral obligation to do something. I would much rather stay at home eating waffles with my family on a lazy Saturday morning. But instead I'm here to say to the Legislative Assembly of Manitoba, on behalf of the Standing Committee on Human Resources, stop it. You are being a bully. Quit doing what you're doing. Leave private religious schools alone. By bullying them into celebrating the gay and lesbian lifestyle, you are forcing them to violate their own religious—their religion. You are doing the very same thing a bully does by making a little Jewish girl eat a ham sandwich. It is morally reprehensible.

But there is more at work here than just that. You're not just being a bully, you're also being bullied. Have you ever stopped to wonder why a gay-straight alliance is mentioned in the bill when bullying for sexual orientation is nowhere near the top reasons that kids get bullied? Think about it. Why is it mentioned at all? We all know the real reason, and I'm politically incorrect enough to say it. It's because those who promote the gay and lesbian lifestyle are the biggest bullies of all. They're the ones who are bullying their beliefs into Bill 18. They're the ones who are trying to force you to legislate away freedom of religion. I think it's called homobullying. The term was defined in the Winnipeg Free Press a while ago. Stand up to them. Now, it's your turn to pluck up your courage and say to those trying to remove religious freedom in Manitoba, no, you are being a bully, stop forcing us to violate good people's religions. Say no to Bill 18. Thank you.

**Mr. Vice-Chairperson:** Thank you, Mr. Koop.

If you could stick around for some questions—the minister, Minister Allan.

**Ms. Allan:** Mr. Koop, thank you very much for your presentation today, and thank you, as well, for

home-schooling your children. We have many families here in the province of Manitoba that home-school their children, and I have great admiration for any parent that would home-school their children. And our department has a great relationship with families who home-school their children. Thank you for your comments about Bill 18, and thank you for being here instead of eating waffles with your family.

**Mr. Schuler:** Yes, first of all, Tim, thank you for coming. And you should have been a little bit more considerate and brought some of those waffles with you, but I guess we're not going to get any of them. Appreciate the fact that you waited, put your thoughts on the record. You got four kids at home, you got a lot you have to do, so I'll keep my comments short and just say thank you again for being here.

**Mr. Chomiak:** Thank you, Mr. Koop. I appreciate the fact that you raise history. The Jews were kicked out of England, Holland, Poland, Palestine, Germany; the Huguenots were kicked out of England; the Puritans were kicked out of England; the Mennonites were kicked out of Russia; Ukrainian Catholics were kicked out of Western Ukraine.

This bill calls for individuals to have the right to have groups to discuss issues. How does that relate to freedom of religion?

**Mr. Koop:** I think the spirit of this bill is very good. We're trying to get rid of bullying. But it crosses a certain line, and that line is when private religious schools who are trying to follow their own religion are forced to do something directly against their religion. That line should not be crossed. And if a religious 'organiza'—if a religious school system says we're following the Bible, for instance, or the Koran, and the Bible says homosexuality is wrong, then it would be a violation of their religion to celebrate that. That line should not be crossed.

**Mr. Chomiak:** Just a supplementary, is having a discussion about sexual orientation a celebration?

**Mr. Koop:** I'm all in favour of discussion and I'm all in favour of getting together, talking about things, walking along with people instead of excluding them. But there's a difference between talking about stuff and dialoging and even caring about people, loving people, and saying what they're doing is morally right, you should do that. There's a difference there.

**Mr. Vice-Chairperson:** Seeing no further questions, thank you very much for your presentation.

And we'll call on the next—Cheryl Froese. Did I pronounce it correctly? Cheryl—Oh, Cheryl. Do you have any materials for the committee?

**Ms. Cheryl Froese (Private Citizen):** I do.

**Mr. Vice-Chairperson:** We'll help you with that, please, and please proceed as soon as you are ready. Thank you.

**Ms. Cheryl Froese:** Good afternoon—louder? Good afternoon. I am honoured to be here. Thank you for your time. I am a school teacher by profession, currently at home raising our three young children. My teaching experience comes from Manitoba public schools, where I worked with many exemplary educators who demonstrated what it is to teach in an inclusive manner. Bullying cannot be tolerated in an inclusive classroom. Manitoba teachers work on a daily basis to combat bullying in our schools. They are aware the issue exists and need an antibullying law to support them in taking legal action against bullies.

However, this amendment, as it is currently written, does little to combat bullying for several reasons: (1) the definition of a bully is weak. Everyone makes mistakes and has, at one time or another, done something intentionally or unintentionally to cause harm to another person. This does not necessarily make that person a bully nor does it make our growing children bullies when they do. Teachers have full curriculums that they often struggle with covering in a given school year. They spend countless hours prepping, marking, supervising children, talking to parents, and attending meetings. In addition, teachers and administrators have to sift through behaviour issues that often, but not always, involve bullying.

\* (13:10)

The way that this document is worded, one of two things would happen because it is so vague: (1) Teachers would and could not possibly report all bullying instances in their school, which would still leave room for any one—sorry—any one instance to fall through the cracks. (2) The time spent by administrators and teachers covering all the documented misbehaviours would be time taken away from their teaching duties or their home lives.

My second point was the word promote is used several times in this document. Promoting, in the

broadest sense of the term, is absolutely fundamental in Manitoba schools. Promote human diversity. However, in Bill 18, schools are to accommodate students who wish to promote one of four minority groups. How will promoting any specified group curb bullying? Promoting and discriminating are direct actions that are opposite in nature, but both result in the making of a minority. If students discriminate against those who live in a house trailer, they are making a minority of those who do; others don't want to admit if they do for fear of being hurt. If students, on the other hand, promote the wearing of glasses, they are making anyone who does not wear glasses a 'pri'—sorry—a minority. Those who don't wear glasses aren't getting the extra attention that those who do are. To promote specific minority groups in our schools is no more appropriate than to discriminate against one.

In my research, I was reading—looking through the information on the Safe Schools Coalition website, and I came across this article that I have attached to your copy, or I've given each of you a copy. The title of it is What does it really mean to affirm versus promote? In this article, Dr. Evonne Hedgepeth, she differentiates between—first she defines the words disparage, deny, acknowledge, affirm and promote. Then she goes on to define what it would look like if we were to deny women rights or deny people of colour, deny Jews and so on. You can look at the chart there.

From my understanding, administrators and teachers don't want to be accused of promoting homosexuality, and yet promote was the word that was used in the document. It has been said to me that the teachers aren't the ones promoting, but the students are, and we know the effects that peers have on one another. According to the Safe Schools Coalition website, it is the affirmation of all groups that is the key.

Moving on, to form exclusive groups does not promote inclusiveness. The government is mandating through The Public Schools Act that schools must allow the formation of GSA. It is exclusive because it is the only group singled out and named in the amendment to The Public Schools Act. Sexual orientation is highlighted as one of four minorities—gender equity, those disabled by barriers and anti-racism—for which students can lead organizations promoting awareness and respect. Do these four groups account for all causes of bullying in our province? This law should address all causes of bullying respectfully or none at all. The other

reasons were covered under The Human Rights Code, but so are these groups. Repeating them only makes these four victim categories appear exclusive, privileged.

Finally, the government is informing faith-based schools which parts of their faith they can teach their children. For many people, their faith is what they live for. It is not democratic to take the freedom to have faith away from people by telling them what they can and cannot believe. If the government cannot present a document that is inclusive with peoples of different faiths, how do they expect teachers to manage classrooms that are inclusive of human diversity?

To conclude, I ask the government to rethink the wording on Bill 18. Any efforts made to eliminate bullying must be a benefit to all students, all teachers and all educational institutions.

Thank you for your time.

**Mr. Vice-Chairperson:** Thank—go ahead, Ms. Froese.

**Ms. Cheryl Froese:** Do I have a little bit of time?

**Mr. Vice-Chairperson:** Yes.

**Ms. Cheryl Froese:** I just, there—it was my full intention to stop at this point. However something has been lingering in my mind for a while now that I feel I need to add.

**Mr. Vice-Chairperson:** I have been told you have two more minutes.

**Ms. Cheryl Froese.** Two. Okay.

A group such as the GSA appears inclusive. It appeals to students who are gay and those who are straight. Most of us can say that we fit in one of those categories. I'm going to get a little personal and suggest to you that in our schools there is a group that should dominate all of—or both those, and that is the questioning group.

Why do I say it should dominate? Because our schools are full of minors. I strongly believe that a large sector of students in our schools are unaware of and uninterested in their sexual identity and preferences. I know I was one. I raised this concern to someone in a discussion surrounding this bill and they immediately retorted that I was ignorant. I beg to differ. I call it innocent.

I am a girl, but my interests never lay in the areas that typical girls do. I did not like pink. I didn't

wear dresses. Dress-up was not my thing. Makeup and accessories or spending an evening perusing the mall was of no interest to me. I didn't and still don't spend hours reading diet books because I like eating. When I played with dolls it was only to make clothes for them or to redecorate the dollhouse. I like to operate big machinery on my parent's farm. Gardening? That was for girls.

I never understood why most of my female friends quit sports in high school. Although I enjoy music and the arts, playing sports was a must. Oh, yes, I longed for boyfriends inasmuch as I longed for girlfriends. It was by choice that I didn't have an escort when I graduated, yet not once—not once—did my peers or my teacher question or make me question what my gender was or where my preferences lie, because they didn't care. They let me be a kid. They let me be innocent.

I'm not appealing for ignorant children. With two diplomas, a degree and a post-bacc behind my name, I can confidently say that I value education, I value knowledge, but only after the one thing I value more, which is the reason I chose to teach children. I value innocence.

We say it doesn't matter what your gender orientation or sexual preference is, but if that's really true, then why does it have to have its own curriculum? Students do not need to be taught specifics behind both lifestyles to be taught they have to respect them. With the laws and curriculum surrounding Bill 18 we are giving power to all students who are minors—

**Mr. Vice-Chairperson:** I'm—Ms. Froese, I'm sorry to interrupt.

I—there'll be—is there leave on the part of the committee to allow Ms. Froese to complete?  
*[Agreed]*

There is leave. Please continue.

**Ms. Cheryl Froese:** Thank you. I am almost there.

With the laws and curriculum surrounding Bill 18, we are giving power to all students who are minors to educate themselves on and determine their own sexual identity and preferences. While they do that, though, students will naturally evaluate the sexual identity and preferences of others. They will gain knowledge and use it to pass judgment. Why? One, because they're human, but two, because we're asking them to.

Bill 18 is supposed to curb bullying, to put an end to judging. Please consider the questioning group, the group who doesn't know. Do they need to? To extend this question, does any minor need to?

**Mr. Vice-Chairperson:** Thank you for your presentation. Can you please stick around for the question, phase?

\* (13:20)

**Ms. Allan:** Thank you very much, Cheryl, for your presentation. You know, you put together a very— you put together an excellent presentation and then spoke from the heart, and I really appreciate that you did that.

I just want you to know that gay-straight alliances, from my understanding and from the young people that I've spoken to that are in them, that they are inclusive; they're inclusive of any student who wants to come. In fact, the Thom—gay-straight alliance in Thompson, Manitoba, is called GLOW, Gay, Lesbian Or Whomever; anyone can come.

And thank you so much for chatting about yourself as you grew up. You sound a lot like my daughter. My daughter's an electrician, works in a man's world and is—has never—sounds like she has a lot of characteristics that you had when you were growing up. So thank you for being here today and sharing your very personal presentation.

**Mr. Vice-Chairperson:** Thank you, Minister Allan.

**Mr. Schuler:** Cheryl, thank you very much, and you're one of the first, one of the few front-line workers who's been in here. And I know each and every one of us members of the Legislature get individuals that come and have complained about bullying, and one of the concerns I have is the fact that there doesn't seem to be a lot of recourse. But that—I'll have my say later on.

I did want to thank you for your last statements. I think you brought in the different dimension, and I believe members of this committee, and perhaps even the minister herself, will reflect on what you said. And we appreciate that you stayed and made your presentation. Thank you very much.

**Mr. Vice-Chairperson:** Thank you, Mr. Schuler, and thank you for your presentation, Ms. Froese.

We now call on the next person, who would be Ryan Appel, private citizen. Mr. Appel, do you have any materials for us?

**Mr. Ryan Appel (Private Citizen):** No.

**Mr. Vice-Chairperson:** You indicated no. Please proceed as soon as you're ready, thank you.

**Mr. Appel:** Hello, my name is Ryan Appel, and I'm here to tell you my story.

For the past 23 years I've been involved in the Canadian education system, both as a student and as a teacher. I am here today to talk about how Bill 18 affects me as an individual, but I'm hoping that my presence here has the impact of the thousands of voices that I'm speaking on behalf of.

I would like to start by mentioning that although my story takes place in Saskatchewan, I believe it to be an accurate representation of what some students are still experiencing across this province today. I grew up in your average rural community and attended one of the local schools with all of my close friends. The schools I attended throughout my childhood were great academic facilities, ones that more than adequately prepared me for the feats of a post-secondary education. However, in all of the years that I was in the education system surrounded by brilliant educators, there was always one thing that I saw was missing. In my opinion, of all the things that were accepted, supported and celebrated in all of these schools, homosexuality or any variance on the traditional heterosexual relationship, for that matter, was never one of them.

I was raised by a family that I considered to be fairly progressive. We were raised by the rule of treating others the way we would like to be treated. Intolerance based on prejudice was never accepted. Even though ideas like racism and homophobia ran rampant where I grew up, my parents raised me to treat such ignorance as an insult to my intelligence. I can recall having conversations with my parents, as a teenager, about my sexuality, and for them it was a non-issue. Which is why, as I reflect back now, I find it so tragic that the education system was unable to provide the same, 'consistive'—consistent supportive message.

At this point, perhaps, I should state that I am in support of Bill 18. I should also mention that I am a teacher, a devoted husband, a loving uncle, a brother and a son. Since I'm laying out all the labels, I should also mention at this point that I am a gay man. Although all of my titles influence my presence here, none more than the latter. As a young boy going through the education system, I often felt alone. It's not that I did not have friends, but when you allow



yourself to only exist on the surface for fear of being found out, it is difficult for you to truly make the connections that allow you to really feel like you belong in any setting.

For many years I endured the bullying of my peers, the constant daily harassment that came with being one of the more feminine boys in the room. For years, I walked the halls of my elementary, junior high and high school facing verbal abuse at every corner. For years, I went home and silently did my best to pretend that nothing was wrong. Truthfully, after all of these—all this time, I have come to terms with the bullies who did not know the effect of their words. After all this time, I've learned to know how to better challenge the ignorance of those I surround myself with. Ironically enough, after all these years, the party I find the most hard—the most difficult to forgive, in my experience, is the education system.

In my youth, I wasted a large number of my years believing that I was a bad person. I believed that there was something wrong with me and that fundamentally I was broken beyond repair, because that was the message I received from all the schools that I attended. Not that they ever said it, but the absence of support that I felt did equally as much damage. I spent a large portion of my life convincing myself that who I was was not good enough and that surely, if I wished it away, I could be like all the boys I went to school with—happy, popular and straight. As I mentioned earlier, I came from a household that completely supported me in any shape or form. However, in all of the years that I was being molded into a contributing member of society in various schools, I was never once given the notion that being gay was okay.

*Madam Chairperson in the Chair.*

Although this bill does a tremendous amount of good in attempting to more clearly define something as difficult to pin down as bullying, I'm here to speak to the importance of section 41(1.8)(b), which states that a human diversity policy in all schools must accommodate the establishments of groups like gay-straight alliances that promote a positive inclusive school environment. I cannot begin to imagine the impact that this piece of legislation would've had on my life. I imagine that I would have found it much easier to come to terms with that which makes me not different, not special, not even unique, but that which makes me human. A homosexual man, but human nonetheless. This piece

of legislation could have shown me that there was nothing wrong with me, that I was not broken and that being myself was good enough for anyone who cared to venture into my life.

As a teacher and as a staff supervisor of a gay-straight alliance here in Manitoba, I can testify to the positive impact that groups that promote acceptance have on a school environment. They create a safe and caring environment for all individuals in our schools regardless of gender, race, religion or sexual orientation. They allow for acceptance to take place and, most importantly, they set up precedents for how we, as individuals, interact. The reality is that as students in our schools graduate beyond the walls of our education system, we will all sleep better at night knowing that we are creating a society that we are proud to live in and raise our families in.

These students of ours will on a regular basis encounter people who are of different descent, gender, belief system or sexual orientation, and at some point we need to recognize the disservice we are doing by allowing our standard of education to simply be tolerance. Tolerance does absolutely nothing for the 14-year-old boy who feels isolated in a sea of people. Tolerance does absolutely nothing for the 14-year-old—sorry—it does nothing for that same boy that will endure a substandard quality of life over the next decade as he sorts out his worth as it has been reflected in the eyes of an education system that pleaded indifference. The reality is that it is time that every child in this province receive the message that they are loved and will be supported in all of their efforts, struggles and successes because, as a province, we decided to value the safety, the well-being and the education of our youth.

I urge you today as a committee, and more broadly as the provincial government in Manitoba, to take this opportunity to reflect that which is in the best interests of our students and the future of this province and support Bill 18.

**Madam Chairperson:** Thank you very much, Mr. Appel for coming down to present today.

Questions from the committee?

**Ms. Allan:** Well, Mr. Appel, thank you very much. My colleague across the way just said that he hadn't heard many educators speak. I've heard a lot of them speak, and it is actually, though, I can honestly tell you, that you are the first gay educator who is a father of three children, I believe, who has spoken at

this committee who also works with gay-straight alliances, and you are also the first person to narrow right in on the human diversity policy in this legislation that's going to make a difference and make schools safe and inclusive.

Thank you for the thought you've put into your presentation today.

**Mr. Schuler:** Ryan, thanks for your being here and for staying. I understand you moved here from Saskatchewan. I'd have to say their loss our gain, and we certainly hope that applies to tomorrow's football game.

\* (13:30)

And, you know what? Thank you for coming. I think it's very important for front-line workers to come in and share their experiences, and we appreciate the fact that you made it. At the end you, took that big, deep breath of relief. I know it's tough to stand here in front of a whole bunch of professional politicians and make your case, and we appreciate the fact that you came. Thank you.

**Mr. Gerrard:** Thank you so much for speaking so passionately. I've asked a number of people before in terms of the inclusion of the word hurt feelings, because this has been quite controversial, and I would give you an opportunity to speak specifically to whether or not those words should be in the bill, in terms of defining bullying.

**Mr. Appel:** With regards to the portion about hurt feelings, in my experience, my bullying was never physical, it was always emotional because that was the best way to get at me. So, I've—I'm asked whether I feel it belongs in the bill, I think that this is 14 years' worth of hurt feelings that has brought me here today and I definitely think it belongs in the bill.

**Madam Chairperson:** Thank you.

Seeing no further questions, I'd just like to thank you one more time for waiting and presenting.

Our next presenter—going to need your help with your last name—John Hoogerdijk.

**Mr. John Hoogerdijk (Canadian Reformed School Society of Winnipeg, Inc., Operating Immanuel Christian School):** Hoogerdijk.

**Madam Chairperson:** Hoogerdijk. Hoogerdijk. The Canadian Reformed School Society of Winnipeg, Inc., Operating Immanuel Christian School.

And do you have materials? You do?

**Mr. Hoogerdijk:** Yes, I do.

**Madam Chairperson:** Okay, and please, just go ahead whenever you're ready.

**Mr. Hoogerdijk:** Sure, thank you. My name is John Hoogerdijk, and I am here as a parent representing my church community and faith-based schools. I attended the session on Thursday evening. Four and a half hours is a long time to sit and listen, and that was already your third night. I want to commend you for the manner in which you interacted with all presenters. And I want to 'apprec'—and I appreciate the patience and respect you showed for all speakers. That was good to see.

By way of introduction, my community consists largely of people with Dutch heritage, primarily from those who immigrated to Canada from the Netherlands in the years following World War II. While we, for the most part, have assimilated into Canadian culture, we've also preserved key aspects of our rich heritage, a heritage of our Christian beliefs and values. This heritage is reflected in our faith-based education system. The foundation and principles of our schools was developed at the time of the Protestant Reformation and continues to define our schools and communities across the world to this day.

In Canada, we have established numerous schools educating several thousand children year in, year out. In Winnipeg, our community has established the Canadian Reformed School Society of Winnipeg which operates Immanuel Christian School, located in Transcona.

At Immanuel, we teach the principles of Christian living and stewardship. We teach and encourage our children to participate positively in the life of our nation and province. In our community, parents have the primary responsibility for the education of our children, and we work closely with our teachers to teach our children to live our beliefs, to learn self-discipline, to love learning, to work hard and to have a positive Christian influence in our society. The net result is that our schools have a positive contribution to the public good. It goes without saying that as a community, especially as it relates to our schools, we oppose bullying and do so as a part of our core beliefs. In my early school years, in our faith-based schools, I was taught about bullying and how to apply our Christian beliefs in relationship to others. I was taught to love my neighbour as myself, to do to others as I would have

them do to me and to even love my enemies. Indeed, good rules to live by.

Now, focusing on Bill 18, I think there are two issues comingled into this bill. The first one I want to address has generated serious concerns among conservative Christians, especially with regard to section 41(1.8) of this bill. These concerns have resulted in a tangible fear in our community about the potential consequences of the section, especially the implementation impacting our freedom to educate our children in the way we wish to do so, according to what we believe. The purest form—the purest expression of this fear occurred on Thursday evening when Amanda, a young mother of five children, poignantly expressed these fears in her presentation. To the credit of the honourable minister, she responded appropriately with assurances that this young mother would indeed have the freedom to educate her children according to the 'tenets' of her faith. I was happy to hear this, but I still have reservations.

Former Cabinet minister Sid Green wrote in an editorial in the Winnipeg Free Press that Bill 18 is an attempt by the Legislature to impose morality and particular beliefs, an endeavour that has no place in the law-making body. To the extent that bullying involves physical maltreatment or threats or intimidation, such conduct is already prohibited by the Criminal Code. I share his views, as I, too, see this bill as attempt to legislate particular beliefs, especially regarding human sexuality, with the additional implication that if someone holds any other view, it is construed as bullying. For me, this is the heart of the matter.

To explore this more deeply, my fellow Christians have already expressed a number of the beliefs that we hold and I—and you have been treated to a fair bit of Christian theology. That's good. And while I won't repeat it again, I suggest that you read the Hansard record to remind yourself of what has been said.

There is one additional thought that I wanted to raise that is germane to this bill. The gay community often criticizes conservative Christians as judgmental, accompanied with the charge that we're homophobic. This is wrong and it's a misunderstanding that I want to set straight. God teaches us, in the Bible, that we are not to judge those outside the church. But we are charged—to charge—to spread the gospel message and part of that message—part of that message is a warning about

lifestyles prevalent in our world. Let me attempt to illustrate this with an analogy. Suppose you see a blind man walking down the street about to fall into a hole. It's clear that you have a moral obligation to warn and, if need be, to pull him back. Just like that moral obligation, we have a spiritual obligation to warn people of the—that the consequences of certain lifestyles will not lead to a happy place, and that's what we're warning about. We're not judging. That's where we can never stop warning about things like abortion, divorce, promiscuity, et cetera. We will be held accountable ourselves if we don't warn. As Christians, we take these responsibilities seriously and we care and that's why we warn. I hope you understand.

Finally, on the related matter of establishing gay-straight alliance antibullying clubs, I want to draw your attention to the remarks of Mr. Allan Hubley, whose son committed suicide as a result of bullying because of his sexuality. You can read his full comments in detail in the Hansard record in Ontario but here's what he has to say about GSAs: one of the items in Bill 13 that I like to support for is student-led initiatives; however, I feel the proposed language of the bill needs to be modified. I respectfully request that no groups be given special status by being named. To do so will only suggest that certain children are more important than others and I do not support that notion. I'm here today to ask you to protect every child equally.

I encourage you to read his full address. I think you'll find it very enlightening.

The second matter I want to address is bullying itself. And I believe that we can find common ground to work together here. I share the beliefs of my fellow Christians that we need a better definition of bullying. At the very least, the definition should differentiate between childish irresponsibility and wilful disobedience. I share the concerns expressed about the dangers at present in section 41(1.5) and, as I mentioned before, the problems with 41(1.8).

One area the bill doesn't address is the root of bullying itself. Bullies are people and they need our help. I'm sure that there are a multitude of causes of bullying but I would like to offer consideration of one potential cause. In both independent and public schools, there is a social structure we don't see anywhere else in our society. We don't see 25 to 30 people of the same age, in close quarters, for six hours a day. I think this has consequences, especially for children and young people from grade 6 or 7 and

onwards. First of all, that social structure can result in intense peer pressure. Combine this peer pressure with all the emotional and physical changes children experience as they navigate puberty and then add, on top of this, the amplification of this angst with social media and you have a powder keg in a cauldron out of which bullies can emerge.

I think there is merit in looking at this more deeply to ensure the environments we seek to protect are not, in fact, places that incubate bullies. Just over a month from now, on October 10th, is the anniversary of the tragedy of the suicide of Amanda Todd. I'm sure we can all recall the shock and numbness we felt when we heard of this. The reason I remind you of this is to focus on the importance of this matter. As our elected MLAs, you can debate the matters of football stadiums and PST rises across the floor from each other as political parties but this issue must transcend politics. For our children's sake and for our society's sake, it's much more important than anything else. And remember that our children do not belong to the state. As parents, they're our children and as parents we need to be a key stakeholder in any of the discussions regarding our children.

\* (13:40)

One good thing to come out of this so far is the hyperawareness of bullying in our province. Even in this first week of meetings you heard from many segments of Manitoba society: unions, professional organizations, pastors, principals, teachers and many private citizens. This is a good thing.

Let's take this opportunity now, while we have this acute awareness to create a good law, one that doesn't impose beliefs, but instead demonstrates respect, a law that has clear definitions, boundaries and consequences. And as part of this process let's ensure that we deal compassionately with bullies as well, for they may well have learned some of these behaviours from us.

I commit, as does my faith-based community, to work together with you to oppose bullying in all its forms. We sincerely ask that the honourable minister change her stance regarding amendments and be willing to consider the suggestions that have been offered in these meetings.

Madam Chair and committee members, thank you for your time and respectful attention.

**Madam Chairperson:** Thank you for coming down to present.

Questions from the committee?

**Ms. Allan:** John, thank you very much for your very, very thoughtful presentation and thank you for being here. I actually thought you looked familiar. I'm starting to recognize people in the crowd now after five days. Thank you for the comments that you've made in your presentation and we appreciate them.

**Mr. Schuler:** Thank you very much and, John, thanks for coming. Should probably thank your—one of your schools. My son decided not to play one-man volleyball and actually played for your school volleyball and it was a very good experience.

Appreciate that you stayed and the comments you brought. I have a question for you. Could you sort of tell this committee, seeing as you represent some of the private schools that were, you know, quite part of the debate that's been out there, what kind of things work in your school to address bullying? Could you just sort of give the committee an idea on that?

**Mr. Hoogerdijk:** I think there are—when we—when I look at it and try to answer that question, it's really baked into our core beliefs. As I mentioned in my address, I was taught that from a very early age. We were always taught to focus on it, not to make, you know, to ensure that we understand that we're hurting other people's feelings when we say particular things.

When we look at it from a structure in our school, we have a policy that addresses bullying. Parents are regularly informed about it. So it's certainly baked right into how we operate as a school.

**Mr. Schuler:** Yes, we've now had two Christian schools basically come forward today, and it's interesting because they have made it very clear that no homophobia is tolerated in the school, no bullying is tolerated in the school. Yet there seems to be a sense that the—a lot of communities out there view the Christian community and the Christian private schools as being hotbeds of homophobia and bullying. You know, talk to us a little bit about that, because there seems to be a misunderstanding of what's going on.

**Mr. Hoogerdijk:** I'll address that in two ways. First, I'll go back to the answer where I talked about the perception that conservative Christians are homophobic, and that's perhaps because sometimes we poorly communicate what God—how God wants us to live and it'll come across as pretty aggressive. The second one, it is constantly preached in our

churches how we need to love each other. Love is absolutely the foundation of the law, and I invite anybody to absolutely come and attend our services, you will see that in action. You will see our communities function together. We offer a great support structure for everybody from all sorts of things from illnesses, through funerals and all that kind of thing. People feel is one big family. It's not an accident we address each other as brothers and sisters.

**Mr. Gerrard:** Yes, thank you for your presentation and for what you do in your school. Now, one of the questions you raise deals with section 41(1.8), which deals with student activities and organizations. My question to you is: If you don't like that section how would you word it so that you do encourage positive student organizations?

**Mr. Hoogerdijk:** The way that we would do it is that these would be parent-led or staff-led to ensure that we give our children guidance. Others have mentioned, as well, that kids don't have the maturity and they need to learn that. So it's something that we would not encourage on their own, but it's something that we would certainly lead and it would be—we wouldn't draw any difference. We wouldn't try to identify any particular groups or anything like that, but we already have these situations or these—wouldn't say these clubs or something in our schools. We have a relatively small school, think of it as one big club, right, and so that's fundamentally how we would deal with that. We wouldn't call anybody out.

**Madam Chairperson:** Thank you. Seeing no further questions, I'd just like to thank you one more time for waiting and coming and presenting. Thank you.

Our next presenter is Mr. Todd Reimer, private citizen. Okay, I'm only giving him a moment just because of the other room, so that's why we're waiting a second. Todd Reimer? All right, so Mr. Reimer will drop to the bottom of the list, then, and he will be called again this evening.

So our next presenter is Arie Veenendaal, Dufferin Christian School.

**Floor Comment:** Veenendaal.

**Madam Chairperson:** Say it again?

**Floor Comment:** Veenendaal.

**Madam Chairperson:** Veenendaal. Do you have any materials you'd like to hand out, Mr. Veenendaal?

**Mr. Arie Veenendaal (Dufferin Christian School):** No, I don't.

**Madam Chairperson:** All right. Then go ahead whenever you're ready.

**Mr. Veenendaal:** When you come to this country with a Dutch name, you have to suffer the consequences of that sometimes.

I left home this morning and I had a speech prepared, ready for the committee here.

Honourable Minister, if—you know, I just want to say thank you for being here, and especially for all of the time that you have spent. I was here a couple of evenings and we saw you here for two evenings. And I understand you've been through everything, so congratulations for being here and sitting through it. And we really do respect that, and together with all of the other committee members here.

I was saying I left home this morning with a speech prepared. Listening to all the presentations from the other two nights and then listening to the speeches again this morning, I made the decision to park the words. So I'm not going away here without a speech, but I'm going to do it off the cuff and speak from the heart so that you get a bit of a sense as a committee, and especially to you also, Honourable Minister, as—who lives in Carman, who we are as a faith-based community.

Our story started back in around the 1950s when our parents came over to this country. There was tough economic times and they chose Canada over Australia and some other countries. They came here because they wanted to live here.

My father was not a man of big courage, but together with mom, together with nine children, he stepped on a boat and he sailed across the ocean, said goodbye to family with the full expectation we'll never see you again. In a way that does take a lot of courage, but what made the man tick was he knew God went with us. He did not just jump on the boat because he figured, well, que sera sera, or how will it come to be? My God has a plan; it's not working where I am and I'm going to sail across the ocean and let Him be my guide. And that was what made him tick. And that is the one thing, after all of the things that he did in his life business-wise, they were not big accomplishments, but that one we remember, is that he was a man of faith.

Now, faith is a different thing than religion. Faith is a set of values that becomes our life. It is

who we are. We do not just have religion as a subject where you have Genesis and then you have all the way to the Book of Revelation and you hear a snippet here about this group and warnings from Scriptures how we ought to live, but it is our way of life.

And why I say that is, the same way that my father came across the ocean and he had the courage then to do that because he trusted his God—he had nine children and he took along two other adults together with my mom. They had no money. Nobody did at that time. They rolled off the plane in Homewood. Somebody handed him a hoe and they started hoeing sugar beets and they had an income. They were thankful. And I've heard people tell the story that life was hard, but we were together, we had God. You know something? That made him tick. That was their life.

It's no different today for us in Dufferin Christian School. We have staff members who are educated in a reformed faith. I represent Dufferin Christian School. I am the chairman of the board of Dufferin Christian School. It is an awesome responsibility that I take seriously because it is a position of leadership, no different than what you people in this room have, position of leadership.

Now, our staff educates our children in the same doctrine, the same awareness, that when they step out and go into life, they have God to go with them. We teach them values and that becomes dear to us. It becomes a foundation that each one of them takes into their workplace, as they go into their family life or whatever other situation they come in. They are taught that God goes with them. That's foundational to who they are.

\* (13:50)

Now, I'm the chairman of the board. I call tell you that four years ago I was elected. I've just been elected to a second term, so that means at least one more than half are willing to put up with me. But it's an awesome responsibility because you represent people. And it's not a position of leadership, but it is a position that you now have to listen to people and guide them. I take that very, very seriously.

So I lay—I lie awake for, probably, four weeks, like, on and off, wondering how are we going to do this? But you come out of that realization that it is God who's going to help us again, and you begin to lead the organization. Now, what I represent here today and who our organization is, is like-minded

people. I realize we're a little bit unique. There is 230 students, roughly. There is between two congregations. It started with one family that rolled off the train in 1950; today there are two congregations with over 800 members. And we are a bit unique. We still have many fathers and mothers who live together, but there's no doubt there is also brokenness in our communities, where man and wife don't get along together and we have divorce. Like, these things happen. We're not oblivious to what happens in life.

So, when you step into the walls of our school now, and you want to come in there and impose—and I use that word because that's how we feel—something that's been imposed on us like Bill 18, and especially those areas where you single out specific groups and leave others out. You've done that in—must of had a reason; you must had legal advice—we become nervous, because what happens is if you walk down the hall of our school, you're going to find that if you want to help our students, what exactly we don't need is a big, red dot on a door that says this is where a certain group is going to meet, because what we have to do then is we have to put a big green dot on another door and say, well, this is how people who have a different view are going to meet. Like, you're causing tension where we don't need tension.

Our staff is very aware of bullying. They're very aware that when a father and a mother have a marital problem and their child comes to school the next day, that they're going to get teased a little bit sometimes, especially when you get the—in the elementary grades. They don't understand, then, where's your dad, where's your mom? We have those kinds of issues.

Then we have issues that kids feel really bad because they've lost a sibling. We've had too many deaths of young people in our community over the last six years. My wife and I lost our daughter, 22 years old, six years ago. And it is those types of things that we really get the awareness that the children are not ours but the Maker who gives life calls them home. We learn to live with it; we accept it. We don't like it, but that is how dear we hold children.

Now, we also want to be obedient to that Maker, so we do have a set of beliefs and values. But if students come into our school and they have different thoughts—school is a place of learning, a place of guidance, and that's how we also have

instructed our staff. So what happens now, in our school, for example, the question has been asked a few times, what would you do with bullying? Well, what we do is we have our staff—I can only speak now as a board chairman, not as a teacher, but we have a Travis program. Why'd they call it Travis, I do not know, but what happens is the staff, then, on regular times they meet, and who might be vulnerable? It might be the kid who lost a grandpa. It might be a grandmother who is dying of cancer. It might be a mother. Like, my daughter just experienced breast cancer at 33 years old. So when we understand that there might be family members who are worried and need some special attention.

A Travis program—all it is, is the teacher walks down the hall, and he has one or two students under his stewardship, and the teacher will just make eye contact, how are you today? You try and form a relationship. We heard that already expressed a few of the presentations earlier. So important that the teacher forms a relationship with the student.

See? That fits under no matter what kind of bullying or what kind of sexual orientation. There's a place there that we are going to be guiding for whoever comes into that Travis program there, you know, and there's other places as well that we can help one another. We don't just—like, this law of Bill 18 and how you want to put certain designations in our school, that's going to cause tension in us, and the reason it does is we have a very close link as Canadian Reformed Church in Carman, with our church at the top, the school and the home. Those three bodies have to work well together. We listen to the preacher on Sunday—one more minute? I'm almost done.

We go home, we teach that same teaching to our children—we actually have the Bible open at meals and we talk about it, and then we send them to school. You see, when you will not affect our church—and I hope you don't—and you can't affect our homes, but now in our schools you impose something that we do not feel good with, you're causing us tension.

So my request to you, Honourable Minister—and being a person in office, we pray for you often. As a church, we pray for you often at school and we pray for the government at home; we do. Can you please allow us, private schools, to come back to you with our own policy so that it fits within your recommendations, but also does not cause tension in our faith community?

And with that, I want to thank you very much for listening.

**Madam Chairperson:** Thank you very much, Mr. Veenendaal. I think I got that right, right?

**Mr. Veenendaal:** Very good.

**Madam Chairperson:** Close? And we will now move to questions from the committee.

**Ms. Allan:** Well I'm going to call you Arie. Thank you so much for your presentation, and thank you so much for throwing away the canned presentation and being here and putting together a presentation from your heart. We know that faith-based schools, funded independent schools are doing a great job. I've spoken to many people in leadership positions like yourselves and we know that you are doing a great job in your schools.

I want you to know—I want to give you a comfort level that Bill 18 has absolutely 'noth'—it will not affect your teachings of the tenets of your faith in your school, and I hope you heard me say that the other night when I was chatting with the young woman, Amanda, who got quite emotional. And I also want you to know that the legislation says that you can 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 students.

I—and I have also made a commitment, when I was talking to Susan Eberhard this morning—from the Manitoba Federation of Independent Schools—and I also made the same commitment when we were talking to—when I was responding to Robert Praznik—we will continue to work with the Manitoba Federation of Independent Schools in regards to what those policies look like as we move forward.

Bill 18 is a framework, and we will continue to work with your organization. We are not telling you that you have to have a gay-straight alliance in your school. We are not telling you that. We are saying, though, that if a group—if some students came forward, and I've been told by leadership of Christian schools, they know they have gay students in their schools. They know that they have gay parents in their schools. They know that they have gay people in their schools, and I trust that if someone who was in that school that was gay wanted to have a gay-straight alliance, that they would be accommodated. That's—I'm hoping that provides some clarity, because I don't want to cause you any tension or stress. Thank you.

**Mr. Veenendaal:** Can I respond?

**Madam Chairperson:** Yes, please.

**Mr. Veenendaal:** Time does not permit us, Ms. Allan, that I could even get into the tenets of our faith and how that stress could be caused. Trust me that I'm nervous and the people I represent are nervous that tension could happen, and we would be really happy to work through the Manitoba Federation of Independent Schools because we cannot be selfish and think that it's only for us, our little group in Carman here. I walked out of here the other night and I'm listening to so many people, and then on Wednesday morning had the privilege to address our staff, our students, and parents in our gym. And what happened there is—we often refer to that as the light of God, right, the Word, God's Word is a light. What happens is the doors close and there we sit with the light in that little room, and I felt bad because we need to be better at bringing our message out. And I would have liked, at some point, to have had a visit with yourself—and we're actually nice people to hang around with—[interjection]—and I would—you do? Well, I'll pick you up at your office and take you to Dufferin Christian School. We'll take a half a day, and it would be neat if you got to know who we are. So that invitation is there.

**Mr. Pedersen:** Thank you, Arie, for the off-the-cuff presentation. It was very good, and I'm familiar with Dufferin Christian School. I've been in the school, spoke to students at various times, and I hope that the minister takes you up on your offer and goes there because I know you have a lot to offer. And it's one thing to say trust me; it's another thing to come out and actually visit you. So I hope that happens.

\* (14:00)

**Mr. Schuler:** Thank you very much and, Arie, we've now had three different schools come forward: Linden Christian, Immanuel Christian and now yourselves. And I think we're getting a message, is that you take bullying serious, and you understand that there's a diversity in your schools, and you mentioned it. You said, you know, there used to be a time when you were homogeneous, there were no divorces, no nothing, and that's a reality of life now, broken families. Kids come in with all kinds of things into your school. The Travis program that you mention, would that cover a 14-year-old male or female struggling with their sexuality—

**Madam Chairperson:** Mr.—

**Mr. Schuler:** I'm not done.

Is there a—do you have set in place—because we've heard a lot of young people. We heard a young guy from Saskatchewan talking about, you know, struggling and not having anywhere to go. Is there the trust and the ability within Travis that a struggling young person struggling with their sexuality could then go to a staff member and have that discussion and not be worried that somehow they're going to be bullied or whatever, because I think that's what we're talking about? And, by the way, I share a concern, I think the legislation does include faith-based groups, and perhaps the minister opening the door and saying, you know, there's time to work on this, there is time. And I would take her up on that olive branch. Could you answer the question if Travis would actually cover—and I think the other schools wanted to speak to it, but we'd run out of time. So, if you would—

**Madam Chairperson:** Sorry. We're—yes, we're out of time and if you could just very quickly, if that's okay, go ahead and answer.

**Mr. Veenendaal:** You know, what we have as a school society and why I was nervous about taking on the role of chairman—it's a volunteer position, so we really do it out of love. I can honestly say I'm there because I do love the children, but we have a lot to learn. We have to learn—do a better job at learning how to love. We need to do a better job at educating our parents how we have to deal with one another. But the primary responsibility of educating the child is with the parents. I would think that the first thing, in answer to your question, we would have to ask ourselves, or the staff would have to ask themselves, do I need to get a parent involved? And it might be possible that they know the father and mother and that they say, no, sometimes it's better off not. Do we have an environment where any kid could come to a staff? The answer is yes. But, if we don't, we do have work to do and we do need to do a better job as a—as leadership from the board level to educate our parents. Be open to the fact that we need to talk to our children more and don't shut the door when they come with their questions because they need guidance.

**Madam Chairperson:** Thank you very much. We really appreciate you coming down to speak today.

We'll move on to our next presenter.

Oh, I'm sorry. I needed to ask a question of the committee. Presenter No. 27, Sandra Saint-Cyr has



asked leave to present next as she has a family obligation that she has to go to.

So what does the committee feel on that?  
*[Agreed]*

So I will then call Sandra Saint-Cyr. And do you have any materials with you?

**Ms. Sandra Saint-Cyr (Private Citizen):** No, I don't.

**Madam Chairperson:** All right, just please go ahead as soon as you're ready.

**Ms. Saint-Cyr:** Okay. Thank you so very, very much for accommodating me. I did not expect that; it was offered. I just thought I would come back on the next night for the lineup, so I do apologize to all of the people behind me who are allowing this to happen. I am very grateful. It will be a good thing for my family.

I'm a mother of four. I have two graduate children and two still in the school system. Today this has been a real experience. I have enjoyed it thoroughly and enjoyed hearing all of the points of view and all of the opinions, and the fair process that I'm witnessing is encouraging. I thank you all on the committee. What a wonderful country we live in that allows us to voice our thoughts and opinions without fear. Freedom is one of my greatest personal values. In Manitoba, we're free to live and believe according to our own choices and values, and I thank you for your work on the public's behalf to represent the Canadian citizen in government. Thank you.

Although we cannot legislate bullying away, it is vitally important that we try to stop it every way we can. What can remain to be said at this point? I agree with many presenters who have said that the definition of bullying in Bill 18 is too broad. I would have to answer, yes, to being a bully, according to that definition. I know I have said insensitive or unkind things to people. I know that I have. I would be guilty of that. Yet I think there's so much more to what a bully is. The comments that came up of being a repetitive and recurring component—I think that's very key and should be added to the bill. We are—it's very concerning that a one-time comment could be judged as bullying behaviour in a school. As I see it, you know, people, kids, are mean when they're hurt or feel for—fearful or unaware of the impact of what they're saying. And that happens daily in a school. It can happen as often in a home. We must teach children to be kind and help the true bully to be

accountable and face those consequences and also receive support and love and training.

The biggest concern that I have regarding the bill is the fact that it has selected a specific group of students, a few specific groups, to highlight. This bill can never be truly inclusive until it refers to all students without listing any particularly-particular issues, as it would be impossible to list every aspect of an individual that could be targeting—targeted for bullying. We know from past research that it's the overweight child, and that's the top target of abuse from others, followed by academic performance and cultural or ethnic background. We should not make bullying a select group of individuals seem more important or significant than bullying another group of individuals. In doing this, we are somehow placing priority on one group over another. This does not support authentic inclusion. What it does is highlight and categorize students rather than individualize and value those students. I wonder about the gay student who does not want to be a part of the GSA: Will there be pressure to support that cause? Our cause should be respect and safety for all children regardless of specific attributes or choices.

I'm seeing and reading that this inclusive bill is causing much division, and it's evident here today. We all agree that we want all children to be safe. No one would disagree. This would be easy to pass if it weren't for the fact that a group of students is being highlighted over others. Let's make school a place where we don't have to align ourselves according to specific labels. In doing so, we will be promoting true freedom and equality.

To the minister and all of the committee, to the minister specifically, I've heard her vow to pass the bill and I ask that you all endeavour to make changes to narrow the definition of bullying to make it more specific, to take out any reference to special groups of any kind and simply refer to all students. All usually means all. So, if you've had to extend that with a list behind it, then there must be a reason for that. That's a very simple little word, but it seems the entire debate today hinges on that tiny little word. All means all. And that's the heart of what I would like to express, that I would like to see all children protected and no special groups set aside, whatever they may be. Every type of bullying is wrong, and every child should have protection and hope for a happy, safe school environment. Thank you.

**Madam Chairperson:** Thank you for coming down to present.

We'll move to questions from the committee.

**Mr. Chomiak:** Yes, thank you for the presentation, and I really appreciate your thoughtfulness applied to this. Yesterday, one of the presenters proposed to us that perhaps we had decided to articulate some specific issues in terms of bullying because they were specific problems that had not been addressed: disabilities, sexual orientation and racism. And a further presenter suggested that had we not done that in the past, things like slavery and other issues would have not been addressed—slavery and disabilities.

\*(14:10)

So how do we address specific issues that we know are problems by continuing to ignore what appears to be by some individuals that presented yesterday as issues that have not been resolved for a long period of time?

**Madam Chairperson:** Ms. Saint-Cyr.

**Ms. Saint-Cyr:** Thank you.

Mrs., thank you.

Well, the bullying of any of those categories has been persistent over hundreds of years. So that point is that whatever the specific issue is, if it's on ongoing, it's ongoing because we as a community need to address it. It's not ongoing because it's not in our Charter of Rights and Freedoms; we're aware. We are aware. It's how we use our own voices and support the children who come and ask for help. And that is any category. There isn't one type of bulleting—bullying that's more important than another.

We're aware there's need, and there will continue to be need in every area because at any given time someone can be bullied for the way they look. It doesn't need one specific topic over another; there's no inherent value in one over another. And we do have our Charter of Rights and Freedoms that have already outlined all of those categories; we are aware.

**Madam Chairperson:** Thank you.

**Mr. Schuler:** Thank you very much, Sandra, for coming to committee, and, like most people in here, you've got very busy lives. And four kids would qualify as being very busy. And we appreciate the comments you put on the record.

I take from it. Bullying has been around for a long time, and I think perhaps as a society, as a community we're finally ready to say we've had enough. It's not kids being kids, boys being boys or

girls being girls; it's time to stop it. And that it should be all forms, and, in fact, as we know, body image is the most bullied and has probably been the most prevalent bullied. And, in all respects, it has to stop. And we appreciate the fact that you came forward. We hope that all committee takes to heart what you have to say, and on that note have a great weekend.

**Mr. Gerrard:** I want to say thank you for coming forward, and, you know, emphasis—the emphasis you put on being inclusive of all forms of bullying is important. Thank you.

**Madam Chairperson:** Thank you.

Seeing no further questions, thank you again very much for coming down. We appreciate it.

And our next presenter, we're going back up our list to Luke McAllister, private citizen.

Oh, sorry. Do you have any materials, Mr. McAllister?

Okay. If we could help him.

And they'll just hand those out and you go ahead whenever you'd like to start.

**Mr. Luke McAllister (Private Citizen):** I'm a 17-year-old, grade 12 student in the public Steinbach Regional Secondary School, and I have definitely seen the effects of bullying on both myself and my peers. I believe it is extremely important that all citizens, especially teachers, principals, educational assistants, et cetera, work as hard as they can to prevent bullying in the very vulnerable environments of our schools.

Because of the problem of bullying in Manitoba, Bill 18 has been created, and I commend the government for trying to combat that which affects so many students and drives an alarming number of young people to depression and suicide. This bill is a step towards stopping bullying, but I believe that, if passed, Bill 18 will cause more harm than good.

There are three main reasons why Bill 18 is a bad bill:

(1) Behaviour that is intended to cause or is known to cause harm to another person's feelings is part of the definition of bullying;

(2) Too much power is given to students over school authority on what sorts of clubs/groups are created;

(3) Bill 18 has the power to compromise the basis of beliefs of many religious private schools. If

passed, Bill 18 would remove the freedom of religion, a fundamental freedom guaranteed in section 2.(a) of the Canadian Charter of Rights and Freedoms, for the administration of such religious institutions.

All three of these issues are very important, but today I'm going to focus on the third. Bill 18 has the power to compromise the freedom of religion of private religious schools in Manitoba. In my opinion, this is the most crucial point to address, and it is why I ask our government to rethink their decision to go ahead with Bill 18, in light of the many voices of Manitobans crying out for an amendment.

Bill 18 states: "A respect from human diversity policy"—required by all the schools to be established—"must accommodate pupils who want to establish and lead activities and organizations that . . . (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." That's in section 41(1.8)(b).

The term here that worries me and that has been under fire over the past several months is gay-straight alliance, obviously, referring to the acceptance and accommodation of homosexuality in schools. Whether homosexuality is right or wrong is a belief, an opinion on which people of different ideologies agree and disagree. It is a religious belief, just like the beliefs that lying, adultery, murder, lust, fornication, stealing, et cetera are wrong, or not.

According to our fundamental freedom of conscience and religion, we are permitted to hold whatever belief we wish, according to these topics and others. As long as we are not harming another person, we as Canadians and Manitobans can basically, within reason, believe and do whatever we wish. Based on this premise, private religious schools have been granted the freedom to believe and teach whatever they desire, basing much of their teaching on their beliefs. If the beliefs of a religious school were taken away, the school would cease to be what it was intended to be.

By forcing all publicly funded schools, even private religious schools who base everything on their beliefs, to accept and accommodate groups, clubs, or ideologies that run completely contrary to their religious views, Bill 18 would undermine everything for which many of these schools stand.

Trying to force all schools to accept homosexuality as moral is basically the same as

trying to force a Jewish or Muslim school to accept non-kosher or non-halal food. It would be like forcing a vegetarian club to accept a member who only eats meat. This would be ridiculous, yet our government is trying to do the same thing with homosexuality, a sexuality that is believed to be wrong by the majority of Christians, Muslims and Jews. This is why I'm pleading our government to amend Bill 18 and to please readopt the principles laid forth in the Canadian Charter of Rights and Freedoms. One way to accomplish this is to allow for an opt-out provision for faith-based schools.

Is it every student's right to feel safe? Yes, absolutely. But should it be each student's right to be included or to have a club in an individually run institution such as a school? Absolutely not. For a student to have this right, someone would have to—something would have to be given to them by another person, and the person giving would have to sacrifice something: time, effort, money, beliefs.

Just because something is good, doesn't mean it should be the entitlement of every citizen to have that thing. For example, it may be good for me to have \$1 million, but if I had that right, you would have to give it to me, so I shouldn't have that right. That would be utterly strange in the same way a student with different beliefs than a Christian, Muslim, Jewish or Sikh school should not have the right to go into the school and promote their beliefs which are completely contrary to the schools.

This does not mean that gay students or students of different beliefs or vegetarians or anyone should be attacked, victimized or made fun of for believing what they do. Bullies should be punished for bullying and teachers should be there to support vulnerable students. But that doesn't go so far as to say that students should be able to set up shop in a foreign place and promote their own agenda.

But what about a gay student who does feel vulnerable or victimized? If I were a teacher, I would support that student and do everything in my effort to stop whoever was causing the student to feel that way. Reducing bullying will reduce the amount of students who feel victimized. We should focus more on the problem of bullying rather than the establishment of groups.

On the other hand, if an individual public school feels that the best way to combat bullies is to create a group, great, but don't force private faith-based schools to do the same thing when they have alternate solutions that work well.

I'm a student at the SRSS, a wonderful public school in Steinbach. I think it is incredible that the SRSS was able to assess its own situation and students, and make the decision they did to have a GSA this last year.

Also, have you ever heard of a student committing suicide in a faith-based school in Canada? I'm sure there are a few cases, but I've never. Perhaps there's some merit to the way faith-based schools run and perhaps it is better that these schools have the freedom to decide what is and isn't taught within their walls.

My brother, Adam, who spoke here a few days ago, went to the faith-based school, SCHS in Steinbach, to escape bullying, and the decision to do this by my parents, proved to be highly successful in Adam's life and benefited him greatly.

In closing, holding a belief is a fundamental freedom, and one that we should be able to have because it is something that is indwelt inside of us and it does not have the power to harm another person. Committing a violent act on someone because of such a belief is wrong, but holding the belief itself is not wrong.

Bill 18 is dangerous because it takes the moral convictions of a certain group of students and places those above the different viewpoints of others.

What is the solution? I believe this bill could simply be fixed by changing the term gay-straight alliance to antibullying club, for example, or something else of the sort.

Why should students of one particular belief be privileged and raise above all the other students of different values? Why should bullying according to sexual orientation be worse than bullying based on anything else? Why can't we protect all students in all forms of bullying instead of pointing out specifics? Why would we force religious private institutions to go completely against their beliefs, compromising everything they ever stood for in order to give extra licence to a certain group? We could simply choose to fight bullying as a whole for all causes, and it would be a whole lot better.

\*(14:20)

In a time when social injustices are being committed constantly all around us, we must fight for equality for all citizens and for all students. We must abolish or amend it—amend Bill 18. Thank you.

**Madam Chairperson:** Thank you, Mr. McAllister, for coming down and presenting today. We're going to go to questions.

**Mr. Chomiak:** Thank you very much. I really appreciate your presentation and I appreciate both the logic and the courage of someone in high school to come and appear before a group of the Legislature at age 17, which is something I would never have done. I would have been too afraid in my life. So thank you for that.

I do have to challenge you on your logic, and I hope you appreciate that it's not an attempt to change your beliefs. But you do say holding the belief itself is not wrong. Now, if we were to move away from sexual orientation, and you talked about kosher and you talked—would it be wrong to have a kosher/non-kosher club in a school?

**Mr. McAllister:** I believe that would not be wrong, and I don't think it's wrong to have a GSA in the school. I think it's wrong to force private faith-based schools to have that club. So, yes, it would be wrong to have a kosher or a halal food club in a private institution such as a faith-based school.

**Madam Chairperson:** Thank you.

**Mr. Schuler:** Yes. Hey, thanks a lot for coming out. We've had a lot of interesting presentations—administration of schools, we've had parents, we've had educators, front-line workers, and now we're getting students who are coming in and giving us their point of view, and we really appreciate that.

I certainly appreciate the fact that you're coming from a public school, and you seem to be finding that a—something really good for you, and it's working for you. And you know what? The fact that you came out, and I'd have to echo what the minister said, I don't know if I could have done as well at 17, presented to a group of professional politicians as well as you did. In fact, you know, your presentation was better than some of the speeches we even hear in the Chamber. You've done a really good job. You present well, and thank you for coming and giving time of your weekend to stand up for your beliefs. Thank you.

**Madam Chairperson:** Thank you.

**Mr. Gerrard:** Thank you very much for coming and presenting and talking to us about your experiences. I'm trying, as some of the others are, to understand how things are working. You're at—I think it's Steinbach Regional School and you have a

gay-straight alliance. Is that a problem for students who are not involved in the gay-straight alliance, and why is it—what is—give us a little bit of understanding about how it works.

**Mr. McAllister:** I've actually never attended a meeting. It doesn't really affect me very much. But from what I've seen, it's not a problem. I know that certain students—well, I think there's only—I know of one who has come out as homosexual or gay, whatever, and I think he's benefited from it. I'm not sure, exactly, but I know that it's not—it hasn't created more of a problem.

**Madam Chairperson:** Thank you.

Seeing no further questions, just thank you once more for your courage in coming down.

And our next presenter is Crystal Klassen, private citizen.

And do you have any materials with you? No? Okay. So please feel free to go ahead whenever you're ready.

**Ms. Crystal Klassen (Private Citizen):** I want to start by thanking you for this opportunity to share my thoughts regarding Bill 18. It is an honour to be able to speak before each of you today. My name is Crystal Klassen. I'm a proud mom to five kids ages 4, 10, 11, 14 and 15. Two are biological; three are permanent foster children in my home. I'm also an aunt to a total of 30 nieces and nephews ranging in age from 1 to 22, and their future matters to me.

I didn't have this written down, but I just wanted to add something, just a little side humour thought. My oldest son is 15. He's hundred per cent Dakota Ojibwa. He has a favourite shirt he likes to wear. It's got the song of one—the title of one of the songs he likes to listen to. He wears it, and we've talked with him about the irony of the shirt, and he doesn't care. The title of the song is White & Nerdy. And we get a laugh out of it and he gets a laugh out of it every time he wears it, because we had the talk with him and he gets it and he doesn't care, and I think that's awesome.

Anyways, in preparing what I wanted to say today, I found it best to draw some parallels from a historical event. So if you can indulge me, here goes. In the early 1900s, J.P. Morgan and 'Juce'—J. Bruce Ismay had a dream. What they envisioned was going to be ahead of its time. It was innovative. It was bigger than anything like it before. It was the

ultimate in comfort and luxury. The goal was to be the showpiece, the No. 1 of its kind in the world, and what it would cost didn't matter. What they built had every modern feature plus some luxuries that were well ahead of their time. It was the biggest, grandest, and most beautiful of its kind. It received great acclamations from the press. It even garnered the phrase, practically unsinkable. What they envisioned and built was the Titanic.

On April 10th of 1912, the Titanic set sail with roughly 2,200 passengers and crew. No one on board would've imagined that they wouldn't make it to their destination. On the night of April 14th the practically unsinkable ship hit an iceberg and sank. Of the 2,200 people on board, only 700 people survived. Sadly, 1,500 people lost their lives. There were two major investigations that took place right after the disaster, one by the British and one by the Americans. Both investigations reached the same conclusion: the number of lifeboats on the Titanic was not sufficient. Not only was the quantity of lifeboats insufficient, not nearly all of the lifeboats that were launched were full. In some cases certain passengers were given special priority over others and in other cases it seemed the crew was more concerned about saving themselves than saving the passengers.

In parallel to the Titanic, Bill 18 is a very modern piece of political work. Its intention is to be a showpiece of legislation in a country and world full of bullies and discrimination. Unfortunately, like the Titanic, Bill 18 doesn't have enough lifeboats. In fact, if Bill 18 were an actual ship, it would only have one lifeboat, and that lifeboat is labelled GSAs. They get special priority over others simply by being the only one mentioned. No other choices are given. No other lifeboats in sight. A child drowning in life because they are bullied for any reason other than being gay doesn't get rescued because the lifeboat he needs isn't there, and why isn't it there?

At the time of the construction of the Titanic, the shipbuilders were well ahead of the laws at that time. With 20 lifeboats, 14 wooden, four collapsible and two smaller ones, they exceeded the legal requirements. Interestingly enough, they built the Titanic to hold 48 to 64 lifeboats; that would equal 3,100 to 4,100 people, almost double the amount of people on board when the ship sank. The builders of the Titanic, whose construction costs didn't matter, sacrificed the additional lifeboats for a very simple reason: appearance. Instead of being able to include

everyone on lifeboats in an emergency, they opted to look good.

Bill 18 is eerily similar. It's for appearance sake. Sure, the idea of antibullying sounds good, but instead of having enough room for everyone, it gives special consideration to one particular group while taking away the consideration for many others. Bill 18 needs to have enough room for everyone. Like every ship that's been built since the Titanic sinking, Bill 18 needs to have enough lifeboats. Ultimately, the Titanic, as modern as she was for her time, with all the latest technological advances still sank. Yes, having more lifeboats likely would've saved more lives, but more lifeboats wouldn't have prevented the ship from sinking in the first place.

Over time we have gotten far more insight about the Titanic than those two initial investigations. While it is still readily agreed that the number of lifeboats was inadequate, there are more details to the picture. As advanced in design as the Titanic was, she still had more design and construction flaws. In constructing the ship, the builders used rivets that were of poor quality. The metal hull, being held together by a multitude of rivets, ripped open like a seam on a piece of clothing, once under pressure.

One of the technological marvels of the Titanic was her watertight compartments that would hold water if there was a breach in the hull. She could have up to five compartments full and not sink. However, on the night of the accident, the compartments overflowed and filled more than she could hold, and down she went.

Bill 18 has design flaws also. It doesn't add any new protection to anyone. It doesn't properly define bullying. It takes away the rights of some while giving power to others. The potential for things to go wrong are there and, unlike the Titanic at the time it set sail, Bill 18's flaws are obvious. It's the flaws that have raised up so many concerned citizens; the flaws are why I am here. It is why many people I know have spoken up in some way regarding Bill 18.

Would fixing the flaws of the Titanic's design and construction have prevented her from sinking? Quite likely. But there is one more factor involved: human error. On the night the Titanic sank, there were several human error factors made, and two of them go hand in hand. The Titanic was travelling too fast and warnings about icebergs ahead went unheeded. Had the warnings been properly received and listened to, the boat would have been slowed

down. Had the boat been slowed down, the impact, if not avoided, would have been significantly less damaging.

There are enough people who represent many more people and children that are voicing their concerns regarding Bill 18. They are saying that this bill is in dangerous waters and needs to move carefully. These concerns should serve as warnings and, unlike on the Titanic, these warnings should be listened to.

\* (14:30)

The warnings should produce change, and the first change I'd recommend is to reduce speed. Stop pushing through with a flawed piece of legislation. Take the time to heed the words of the people, then take the time to make course corrections. Fix the flaws of Bill 18. If you listen to what people are saying, not just their words, you will hear that most people concerned with Bill 18 aren't probullying or anti-gay. They want to see effective antibullying legislation be put in to place while keeping their freedom of choice.

When it comes to the Titanic, the builders did so many things right. They were ahead of the times, innovative, spared few expenses and created a luxurious ship, but, ultimately, despite all of their good intentions of the builders and crew, the Titanic was flawed and those flaws caused 1,500 people to lose their lives. There may be a lot of good intentions behind Bill 18, but, ultimately, it's the flaws of Bill 18 that are going to cost more lives than it will actually save. An antibullying bill, if done correctly, would not have any casualties.

Thank you.

**Madam Chairperson:** Thank you very much for coming down to present. And we'll go to questions now.

**Mr. Chomiak:** Thank you very much for your presentation, and having visited the graveyard of many of the victims of the Titanic and studied it a bit, and this is not meant to be provocative, but is it not true that more third-class passengers and those locked in the steerage of the Titanic perished than those who had access to the first-class lounge and were on the upper floors of the Titanic?

**Ms. Klassen:** I would say I haven't done that level of research, but I think it does point out to how society still has segregation and just, as you say there, too, there were people that were considered low class and

kept below and there were other people that were lifted up and praised and, oh, you're wonderful, and I think that we've come a long way. I don't think on a modern cruise ship these days that it would be would be the low class down below deck and the high class—I mean, maybe by price maybe—but I think we've come a long way and I think, yes, there's many—my kids were encouraging me, there's many things about the Titanic that I could have picked and used. I wanted to use this to keep it short, in the time frame.

**Mr. Schuler:** Actually, I would like to thank the member for Kildonan (Mr. Chomiak). He makes a good case. A lot of people were locked down at the bottom. A lot of the third class didn't get onto life boats, and that's why when we build ships and legislation it should actually be for everybody and we appreciate your analogy and the fact that you came out and made the case that Bill 18 shouldn't be pro one group, neither should it be anti any others, and I like the fact that you made it very clear this isn't supposed to be viewed as anti-gay. This should be viewed as pro everybody else that—we have a lot of kids that are being bullied and they should all be included and I appreciate your comments.

**Mr. Gerrard:** Thank you for your comments and your presentation and the analogy. One of the things that you mentioned was your concern over the definition of bullying, and one of the phrases that has been most controversial is the inclusion of feelings, as well, hurt feelings. And I just offer you an opportunity to comment on this or other aspects of the definition which you feel could be improved.

**Ms. Klassen:** Well, I'm going to give an example from my kids because those are the ones I see most often. My oldest son, the guy who wears the White & Nerdy shirt and loves it, he's the kind of guy that can come home and be totally offended because somebody didn't like a movie that he liked. I'm smart enough to know that, okay, you don't agree on the same thing, but my fear is that when my son disagrees with someone else that that parent is going to go, your kid was bullying mine because they didn't agree, they hurt my kid's feelings because they didn't like the same thing that I liked. And that's a concern for me.

The other thing with hurt feelings and seeing it with five kids, it happens. And, so, to have a more specific definition, as a parent, I can't just go into a situation and just go, oh, you hurt your sibling's feelings and just start taking a powerhouse. I need to

do some research as to, well, what happened? And that takes time, and I know that the teachers and the staff at school, they already have a lot of work to do. I don't think they have time to sit and filter out, was this a one-time incident, was it just a little bit of hurt feelings or is this a continued pattern? My 15-year-old son had an incident in his grade 8 year where there was a boy coming to him every day at lunch time and speaking things to him, and it wasn't just him, there was other boys. My son, unfortunately, took physical action, and we—he was reprimanded for it by the school. But that constitutes a bully. When he comes—and—home and someone didn't agree with him or someone doesn't like his movies or music, I can differentiate between that. And I would hope that this law could do more to differentiate between hurt feelings and a pattern of behaviour.

**Madam Chairperson:** Thank you very much.

Seeing no further questions, thank you once again for coming down and for waiting so long.

We'll move on to our next presenter, which is Joey Reimer, private citizen.

And do you have any materials with you, Mr. Reimer?

**Mr. Joey Reimer (Private Citizen):** I do not.

**Madam Chairperson:** Okay, then just go ahead whenever you're ready.

**Mr. Joey Reimer:** I decided to save some trees and use my smartphone. Figured be nicer, but—so, I'm an EA in a public school. I deal with kids every day. It's my job. I'm not going to call myself a professional. By no means am I a parent. I'm still young, have no—I'm not taken, I'm not, you know, I'm single. I still haven't dealt with that kind of thing. But I do speak from six summers of experiences with kids. And I do speak from two years' working with special needs and in the public high school.

So, yes—so, one of the things that I was just noticing—I was bullied in school. I know that. And I just—it was never for my orientation, though, that was the biggest thing. I was bullied a lot for everything else. I didn't wear the right clothes. I didn't have the right amount of money. One time my grandma sewed on patches and she sewed them on the outside so they'd look cool, okay, she frayed them on the long edges—you know, that's what kids wear nowadays, right? She had no clue because she wasn't in the public high school. So, I mean, it was kind of like,

well, thanks grandma, I'll wear them because you made them and, you know, that was great. And then at school, it's kind of like, yay, you know. So, yes. No, I 'wou'—I understand.

I understand that—what bullying is. I understand that it sometimes happens and I don't believe that this bill quite covers—I don't believe that the bill should be thrown out. I believe that Bill 18 is actually a fantastic idea. It's a really good idea, to make a bill about bullying. But I believe that the bill is just worded slightly wrong, and it's too broad a definition to counteract bullying. And it may actually cause more bullying just through a finance system, through our taxes, actually, causing more bullying through that by saying, you hurt my feelings through this one time you said something—I talk a lot. I talk a lot and I say things sometimes that, you know, I didn't mean to say. I wouldn't consider myself a bully. I may have been. Once or twice I may have actually fit that role. But I don't believe that I'm a bully. I believe I'm actually a pretty nice guy, I'd like to say, but I also believe that my actions—I don't believe that my actions should be constituted as bullying if one time I said something off-the-cuff or just off the tip of my tongue I said something and I realized, oh, shoot, that was a bad idea, you know—but like, you know? And actually I don't believe I should be taken to court or taken—be charged for that because I said something right off-the-cuff.

So, yes, that was another thing I believe, it's just a little broad a definition for—to be considered—to be passed as a bill. And I don't believe in treating anyone different based on their beliefs. I would 'consi'—I call myself a Christian. Sometimes, as a Christian, I don't live up to the standards that I even say according to my beliefs. I fail sometimes. I've failed plenty of times. And I know that as a human being that I do fail, and I know that. And so I just want to say that, like, as a Christian, I know that I fail and I know that I probably have bullied, actually, someone for their sexual orientation. I probably have done that. And I also want to say that that does happen. And as Christians, we are human; we make mistakes.

But my basic belief is, working with special needs, you don't treat them differently just because they're special needs. You treat them the same and then go there—go different places based on comprehension. If they understand, cool, then you can keep on going the same way. If they don't understand, change it up a little bit and go at it again. You know, that's how I believe it should be run, and

I believe the same way about GSA. I believe that it's quite exclusive and I believe that treating anyone based on their orientation is absolutely wrong. It's completely wrong. And I believe that we shouldn't base our opinions of the person themselves based on their beliefs. I believe we should base the opinions of the person based on how we experience them or based on how they treat us and we treat them and how we agree on—in a mutual way.

\* (14:40)

So, yes, I just believe, as an EA, that—as an EA and as also a friend of people who are in that age group, I would—I have plenty of friends who are still in high school. I have plenty of friends who have been bullied who—and will be bullied again, and I believe that there's plenty of people from the Christian community that have been bullies and I would say sorry on their behalf. I mean, I can't really say sorry for them but I would say sorry on their behalf. But I believe that as humans we make mistakes, and that we shouldn't be brought to court for one mistake. I believe that the definition should just include a repeated offence, meaning that, if you just included in there that if this offence has been repeated over and over again, I believe that is bullying, yes. But, so, yes, that's my presentation.

**Madam Chairperson:** Thank you very much, Mr. Reimer, for coming to present, and we'll take questions from the committee.

**Mr. Chomiak:** Yes, thank you very much for your—again for your presentation and your thoughtfulness. So, while you were discussing bullying, I went to the definition and I tried to think of it from the perspective of someone who drafts legislation and someone who's studied law and looked at these matters, so I think your point is well taken.

So do I understand that you would be in favour of this legislation if—and I'm not trying to simplify it too much—but if we put in the word repeated into the definition section of the bullying, that then, in terms of your understanding, that would be an appropriate amendment to the bill that would make it acceptable in your view? [*interjection*]

**Madam Chairperson:** Mr. Reimer. Sorry, go ahead, Mr. Reimer.

**Mr. Reimer:** Sorry, as of my understanding right now, yes, that's exactly what I think, yes.

**Mr. Schuler:** Thank you very much for coming; appreciate it. We've had a lot of various individuals



come forward, and that's great, good to hear, and, you know what, with your enthusiasm, you should think of becoming a teacher. You have just great enthusiasm and passion and we appreciate that.

Down the line of my honourable colleague from Kildonan, basically, you've said that as—if it were amended, Bill 18 would be something that you could support. Can you just reflect on two things? One is the hurt feelings part and also the one that private faith-based schools must accommodate gay-straight alliance clubs. Can you just give us your thoughts on those two components of the bill?

**Mr. Joey Reimer:** I believe that private schools, if it goes against their beliefs, I do not believe that you should give the power to the students in that way. When I was in high school, I just believed that there was too much power given to students. As a high school student, I felt that. I felt that there was too much power given to us to run our classes when there's a reason that we're being taught by people who are older than us, not by our own peers, and so I don't believe that GSAs should be specifically named and also shouldn't be allowed in a group that, if their policy is against it, in the school itself, in a private school, that it should allow gay-straight alliances in there.

And also reflecting on—was that the hurt feelings? I believe that hurt feelings—I would consider myself sometimes a sensitive person. This summer at camp I'm somewhat—I was somewhat maybe made fun of, you know, different things happen, you know, and I understand that I did have hurt feelings. How I dealt with it, I went to the person and explained it to them. If someone did that and it wasn't amended after—if the person—you went to the person who was bullying you—or maybe you couldn't, you went to a teacher in authority and talked to them about it and it wasn't changed, then I understand this legislation being put in place, but not before measures have been taken previous to that.

**Mr. Gerrard:** Yes, there's been a suggestion that the word could be repeated. We had an earlier suggestion that the legislation include a reference to pattern of behaviour. They're slightly different words or phrases, and I wonder whether you would comment about one versus the other.

**Floor Comment:** On—

**Madam Chairperson:** Sorry.

**Mr. Gerrard:** The bill included—if the bill included either repeated or a pattern of behaviour suggests

something which is repeated. Which word or phrase is better?

**Mr. Joey Reimer:** I would more lean towards pattern because repeated, again, sometimes I've made the same mistake a few times over and over again, and also I would like the person to come to me and let me know. But if, let's say the person wasn't able to or was shy or their personality just didn't do that, then I would understand that, you know, they wouldn't be able to do that and go to a teacher or something. I would prefer pattern because pattern infers that this person also has dealings with other students as well, being a bully, you know, and isn't just, you know—so that's what I would lean towards.

**Madam Chairperson:** Thank you very much. Seeing no further questions, thank you once more for coming down and taking the time to present.

Our next presenter is Keziah Thiessen—and I'll get you to tell me how to say that name properly—private citizen. [*interjection*] Sorry, Keziah Thiessen. And do you have any materials, Keziah? And you can just go ahead whenever you're ready.

**Ms. Keziah Thiessen (Private Citizen):** My name is Keziah. I'm 10 years old and I'm here to oppose Bill 18. I think the average kid in kindergarten or grade 1 should not—should be known what's a negative school environment. Everyone's going to be bullies after this. You see, it's impossible to go through life without doing one of the bullying definitions. If you do it multiple times on purpose, you're a bully. If you do it one time, you're not a bully. You're trying to bully us into being bullies. We don't like that at all. It's every group but ours. We have to have a lot of parents on our side to get a Christian group into this school. All they need is one kid to get their group.

I thought Bill 18 was supposed to be making things fair. It's making things unfair in our point of view. We can't say our religion without being called bullies. They only meant that negative school environment for us and the teachers will punish us bullies. Real bullies need punishment; there's nothing that—in the Bill 18 law about that either. All people need to do is gossip about us and we're picked on. You don't see us gossiping about them or picking on them, do you? Sure, we say our religion, but that's not picking on them. That's saying our religion. More than 12,000 other people oppose this law. Why do you try to make it hard from us? We didn't do

anything at all. All we're trying to do is protect ourselves. No more new bills. No more new laws. Steinbach is fine as it is. It doesn't need new laws.

You didn't think we would fight? Well, we will. Even after you pass this law, we will fight. You can't break us down. You can only build us up. But Christians in China don't need help; we do. They have more Christians than we do here, and they're getting persecuted. If you make it hard for us, we won't need help anymore.

**Madam Chairperson:** Thank you very much, Ms. Thiessen, for coming down to present. We'll move to questions from the committee.

**Ms. Allan:** Keziah, thank you so much for your presentation today. How old are you?

**Ms. Keziah Thiessen:** Ten.

**Ms. Allan:** Ten years old. And where do you go to school, Keziah?

**Ms. Keziah Thiessen:** I used to go to Southwood, but now I'm home-schooled.

**Ms. Allan:** Thank you very much for coming in today and making your presentation. I think you would definitely win the prize for the youngest presenter at our committee and we really appreciate your—you being here, and thank you so much for your comments about Bill 18. We appreciate them.

**Mr. Schuler:** You know what, Keziah? I suspect there are parents or a relative that drove you in today. They must be extremely proud of you, because I am. At 10 years old and you're standing in front of a whole bunch of professional sharks at this table, and you're willing to come forward with the passion and stand up for what you believe in.

Actually, you know what? When I hear you present, I just feel really great about my province and about my country because you embody what's great about this nation and about this province. So thank you very much, and you know what? You're going to be surprised, but we're actually going to listen to what you say, look at what you have to say.

Don't think for a minute you don't have an impact, because you do. And I agree with the minister; I think you've got the prize for the youngest presenter. I think you're the youngest in 15 years that I remember, not that I sat on every committee, of any stripe. I think your—you win the prize. Thank you for doing that. And you know what? Lead your generation, and I'm glad you're standing up for what

you believe in and that you're leading your generation, standing up for what you believe in. And we certainly did hear what you had to say, although it was a little quiet at times, but we could read along with you and appreciate that you came.

**Mr. Gerrard:** Thank you so much for coming. I think it's really exciting to have you here at age 10 and being able to present to everyone, and come in with it written down so we can all have a chance to read it afterwards as well. And I just think that it says a lot that you're here and you should feel really good about it, and thank you for coming.

\* (14:50)

**Madam Chairperson:** Thank you. Seeing no other questions, thank you once more for coming and for waiting all day to get your chance to speak. Appreciate it.

And our next presenter is Joel Nedohin, private citizen. And do you have any things to hand out?

**Mr. Joel Nedohin (Private Citizen):** Yes.

**Madam Chairperson:** Excellent. We'll give you a hand with that. And then you can just go ahead whenever you're ready.

**Mr. Nedohin:** You're about the only person that's ever said my last name the right way the first time, so that's pretty cool.

**Madam Chairperson:** Thank you.

**Mr. Nedohin:** I certainly have a lot more respect for you guys because I've been here for five hours and I'm ready for the longest nap of my life, and you guys do this every day. So thank you very much for this opportunity.

At around nine months ago, I was excited to hear that there was a new antibullying bill being looked at by our government, you guys, and wanting to put in place to keep all students safe. That was and still is a fantastic idea. As I surely know the effects of being bullied, which I can still sometimes look back on, and remember some of the hurtful things that were said and done to me, even as early as kindergarten. With my father travelling around the province a lot with MTS, I was always the new kid in school, which made it hard to become part of any group, everywhere I went.

When I was constantly the kid being thrown around, teased, or pushed out of a circle, I never really understood what I did wrong. It wasn't until I became an adult that I started to understand what the

common denominator was for me, which was always as simple as being the new kid. I would have—sorry—I would have understood that as a child as I wasn't mature enough to figure it out. I don't think many kids do fully understand these things today either, if not even less, with today's attacks on society and culture, with what's truth and what's not. Do, and just go with what feels good, and that's the right way for you. That way has, unfortunately, put many people in harm's way of very illegal actions, insecurity, bad company and lots of demands on society and government, as we see every day in the newspapers, with the it's-all-about-me attitudes. If there is anyone in this room who knows how true this is, that would be you guys.

So I don't think we should have our students dictate what's best for them because they simply don't know that answer. With all due respect, Honourable Nancy and all your respected colleagues here today, I unfortunately believe that to ensure safety for all our kids, including my 15-month-old son, Ryder [*phonetic*], and his—and my soon-to-be up and comer, we need to just fix some of the wording on this bill, and all kids who are being bullied will be covered under this law without violating the rights and freedoms of people who decide to pay and raise their kids in a faith-based school. I'm going to sound like a broken record, there's no doubt. But there are many, many concerned people in this province that you are appointed to, all saying the exact same things, and there's many here today.

I somehow don't understand how the man who controls the Manitoba Teachers' Society can say how so many teachers are backing him on his stance, but yet, when he was actually asked the question, if he's ever actually asked them what they thought, he said no. I for one have met and talked to many teachers who are desperate to have this bill go through with a few—sorry—with a few added and deleted words, but are afraid to lose their jobs if they speak up.

I grew up calloused and ready for absolutely nothing in life. And after the—and that was after making many bad decisions. But I finally made an everlasting decision when I met a king named Jesus, and we all know who He is. Life before Him was a life of drugs, partying, traffic tickets, disobeying the law, an inconvenience to society, lying, needy and the list will go on forever.

But when I changed my life around, I started to read the Bible, which taught me all the exact opposite, and how to actually obey the law, love as

many people as you can, stick up for the less fortunate, have one partner in life and love that person with everything you got, raise kids who are going to respect everyone, no matter what their colour is, where they live, what the colour of their hair is, whether they are big or small, or what their sexual preference is. This same Word of God has taught me about the marriage being a union between one man and one woman. If you choose different, that's okay, I'm still going to love you anyways. But I am not going to promote it as a healthy choice and teach that it's okay. That's the freedom that we've been given in this country.

In due time I have a faith that I will be accountable for all these things when I stand before Jesus. I am happy to say I've been given another chance and I'm now a Christian man and have been healed from my past hurts and want nothing but the best for every child that goes to a school. Private or public, it does not matter to me.

I have had the privilege to meet the famous Evan Wiens one night and we talked for about three hours. And I say, wow, he is an amazing young man with a huge heart. I would do anything to help this kid. If I was his age, I would adopt him immediately into my friendship circle. That doesn't mean I feel that it would be a good thing to be forced to promote his sexual preference, because I actually don't agree with it.

Unfortunately, based on the way the bill is technically written, I would be in violation of bullying if it hurts his feelings that I don't agree with it.

Then on the flip side, being a call—being called a bigot, homophobic and intolerant is also hurtful towards feelings, so I guess they are in violation as well.

I will certainly accept that someone is gay, but I don't want to be forced to promote it and celebrate it. Just like I want them to accept that I am a Christian, but I don't need to promote it—I don't need them to promote it or celebrate it because that would be silly. Just like I want them—sorry, but you can sure count on me loving them anyways, as I do my other friends that have done things I don't agree with either. I have been committed—or commanded to love above all else.

What happens if a teacher has to break the news to a student who is failing and why he's failing; that

surely can hurt the child's feelings. So is the teacher a bully?

A question I ask you is to think back when you were all in school, doesn't matter what age, and had friendships with whoever. How many friendships did you have that didn't get into at least one argument or even a big blowout when—with them and there were definitely hurt feelings? In fact, in the heat of the moment, maybe the other person was so mad and not thinking and decided to rat on you, making up a story because of you hurting their feelings. Then this bill would label you a bully.

But, if the bill says a bully is someone using excessive, ongoing cruelty, then that would make more sense, right? Then you're a bully and you deserve punishment. What kind of punishment we don't know because that's not in the bill either. Clear consequences and actually enforcing them is what will change the course of some people's behaviour.

Getting back to examples, what if a girl ends up—ends a dating relationship with her boyfriend and clearly that could hurt his feelings. Is she a bully? Obviously not.

The bill needs to be tightened up of who a bully is, someone hurting—sorry, someone hurting another person's feelings is clearly not always a bully; at that rate, we are all bullies, including every one of you sitting here with each other.

There is no doubt in my mind that we have an incredibly talented and concerned Minister of Education (Ms. Allan) for the care and protection of every student that has been put in your trust; otherwise, we would not be here today. Mrs. Allan, I can't even imagine what you have been through this last long while. Please, though, we are pleading with you; we are Canadians as well and we want to work with all of you as we know how much you are hopefully going to want to be willing to work with us. Let's reword this thing a bit, so it puts a stronger, better force on who the bully is, how to deal with this bully, not take away the religious freedoms of many Christians, Muslims and Jews, and Sikhs, and make sure every type of bullied student is mentioned by category directly on the bill or have none at all to ensure an even field for everyone. It just makes sense. Please, everyone, please reconsider.

It doesn't change what you've already worked hard on to ensure; it just adds some strength to it. Many Manitoban minds think way better together when you're all wanting the same goal. Thank you.

**Madam Chairperson:** Thank you, Mr. Nedohin, for coming down to present and we'll move to questions now.

**Ms. Allan:** Well thank you, Joel, very much. I really appreciate your presentation, and I appreciate your kind words. Thank you, and thank you so much for being here today and waiting five hours to make your presentation. We really are honoured to have you here today. Thank you.

**Mr. Schuler:** Yes, thank you very much. And, first of all, Joel, as a father of three up-and-comers, I have the opportunity to say a few things here and there in the legislative session, and I usually get choked up too when I talk about up-and-comers, and I understand Ryder [*phonetic*] is going to be one of those and we're going to look forward to hearing more about him in the news as sports or music or whatever he decides to do.

I just want to just say and perhaps to you and everybody else here in this room, please repeat your message. Even though it's been said before, it bears to be repeated, and we're here to listen. And we understand that there'll be a common thread, and there has been a common thread and you've picked up on that. Please don't feel that you should change your message because you think it's been repeated before. Please tell us what you think. Appreciate the fact that you came in and your testimony and your message, and thanks for coming.

\* (15:00)

**Mr. Gerrard:** Okay, thank you very much for coming in and presenting. I think your sense that I get, or what you're trying to say is that including things like hurt feelings in this bill would create a lot of complications and wouldn't necessarily allow a specific identification of people who are bullying. Is that right?

**Mr. Nedohin:** I didn't catch the question, sorry.

**Mr. Gerrard:** I'm asking if my interpretation of what you're saying, that, you know, you don't think that we should have things like hurt feelings in the bill because it would be too broad in terms of who it would catch.

**Mr. Nedohin:** My thoughts are just that if we called hurt feelings part of this bill, I would be a bully every single day to my wife and vice versa because there's things that I say that I don't mean or they get said the wrong way or whatever or it's just a simple mistake, but I am definitely not a bully. I love my

wife with everything I got, and the same thing with kids in school and even with friends, between friends. We're going to hurt each other's feelings, and that is such a broad statement that we have to somehow put exactly like Joey was saying, if we were to put the word consistence—consistent hurtful feelings or attacks, then that makes more sense, but just to have hurt feelings on there, that doesn't make sense to me, so that's why I had to focus on that area the most.

**Madam Chairperson:** Thank you. Thank you. Not seeing any further questions, thank you once again for coming down and presenting. It's appreciated.

And our next presenter is Mr. Brad Unger, private citizen. And do you have materials to hand out?

**Mr. Brad Unger (Private Citizen):** Yes, I do.

**Madam Chairperson:** All right—if you guys could help. And then you can just go ahead whenever you're ready.

**Mr. Unger:** All right. Before I even start on my presentation, I just want to make a couple of quick statements here. First of all to you, as a committee, and to the Honourable Nancy Allan, thank you for the respect that you're showing with everybody here. That young lady who spoke so clearly from her heart—and we watch your faces and as you listen to presenters, and I don't know how you guys are able to keep focus with every presentation, so thank you for doing that.

And the second thing I want to say—I don't really know if I can address everyone behind me, but just the courage that I've seen today from people who have differing opinions on this bill, people who were bullied either because they were gay, people who were bullied because of their body image, being able to stand in front of such a large group of people and being able to talk about that, I'm absolutely blown away. And so my respect for everybody here today is just growing and growing.

Having said that, my name, as was mentioned, is Brad Unger. Thank you for the opportunity to make this presentation regarding Bill 18. I am a husband and a father of two children, 11-year-old boy who speaks his mind all the time and an 8-year-old girl who speaks her mind most of the time. As I was sitting here, listening to the different presentations, I mean, let's face it, there have been many different viewpoints and sides to this hot topic. I've talked to a lot of people of Bill 18. I've read many articles about

it. I've watched many stories about it on the news. Clearly, there are an awful lot of opinions on this issue, as we've seen today.

But what I'd like to do is I'd like to focus on the common denominator, the thing that we keep hearing again and again. Let's forget for a moment about what separates the two sides on this debate. I think it's too easy to focus on our differences. We do that enough as humans already as it is. I'd like to focus on the common denominator and I've got that in all caps there. We are against bullying. I dare say that everybody that has entered into this room today and in the last few days is against bullying. We have that in common. No matter how we feel about anything else anyone has said, we have that in common. And everybody who has ever been bullied is against bullying. So that is where we have to start.

And I want to just very quickly talk a little bit about the experience that I've had and my family's had with bullying. I've been bullied both as a child and as an adult, certainly not to the degree that a lot of the presenters have spoken about today. I don't want to take anything from them at all. I haven't always been the hunky movie star with the six-pack abs you see here before me. When I was in junior high, I had a major weight issue and, in fact, I liked to make fun of myself because it got people laughing. I once told my classmates that before I die, the blue whale will be the second largest mammal on earth. I liked to make fun of myself in order to be popular. And I sweated a lot. That was the other problem, as well. My body image was not great. But, truthfully, when my fellow students would laugh, even when I was making fun of myself or someone else was making fun of me, I was laughing, too, but on the inside I was crying. I pretended to think it was funny but really it hurt a lot.

An experience as an adult—weight wasn't so much of an issue for me as an adult as much, but I remember very clearly working for four months on a construction crew one summer. I wasn't the fastest worker, and occasionally I would get laughed at or even 'swear'd' at by my co-workers, even though I was doing my best.

So, you know, we've all experienced bullying to some regard. My son has experienced bullying in a physical nature. I did not. He's been pushed around and, ironically, he took a class, a martial arts class, that was designed to teach the kids in the class not to bully, and he experienced bullying there from one of the kids in his class. So, that was very unfortunate.

My daughter has also been made fun of. Last year, kids were calling her fat, and it's—it hurt a lot.

Now I'm going to—a quick aside from this. I realize that not only have I been bullied but I've also been a bully. And I felt very convicted as—when I was listening to some of the presentations today, because I've used gay slurs, not as an adult so much as I did in junior high and high school, and I feel horrible about that. Those are horrible words that no one should ever have to hear. No one should ever have to hear their name referred to in any kind of derogatory way. I wish I could go back and apologize to those people. I don't know—a lot of them, I don't even know where they are anymore, and that's unfortunate. I can't make things right. But I'm hoping that I can be part of the process maybe to help with bullying being prevented.

It must be prevented whenever and wherever possible. Bullying is a reality facing kids and adults every day at school, at the workplace and I applaud the fact that the Education Minister and the teachers of Manitoba want to shine the light on bullying and do something about it. It's been a long time coming. I'm very excited to see that something—something is happening. So, I am not here to pick apart the bill—the bill. Others have done that; I'm not—I don't want to reiterate what they've said so much. But what I want to focus on, just one aspect of it, and that is—and we've heard this mentioned a number of times today—is about the forming of gay-straight alliance clubs.

My concern with this is not the fact that we are create a club where people will feel welcome. Actually, that is what I would love to see. My concern is that if we have a club like the gay-straight alliance, would we not then also need to have a club for kids, like myself, who struggled with weight? Would we not have to have a club then for kids who are feeling like they're a minority in the school? They've—they moved, and let's say, they're the only one from a particular minority in the school—wouldn't they need a club for them? What about kids who are very poor? Maybe they'll feel more comfortable in a club. Those may sound good; it's good to have clubs like that. But what happens when you have a kid who fits into all four or five or 10? They're being pulled—which club do I join? I mean, that could be a real problem.

What I would suggest is to have one club to fit everybody, one club that everybody just feels comfortable to come in here—but not just a

gay-straight alliance club or something of that nature—an against-bullying club, an ABC club. I didn't make up the term. I'm borrowing it. I'm not that clever. But I think something like that, one club that would fit everybody, something that would just draw everybody in. And with that happening, the people who are going there are saying, you know, we're part of this group, we're uniting, everybody's allowed to come to this group, let's have some functions, let's do some great things that are going to promote unity within the school.

The reason why I think that this is something that we really—I ask you to really consider this. There are some—like we've heard today, there are some opinions coming from both sides, not—I haven't heard any ultimatums saying if you decide this, then we're going to do this or so on and so forth. But what if that were to happen? What if we just go with the bill the way it is right now, exactly it's written, and there's a group of people in society go, you know what, we can't support that, so we're going to fight this bill with everything—even though it's become law, we're going to fight this law, and we devote our lives to fighting it—okay, or what if lots of changes are made to the bill? It's been suggest—it just gets torn apart and changed and re-envisioned completely, and then a group who was really happy with the bill the way it is right now goes, no, now you've changed it; now we're going to fight it.

\* (15:10)

So what my proposal is—and am I oversimplifying? Probably. My proposal is: Have an all-against-bullying club, one club, because, quite honestly, I can't imagine anyone going, you know what, I don't like a club where everyone's included; that doesn't sound right.

So is it—am I oversimplifying it? Do I have the perfect answer? Probably not. But I'm hoping that maybe that's something that you guys can put your heads together and go: Okay, there's an idea. Let's maybe explore that a bit more.

What would the club look like? Honestly, I'm not entirely sure. I don't know if it's being done right now. I don't know of any schools in particular where it's being done or where it's been tried. So I don't know. But I did ask my very wise wife yesterday: Honey, give me some suggestions. What—this is kind of my finale; I got to have a good finale for my presentation. So what do I do? And she said, scrap the whole thing and let me write it for you—no, that's not what she said.

Probably could have done that, but, basically, what she said was, this is an opportunity for the counsellors, resource teachers from the school to really get involved. If you have a club like this that meets in some place against bullying, here's a great opportunity for them to connect with students that are coming into the club and saying, hey, you guys are against bullying. You guys are against bullying, okay, let's have some unity here.

So I don't know. I would—it would be great to see all kids share in something like this, so thank you very much for your time. I'm sure I oversimplified that, but that's just the way I roll. So thank you very much for your time.

**Madam Chairperson:** Thank you very much, Mr. Unger, for coming down.

We'll go to questions now.

**Ms. Allan:** Well, thank you for your presentation, Brad, and I really appreciate your kind comments at the beginning, and, yes, Bill 18 is a hot topic. And I think it's an important topic because a lot of people have found their voice; they're engaged in the conversation.

I want to tell you about Seven Oaks School Division. We had a safe and caring school forum in the spring, and Seven Oaks School Division, a group of students from the school, presented, and they said exactly what you just talked about. They said that they started a whole bunch of clubs at their school. There was all kinds of clubs, about four or five of them. They all had different names. One of them was a gay-straight alliance. And what happened, after a few years, is all of the clubs came together, and they are now called the Social Justice Club.

So thank you for your suggestion. It's a good one because it's already happening in our public education system. Thank you for being here today.

**Mr. Gerrard:** Thank you for coming here and talking about your own experience with bullying—it's always important to kind of personalize it—and for your suggestions about bringing some of the ideas together. Thank you.

**Mr. Pedersen:** Thank you, Brad, for your humorous presentation, your self-deprecating presentation—that's great—and for listening to your wife; it's always important to do that. And, you know, repeating the message is—that's why we have these public forums is so that government and all legislators can hear this message over and over, and, hopefully, it gets

through. And, you know, I—when I hear the minister talking about clubs like that, I'm wondering why we need this bill. And, if it's working, why are you trying to re-invent the wheel? But thank you very much for your presentation.

**Madam Chairperson:** Seeing no further questions, I'd just like to thank you very much again for coming down and presenting.

**Mr. Unger:** Thank you.

**Madam Chairperson:** We'll move to our next presenter, Charis Penner, private citizen.

*Mr. Vice-Chairperson in the Chair*

**Mr. Vice-Chairperson:** So do we have Charis Penner?

We may have to drop her to the bottom of the list. We will proceed with Mr. Lawrence Hamm.

Mr. Hamm, do you have any materials for the committee?

**Mr. Lawrence Hamm (Private Citizen):** I do.

**Mr. Vice-Chairperson:** We'll assist you with that and—

**Mr. Hamm:** But, as a good educator, I would hope that we wouldn't read those until I'm finished speaking.

**Mr. Vice-Chairperson:** We cannot give instructions to the members of the committee.

Please proceed. Thank you.

**Mr. Hamm:** Thank you. Well, I started my presentation here, the written part, by putting good morning or good afternoon. I guess it's good that I put that slash in there because we are now in the afternoon.

I've given a lot of time and thought to what I wish to say and what my message would be here today. I'm familiar with a number of you in this room, but for those of you who don't know me, I've worked in education in the province of Manitoba for the past 21 years. I've thought long and hard about whether or not I should present as a teacher, whether I should present as an administrator, a superintendent, CEO, a public or independent school-experienced employee, a parent of three children that have both been in public and independent school, or as a private citizen, and, in the end, after much discussion and deliberation in my

own head and with my board, I decided to present as a private citizen.

I chose to present as a private citizen because the voice of one should matter if the true goal of this legislation is safety and inclusiveness for all. The voice of one should count for as much as my voice is a leader of my schools. I've spent a large amount of time looking at Bill 18 and thinking about it over the past year. I've spent time speaking with independent school board members, from schools other than my own as well, public school trustees, teachers, administrators, both public and independent, parents and students within the schools to help me with my thoughts.

As I said before, those of you who know me and have experience with me will know that I take great pride in thinking things through before I speak, and I always try to take time to consider alternate views to mine before making decisions on things. I have been asked time and time again for my thoughts and opinions but have chosen to speak privately with many instead of publicly, much to the chagrin of many media outlets, both provincial, local and national that have contacted me. And, for the politicians, there are those of you sitting here in the room, you'll know what that's like.

I'd like to comment right off the bat that I'm in favour of taking measures to prevent bullying in schools. The basic premise and idea behind the legislation is good. I share the minister and government's goal of making schools a safer place for kids and work hard at that goal each day. I also understand that the legislation will not apply to independent schools unless the minister orders it, which she has indicated that she will. I have spent countless hours with parents and students over the last 20 years dealing with the aftermath of disagreements, of conflict, physical conflict, psychological, emotional violence that occur within schools. Steps that are taken to help make children safer are good, but in my humble opinion, these steps need to be well-thought-out. I hope to have a small influence on the outcome and the language of this bill to ensure that this—that it is effective. I hope to influence the definition of bullying and would caution you, the lawmakers, to take time to really think through the implications of such a broad definition.

I understand that a wide gate leaves discretion at the hands of those within the schools, and I'll address Minister Allan at this time. I appreciate that. But it

also opens up too wide of an avenue for those who would misconstrue any disagreement, any comment, any action, nonaction or even existence as bullying. You may think this is a little ridiculous, but in an ever-increasingly litigious society, it also may—and in my opinion will—open up schools, divisions, other educational institutions to unnecessary litigation or costs.

My recommendation? I'm trying to keep this broad: Please take time to rethink your definition of bullying. Include some general definitions of differences, including disagreements, conflict, opinions, et cetera, that are often not bullying. I would love to be a part of any discussion or committee that may be formed to look at improving the language, and I'm hereby volunteering, if you would like to take me up on that offer.

As a Mennonite—the second part of my presentation—and educational leader in the community, I am also wary of the language in Bill 18, the bullying definition, and its impact on our right to educate our children within the tenets of our faith. This concern is nothing new. In fact, it has been talked around my family table for generations. I spoke of this concern with my father at length just before he passed away last September and was reminded to never forget the treatment, promises broken, and exodus of many Mennonites from this province that I love due to the lack of understanding of our faith in the past. I fear that the lack of understanding is continuing today.

\* (15:20)

As I said, the concern runs deep in Mennonite history, all the way back to the first Mennonite delegation that was invited to visit Manitoba in the 1870s. They were so concerned with faith and education that they sought guarantees from the federal government and Governor General which were provided to ensure that these rights would exist for Mennonites. I have provided copies of the original letter that I have here in this folder—one of the benefits of my position, I guess—from 1873 to members of Manitoba Education at their request. But for your benefit I will read out the section that I'm referring to and provide copies for each of you at the end of this presentation, which I know you're not looking at right now.

The letter dated July 23rd, 1873, section 10, is the one I'm talking about: the fullest privilege of exercising their religious principles by law afforded to the Mennonites without any kind of molestation or



restriction whatever, and the same privilege extends to the education of their children in schools. The reason I bring this up is to not to cause controversy, but to remind you—you the lawmakers—that there are many voices out there that are worth listening to. Please do not dismiss my voice as a Mennonite because you may not understand where I come from and why I feel this way. Please understand that your definition of bullying is causing me concern and, yes, even some distress. And I might be able to explain that a little bit during the question session.

I choose to work in a place that affords me the right to teach and lead from a Mennonite Anabaptist perspective. I also choose to work in a place where people choose to send their children. Again, it's a choice, not a default. Please draft language that will respect us and allow me to continue to do so. While I agree with the premise behind the legislation and support your efforts to make schools a safer place for everyone, I am wary of the current definition and impact that it may have in the future.

**Mr. Vice-Chairperson:** Sorry to interrupt. Do we have leave from the committee for Mr. Hamm to continue with his presentation for a few more minutes? *[Agreed]*

Thank you.

**Mr. Hamm:** Thank you.

I was taught and have a firm belief that every person is created in the image of God, and, such as, deserves to be treated with respect and dignity. I also have the same expectation in my professional life and see this demonstrated every day in the schools that I lead. Please take the time to hear me today and take the time to revise your definition of bullying to ensure that every person receives the same respect and dignity that I know you're intending to provide. In my humble opinion, taking time to modify or tweak the language now will improve things down the road and will allow this bill to be much more effective and inclusive. It will also go a long ways towards ensuring that promises made in the past are honoured today.

Thank you.

**Mr. Vice-Chairperson:** Thank you, Mr. Hamm. We now go to the question phase. We have five minutes, so we start with Minister Allan.

**Ms. Allan:** Well, Lawrence, thank you very much for your presentation. I was devastated when you were talking—mentioned all the people that you've

had a conversation with about this bill, that I wasn't mentioned, but—*[interjection]*

**Mr. Vice-Chairperson:** Mr. Hamm, I have to recognize you first for purposes of record, please. Thank you.

**Ms. Allan:** Thank you, Lawrence. I'm sorry to kind of disrupt the committee like that, but I know that you have put a lot of thought into Bill 18, and I know that you have seriously had many conversations. I know that we had a good conversation. You've had many conversations with Gerald Farthing, my deputy minister, and I really am pleased that you came to the committee today to make a presentation, regardless of who it was on behalf of. I really appreciate you putting together this presentation and being here today, and we look forward to working with you in the future. Thank you for being here, Lawrence.

**Mr. Schuler:** You know, Lawrence, thank you very much for being here, and you've sat for a long time and, you know, you gave us a document, and it's Department of Agriculture. I can't actually read it even with glasses on. It's not the best copy but I guess the way it was written didn't photocopy very well. But what it actually says is that we have to be careful because they were commitments made by politicians that sometimes aren't followed through on, and this one is in writing, and we've got to be careful that it is one of those commitments that is considered in light of other legislation, and I think you've sort of called us short a little bit, as a committee and as politicians, to be mindful that there are other commitments that have been made in the past, and we have to be cognizant of those as well, and I didn't even know about this one.

I appreciate that you came forward, well researched, well thought out, and I know the committee will consider your presentation very seriously and appreciate everything that you do for education in this province. And I want to thank you very much for everything that you do and the kind of professionalism you do it in, seeing as I have the opportunity to do that this afternoon.

Thanks for coming.

**Mr. Gerrard:** Yes, thanks so much for your presentation and reminding us of the importance of the original agreement.

Two quick points: one is we've had some discussion of how you might change the definition. If one were to put in a pattern of behaviour or repeated

behaviour, would that satisfy the change that you need?

And, second, in terms of reference to all the items in The Human Rights Code, there would be two options here. One would be to list them all or to refer to the list in The Human Rights Code; the other would be to have an approach to bullying which is inclusive, irrespective of what the precise cause was.

**Mr. Vice-Chairperson:** And was there a question?

**Mr. Gerrard:** Yes.

**Mr. Hamm:** Thank you. I guess to answer your questions, or both of your questions, my answer to your first question would be no and yes. No, if you change the definition of bullying to read, you know, include repeated acts, et cetera, et cetera, because each case of conflict or bullying is different. And my big—my main concern with the definition right now lies in with the transmission of faith within our—the schools that my children attend and that I lead.

Now, simply put, to make this a quick example, if I had—I have children from 81 different faith communities that attend my schools. I have children from no faith community whatsoever that attend our schools and we welcome them. If I have teachers that stand in front of the classroom on a daily basis and talk about the fact that God has created and sustains this earth and the parents or the children don't believe that and it's causing them distress, that's still a repeated thing. So that is why I'm—that's why I brought this information up because for me that's the greater concern, you know, down the road. So that definition I just do believe has to be well thought out.

From another point of view, if we're talking about other types of bullying, absolutely, and I think we've heard that over and over again from the presenters that I've listened to here today. But, you know, for the first thing I'm talking about, in terms of transmission of our faith within our schools, the answer would be no.

Now, you have to forgive me, you asked me a second question and if you could just rephrase that to me once again, I'd love to answer it. *[interjection]*

**Mr. Vice-Chairperson:** Dr. Gerrard, I'll have to recognize you first. Thank you. Okay.

**Mr. Gerrard:** The second question had to do with the items in The Human Rights Code, whether it was better to include all of them or to actually have a general definition of bullying that would apply, irrespective of what the basis was. *[interjection]*

**Mr. Vice-Chairperson:** Mr. Hamm.

**Mr. Hamm:** Sorry.

For me, personally, absolutely, including all of the definitions, or all of the groups listed in The Human Rights Code would be much more comforting to me because it does also include religious freedoms as well. So that is something that I would think would be more inclusive instead of exclusive, by only naming one group or another group, you know, within the legislation. Absolutely.

**Mr. Vice-Chairperson:** Thank you, Mr. Hamm.

And before we proceed, question per-question phase, time's up.

### Committee Substitution

**Mr. Vice-Chairperson:** I would like to inform the committee that under our rule 85(2), the following membership substitution has been made for this committee, effective immediately: for Minister Andrew Swan for Minister Andrew—I mean, Dave Chomiak. Thank you.

\* \* \*

**Mr. Vice-Chairperson:** The next presenter that we have on the list is Melanie Froese. Melanie Froese.

And do you have any—

**Ms. Melanie Froese (Private Citizen):** No. I just didn't know—had notes.

**Mr. Vice-Chairperson:** No handouts. Please proceed as soon as you are ready.

**Ms. Melanie Froese:** Okay, I'd like to start off with, first of all, you'd mentioned numerous times that it's a beautiful Saturday and we're all in here but thank you, for your Saturday, I guess.

\* (15:30)

And I actually had a presentation put together and 20 copies made, but I feel like there is—and I guess this is maybe the mom side of me—but there's a different spin to it now.

We're never going to figure this out if we talk about this in general. We can't say the same rules apply to all the schools. We can give them groundwork and I think that would be the best start. But going into something so specific for every child, it probably will never work.

I mean, okay, I'm a mom of one so I can't say this, but I've heard that, as a parent, you can never

apply the same rules to all your children. That being said, why are we doing that to these students? Aren't they all different? Isn't each child unique? And yes, some may—I don't know—this isn't, I guess, the biggest topic for me—but some may be gay or straight, or skinny or tall, or whatever it is they're being bullied for, but they'll also handle that situation different.

One presenter said before, he could laugh about what he was being bullied about, and at times he was the one joking about that, whereas somebody else would not be able to handle that.

And I know, for me, that I was bullied in school. I'm not originally from Canada and it was new to me. I came to this country, and, I guess, I was just young and didn't know anything, but I expected everybody to treat me nicely. I was in grade 3. By the time I got to grade 6, that bullying didn't stop. So my parents moved us into a small town, into Niverville, and I figured, okay, here's my fresh start. Nobody knows me. And then it started again—it started again and it got worse. And this time it hit close to home because it wasn't the fact that I was skinny or fat or who I was. And I'm pretty sure none of you can even guess where I'm from because I don't have an accent, at least that's what most people have told me. But the fact is that I was bullied because of where I was born. And the bully not only—he didn't drive me to drugs or alcohol, but he drove me to drop out of school. And my parents stood behind me 100 per cent on that decision because they knew that switching schools didn't help the first time, so why are we going to do it again? She'll be the new kid again. It's going to start all over again.

So I don't understand why we are now grouping all of these GSA and—sorry, I'm not following on all these groups—but grouping all of these students into one group and just saying they're all being—like there are so many bullies and there are so many people that are being bullied—but why aren't we dealing with individual cases? Yes, that puts more pressure on teachers and principals. But I think that through this we need to empower the principals; we need to empower the students.

Numerous times the bully that came after me got suspended—in-school suspension, out-of-school suspensions. Numerous times teachers allowed me to skip class so that I could avoid being bullied. I don't think I should have been the one out of that class. I think I was entitled to an education but for—the only

way for me to deal and get away from the bullying was to remove me from that situation.

And I'm proud to say that I did go back. Two years ago I got my grade 12. I am now—it's, I guess, kind of a slower start—but I am now furthering my education. But I don't think it should have taken 'til now.

And I really think that if we want to solve bullying, that we can give them guidelines. We can give schools recommendations as to, this is going to work and this isn't going to work.

Like, props to whoever started this, because it—bullying needs to be—it needs to be eliminated. But as a whole like this, it's not going to work. We need to empower our students or our teachers and our principals, because if we don't do that, who's going to? They're the ones dealing with the kids. So if we don't do that, then where are we going to go?

And, I mean, I don't know, I don't have the answers to how we're going to empower the teachers, I don't. Mind you, I started school, ministers, Wednesday, this last week. So I'm still a student myself. I don't have these answers. But I know you guys do. And, if you put your heads together, I know that you can figure it out. And I have faith in you guys. And it may not always be about whether a Christian private school can have a GSA or not. But if they've figured out something that works for their students, and it works, why are we pushing in on that? Like, why are we crossing that boundaries? Boundaries are in place. I don't understand. If they've figured it out—yes, bullying's always going to happen, but if they've figured out for the most part how to eliminate it, why are we going to infringe on what else they've figured out? Because they've figured out something that we haven't, and it's working. So, maybe we should try and pick up what they're doing. I mean, at least a little slab of it, at least to get us thinking, because, let's admit it, we're all against bullying. Bullying is bullying. It doesn't matter if you're gay, straight or whatever it is—that just seems to be the hot topic here. Everyone's picking on that one. But it's just—bullying is bullying. It doesn't matter what it's about. People get hurt.

So, with that said, I would really, really love to be able to support Bill 18. And, yes, with also the fact that I want to stand behind Christian schools, I can't. I got driven out of school because of somebody that made my life heck. And I did not—I would rather die than go back to school. And I would really, really love to be able to support this bill. I really would.

But I'm just asking you guys to rethink this before this passes. This is so vague; this is so big; this is such a huge issue. When bullying is technically between two people, that's where it needs to start. We need to empower our teachers, and, yes, students need to be empowered, too, but I think we need to start with our principals and our teachers.

So, with that being said, I would like to conclude in hopes that maybe one day I can fully support Bill 18, not as it is written, but with it changed.

**Mr. Vice-Chairperson:** Thank you for your presentation, and we will be starting the question phase of this presentation.

**Ms. Allan:** Well, thank you, Melanie, very much for your presentation. I'm glad you threw the canned one out and spoke from the heart; they're always the best speeches.

That was great, and I agree with you; I agree with you that you don't have the same rules for every case of bullying. And I agree with you that the people in our public education system, the professionals, the teachers and the principals are the ones to deal with that situation, because you know what, they know that particular situation best. They know the students. They know the parents. They know the guardians. That young person may not even have parents, for heaven's sake, so we need to continue to work with our public educators and continue to work within our system and make sure that at some point we can continue to work on this problem. And we really appreciate you being here today and providing your comments on Bill 18. Thank you.

**Mr. Schuler:** Melanie, first of all, I want to thank you for being here, for coming forward. You know what, I want to thank you for going back and getting your grade 12 and thank you for going on and furthering your education. By the way, that is outstanding, and you know, we do a lot of things here in this building, and when we hear those kinds of stories, you know what, actually, you make it worthwhile—me doing what I do. I actually really appreciate hearing your story. And you know, the fact that we've had a lot of very professional presentations, and we really appreciate those—you know, they've been well done. But we also like to have individuals come forward and speak from the heart.

And so, you spoke to me, you speak my language. I tend to be one of the slightly more

passionate people here. So, I appreciate that. And you know what, I agree with you. There has to be consequences to bullying. And one of the feelings that I have, and we've heard it a lot over the last few days, is that there has to be a consequence. The bullied individual shouldn't be the one who leaves. It should be the bully. And you know what, you said it succinctly. Appreciate it very much. Have a great whatever's left of your weekend. Thank you for being here.

\* (15:40)

**Mr. Gerrard:** All right. Thanks so much. To some extent, the bill provides empowerment of teachers in deciding what the consequences are. I think in your situation, clearly, that didn't work, and what you're suggesting is that there be something more specific so that in your circumstances or that—like that, that there be a clearer result in terms of what happens with the bully and the person who's bullied.

**Mr. Vice-Chairperson:** Thank you, Dr. Gerrard, and thank you, Ms. Froese, for that presentation.

We'll proceed with the next presenter in our list and that's Brad Klassen.

Mr. Klassen, do you have any materials for the committee? Then please proceed as soon as you are ready. Thank you.

**Mr. Brad Klassen (Private Citizen):** I want to thank you for this opportunity. I've been sitting here for a long time waiting for this moment. My heart's been pounding out of my chest, my pen's been going furiously on my papers and that's why you don't have a copy of what I have because it wouldn't make sense to you, in my notes, so I hope that what you hear is from my heart and from my mind, a combination of both.

My name is Brad Klassen. I am a husband of one beautiful woman at home and four awesome kids. One of them turned 6 today and I got to rush back home for a birthday party yet, but this is important and that's why me and my wife agreed that I should be here. And right from the beginning, I would like to state that I am against bullying, period. I believe that people should not be belittled, put down or made to feel less than others, no matter what. I hope that you have heard today from people who are opposed to Bill 18, that you've never heard that we need to beat people up or throw them out of schools or whatever; you've heard hearts that say we are against bullying, period. And I hope that's coming out.

I'm also for differences of opinion and that brings us to Bill 18. This is a topic where a lot of differences of opinions have been stated, and I know that you have heard many of them. The way I understand Bill 18 is that it is intended to empower school authorities with tools that they need to prevent bullying. The first and biggest question I have is this: Which law will win?

Considering that there are already laws and regulations in schools to deal with bullying, by introducing Bill 18, the government is saying that those current laws are not adequate enough. By including only one specific group by name in the new bill, I am led to believe that the government is saying that the old laws are not good enough for them but still good enough for everyone else. With that being said, I go back to my question: Which law will win?

There will come a time when these two laws will collide with each other. Which one will trump? For example, let's say a student—we'll call him Bob, for this case—who, for whatever reason, does not agree with homosexuality and is sitting in the cafeteria, eating lunch, minding his own business. And let's say another student—let's call him Jimmy—who know Bob's beliefs, approaches him and asks him what he thinks about that issue. If Bob were to answer honestly, according to Bill 18, he could be labelled a bully. If he doesn't answer, will his silence be taken as one and he'll be labelled a bully?

But who is really bullying here? It may seem subtle and innocent and trivial, but Jimmy has put Bob in an uncomfortable situation based solely on who he is, what he believes, and how he chooses to live his life. Is that not the very thing to protect according to Bill 18? And yet, because it's a situation with the topic of homosexuality as the issue, will Jimmy be seen as a bully here or will it be Bob for holding his silence? Will Bob be truly protected under the old inadequate laws? It seems that the way Bill 18 is written, it could present issues that the government may not have thought of completely.

My next question is about differences of opinions. Just because you don't agree with someone doesn't mean that you're being a bully to them. If that were the case, everyone in the Legislature would be considered a bully. Why is it that as soon as a person disagrees with homosexuality, they are automatically labelled homophobic, yet when someone disagrees with a religious belief, they are not considered religious-phobic. I may not agree

with their lifestyle of choice, but that doesn't mean that I hate them.

To have a phobia is to have inexplicable or illogical fear of something. Disagreement with should not equal fear of. If it did, wouldn't I be then able to turn the table and suggest that they have a phobia of me because they don't agree with me?

I will give you an example of this. I do camp speaking during the summers and one, a couple—last summer I was at a camp where I met a young girl named Natasha [*phonetic*]. Natasha [*phonetic*] was the girl who had the black makeup on, the black nail polish, the fishnet arm bands on, all that stuff, and I met her one time. She was on the swings as I walked by and I sat beside her on the other swing. She was just kind of quiet, swinging, and I asked her, you know, what's her name. She said, Natasha [*phonetic*]. I said, is there anything you want to talk about and she said, no. I said, okay, that's fine. If ever you want to, I'll listen and I left.

#### *Madam Chairperson in the Chair*

Later on that day she handed me a folded paper, and I didn't have time to read it, but I was able to read it when I went to bed that night. And I read a story that broke my heart. She talked about trying to find who she was, trying to find who she was as a person; experimenting with alcohol, drugs, sexuality, lesbianism, all kinds of things like that, that she was just really trying to figure out who she was. And my heart, I literally cried myself to sleep that night.

Over the next few days, as I was still involved with the camp and able to speak with them, there was a night where I had the opportunity to talk with Natasha [*phonetic*] more and she had some really great questions about God and Christianity. And I was able to share with her the Christian viewpoint of sexuality and a bigger picture. And then I left the choice up to her as to what she wanted to do.

Isn't that the way it should happen? People who disagree maybe on some points can sit and talk and not be worried about being labelled bullies because they have differences of opinion, but rather be able to share each other's stories and listen to each other and move on as friends.

I want to note that it's been said today that GSA's save lives, and I'm sure they do, but I also want to highlight that so do teachers and coaches and friends and so do youth groups. There are many kids who find freedom and salvation in life through church.

And I want to encourage you to not neglect or discredit religious belief in the school system.

There's one item I would like to bring up in the end. The office of the Education Minister for many years has worked hard at keeping students safe by protecting them from weapons of all kinds. There is one weapon in our modern world that has done so much damage and driven students to depression and suicide; that weapon is the cellphone.

Many of the recent bullying cases—Amanda Todd's case has come up—involved—included stories of how pictures and gossip had been circulated via cellphones. I think that we would all agree that these pictures and statements have caused a lot of damage. Has the minister's office considered the cellphone as a weapon?

Now there are several reasons that people justify cellphones in school; one is that parents would be able to get hold of their teen in case of emergency. Emergencies do happen but, believe it or not, the cellphone has not always been around, and for decades parents have been able to call the school and the school has used appropriate measures to get a hold of the student so that the emergency could be discussed in proper ways. Where has this gone? In all reality, we know that many of the kids who use cellphones in schools are not using them to contact their parents.

The other emergency that comes up is a potential lockdown. And, yes, these can happen as well, and have happened. And yet in the school that I formerly worked in, the standard protocol for lockdowns was that the students were to hand in their cellphones so the proper authorities would be able to handle the situation.

I know that this point seems a little far stretched, but maybe it's not the point of eliminating the cellphone; maybe it's the point of trying to look at more practical solutions for bullying than what Bill 18 has to offer.

I would like to thank you for your time, for allowing me to present on this. In one statement that came up to me as I waiting for my turn was, as we focus on bullying and Bill 18, we can get so focused on that issue that we forget that maybe there's another solution. Rather than fighting against bullying, maybe we need to create laws and protocols and standards that instead fight for community, and in that way friendships are built, understanding is built, discussion happens.

I currently work in an alternative education program where that is one of our goals, as we have students for all kinds of walks of life and backgrounds coming; our goal is community, respect, dignity for everybody. Doesn't matter what you believe but within that, as I've asked my students, and I've said is—if someone disagrees with you, is that bullying? And they say no; if there's disagreement, we can have discussion. And so maybe we need to pursue more community rather than antibullying. Thank you.

**Madam Chairperson:** Thank you, Mr. Klassen, for coming down to present.

We'll go to questions from the committee.

**Ms. Allan:** Brad, thank you very much for your presentation, it was excellent.

I want you to know that I appreciate all of the comments that you've made, I want to touch on two.

Thank you for talking about social media—cellphones, social media. One of the reasons that we have Bill 18 is because we believe our laws need to keep up with that and there—that is one of our big problems in regards to bullying and cyberbullying. And, in our legislation, Bill 18, there is an expanded duty to report cyberbullying, and we will be working with our education community around that because we know it's not good enough just to work on it within the school because lots of cyberbullying, it just is out there happening, right?

\* (15:50)

And thank you for mentioning lockdown protocols. We are—or lockdowns. We are actually looking at our lockdown protocols right now and reviewing them and working with the Winnipeg police and the RCMP in regard to our lockdown protocols.

So thank you for your comments, and thank you for waiting so long to be here today, and enjoy your daughter's birthday. Thank you.

**Mr. Schuler:** Thank you very much. Appreciate the comments you put on the record. You've given us a lot to think about. And I have a whole slew of questions, but, you know what? There's somebody who needs you at their birthday party, I think. I think you've probably given us everything that we need to think about, and appreciate that you stayed and that you put your thoughts on the record, and good luck with the birthday party.

**Mr. Gerrard:** Brad, thanks so much for your contribution and your ideas and have a good birthday party.

**Madam Chairperson:** Once again thank you so much for coming. Appreciate it.

### Committee Substitution

**Madam Chairperson:** Before we go on to our next presenter, I would like to inform the committee that under our rule 85(2), the following membership substitution has been made for this committee effective immediately: Mr. Smook for Mr. Cullen. Thank you.

\* \* \*

**Madam Chairperson:** All right. And our next presenter is Roger Giesbrecht, private citizen.

And do you have any materials to hand out, Mr. Giesbrecht? No? Then just please go ahead as soon as you're ready.

**Mr. Roger Giesbrecht (Private Citizen):** To the members of the Standing Committee on Human Resources, I am so sorry for not thinking more highly of you, for not praying for you more. I had no idea you would work through the summer—you actually worked through the whole summer—that you would sometimes work until midnight, and that it was so hot in this place, because I would not be here.

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.

I was pleasantly surprised to learn this is read aloud each time the House sits. It reminds me that it is ultimately God who is in control. He is the one who has granted authority to our leaders, and He is the one who gives power and wisdom. But I really have to wonder if this government hears and listens to these words. Do they really believe the contents of Bill 18 are in accordance with God's will and for the welfare of our people? All our people?

Why does the bill single out GSA groups? And you have heard some of these arguments before, so bear with me. And why is it called an alliance?

It does not discuss a gay-straight dialogue group or a gay-straight mutual education society, but a gay-straight alliance. Alliances are formed in order to press political agendas, and the great-gay-straight alliance exists for the single purpose of normalizing homosexuality.

Requiring a conservative Christian school to accept such a group with such a purpose is like forcing them to allow a Buddhist-Christian alliance that would declare the equal religious worth of Buddhism and Christianity. Some people might think that would be a very good thing, but one can hardly expect traditional Christians or Buddhists to welcome it. In fact, this legislation amounts to compelling these schools to allow anti-Christian alliances to form. To me, this sounds like bullying. This is why there's no mention of having black-white alliance or Protestant-Catholic alliance or pro-life/pro-choice alliance. Or how about having an alliance club for ex-gay students or students with unwanted same-sex attractions? If this government is truly concerned about bullying, why not simply endorse the creation of antibullying clubs, period?

I'm fearful that this bill will actually increase divisiveness and bullying. As presently worded, it explicitly addresses only a few groups which, together, constitute a small minority of bullied students, but weakly attends to the huge majority of at-risk children who have the characteristics actually targeted by bullies.

Body image has been proven to be the biggest reason for bullying. Meanwhile, gender and sexual orientation together accounted for only 5 per cent of bullying in the 2006 study of 105,000 Toronto students. Aren't the children targeted for body image important too? In fact, in singling out some groups of students for special status, Bill 18 inherently creates a second class of students: those who are bullied for other reasons. This is more divisive than inclusive.

Bill 18 specifically gives protection from bullying in four areas: gender, race, sexual orientation and disabilities. Why does the bill specifically exclude religious beliefs? Since the bill appears to be so ineffective in its current form, I can only conclude it's part of a strategy to open the door to an erosion of any dissenting viewpoint, especially religious.

The religious view that gay sex is immoral would not be tolerated in Manitoba schools. Students or teachers who possess the moral opinion that gay sex is wrong may well be labelled as homophobic

and excluded from all discussions in the classroom. So not only will Bill 18 infringe on religious liberties and do nothing to stop bullying, it will make Manitoba schools distinctly less safe and inclusive for many students and teachers.

Now, you have no doubt heard all these points before, so I just want to say something in defence of Bible-believing Christians like me and like those entrusted with the care and teaching of children at Bible-based private schools, and also any other Christians accused of bigotry because of their stance for morality. I want you to understand that we don't hate anybody. Yes, there are people around that may well hate the sinner, not just the sin, as in any moral issue, but these are people who have warped the teachings of the Bible. True Bible-believing Christians are often seen as bigots because we believe what the Bible teaches about immoral behaviour. We believe the Bible to be the inspired Word of God in its entirety. There are many religious people today, and even non-religious people, that definitely believe Jesus was a good person. They say, how can we believe that the behaviour of gay people is sinful, and why can't we just love them like Jesus would do?

To say Jesus loved people and just accepted them into his kingdom without any change of heart is to either deny Jesus as God himself, or to say that God is only a God of love, but not a holy God who cannot tolerate sin. As a Christian, I certainly believe in the love of God. In fact, this is the basis of God's plan for us. He loves us all so much, He sent Jesus, His only Son, to earth to die on a cross in our place so that we can have a relationship with Him to be in His presence. But He didn't do this to overlook our sinful nature. He still requires that we accept His Son's sacrifice for us and to change our behaviour.

This is why people of the Christian faith are concerned about Bill 18, and that's why I wanted to say that. We do not want to lose our freedom to tell people of God's love and His justice. If that means not being able to condone sin, it is only because we want them to escape God's judgment. We want them to know there is a God who loves them and who can change their heart and their behaviour, both in this life and in eternity. What will He do with Jesus? Do you believe His love for people means He overlooks their faults and sins? Or, as God Himself, do you believe He expects His people to obey His commands? It's no different than why we, as parents, discipline our children when they stray. It's not because we hate them; it's the exact opposite—

because we love them so much. Jesus never overlooked sin. He spoke out against immorality. That's the Bible I believe in and that our country was founded on.

I'll conclude with a quote from C. S. Lewis. He said of modern-day humans: They regard failure to change moral standards as stagnation. The old-fashioned becomes synonymous with the bad; the new, synonymous with the good. An unchanging standard is not the enemy of moral progress. On the contrary, it is a necessary condition for it. One might point out that some of the old standards were actually wrong, but the oldest standards are God's and they are always right. Certain old standards of men were wrong, such as slavery, oppression and the doctrine of racial inequality. Other old standards were right, such as the sanctity of unborn human life, and the wrongness of sexual immorality. To progress, you must change the old that was wrong by conforming, instead, to that which is older still, the ancient and eternal truth of God. But you must not change the old that was right. To do so is not moral progress but moral disintegration.

Thank you for listening.

\* (16:00)

**Madam Chairperson:** Thank you very much for coming down to present, Mr. Giesbrecht. We are going to move to questions now.

**Ms. Allan:** Mr. Giesbrecht, thank you so much for being here today. Thank you for your kind comments at the beginning of your presentation. We appreciate you being here today, and thank you once again for being here.

**Mr. Schuler:** Yes. Roger, thank you for your reflections in the beginning.

This Legislature has now sat for six months straight through some very hot days, and we don't have air conditioning other than the Chamber and, I believe, one other room or so in this building. And, yes, on those really hot days, pray for us. It gets pretty warm in here.

Appreciate your comments, the fact that you stayed and took the time to address the committee and we appreciate that very much.

**Mr. Gerrard:** I just want to say thank you for your comments and for coming and contributing to the deliberations here.



**Madam Chairperson:** Thank you once again. Seeing no further questions, we appreciate you coming down.

### Committee Substitutions

**Madam Chairperson:** And, before we go on, just going to do a little bit of business here. I would like to inform the committee that, under our rule 85(2), the following membership substitution has been made for this committee effective immediately: Honourable Mr. Rondeau for Mr. Whitehead, Ms. Braun for Mr. Maloway, Ms. Blady for Mr. Marcelino.

\* \* \*

**Madam Chairperson:** And we will also need to elect a new Vice-Chairperson. Are there any nominations?

**Mr. Dewar:** I nominate Ms. Blady.

**Madam Chairperson:** Ms. Blady has been nominated. Are there any other nominations? Seeing none, Ms. Blady is elected Vice-Chairperson.

All right, thank you, and we will move to our next presenter, which is Kris Kenemy, private citizen. And do you have any materials with you, Mr. Kenemy?

**Mr. Kris Kenemy (Private Citizen):** Yes, I do.

**Madam Chairperson:** All right, if we could help you get those handed out, and then if you can just go ahead whenever you're ready.

**Mr. Kenemy:** Okay. To start with, I'm grateful for the opportunity to present to you today on Bill 18. As many people have said before me, it's just an honour to be here with a such a committed group. You've shown a lot of dedication through sitting through a lot of presentations and, as you said before, day after day, and so thank you for that.

I've been a citizen of Manitoba for eight years. I've lived in Winnipeg for most of this time. I'm a Christian. I am a father of one; hopefully, a few more would be great, and I'm a social worker. I'm a social worker currently practising in Winnipeg. For each of these reasons, I'm very passionate about bullying. I won't take the time to go on my personal experience. I know many have done that, and it's good that a lot of people in this room have had a personal experience and can speak from that. I can too, but I'll just refrain from that for now.

I commend our education system for tackling the issue of bullying, and this bill may be the place

where we, as a province, start to make major headway in preventing and eradicating this issue, which has become a major concern for many Canadians. I've come today to show support to the Province of Manitoba to create and implement an antibullying bill. However, as I will share, I also have a very strong concern over how this bill, bill C 18, at this time is written.

My first and more minor concern today is that I would like to see the bill have a clearer definition of bullying, as has been expressed by many Manitobans thus far already. But, additionally, I want to add something I haven't heard yet today, which is that I encourage a broader and clearer definition using recent evidence in literature to define bullying. In particular, one thing that stood out to me is just that current research informs us that the definition of bullying needs to also focus on the role of the bystander, silent bystanders of the act of bullying, focusing on that to foster—and in how they foster bullying and they ultimately participate in bullying.

If we broaden the definition of bullying to include silent bystanders as also being contributors of the act of bullying, we will help in the fight against bullying, as research asserts that bystanders are present in 85 per cent of cases of bullying and that they have the power to step in and intervene in the act of bullying. I took that—just the quote was from a website [bullying.org](http://bullying.org). I do also have a handout. If you want more on what literature says, because I had the privilege of doing a project in my social work studies, so that I can just give if you ask me for it.

More importantly, my major concern with Bill 18, as it's written right now, is its violation of religious freedoms, in my perspective. As a Christian considering the bill, I accept almost all of its strategies to combat bullying, again, as a starting point for a provincial strategy for us, but I argue that writing into Bill 18 the specific name of the GSA group and applying this, the gay-straight alliance group requirement, as I understand it to be to faith-based, publicly funded schools, that that is in violation of religious freedoms for Christian Manitobans, Muslims and Jews, among other religions, who are currently, or who will operate funded independent schools. Now, when I'm touching on religious freedom here, I will say that my opinion of religious freedoms here is the only—that's my major thrust here. I'm not really pushing a specific agenda towards sexual orientation; however,

I do acknowledge that this debate is closely linked to issues of sexual orientation for many Manitobans.

So therefore, as I stand here as a Manitoban Christian, before I elaborate on how Bill 18 infringes on my religious freedoms, I feel compelled to first address any member or supporter of the LGBTTQ population that is hearing me today with a confession. I first want to say that throughout history and up to the present day, Christians have, in so many circumstances, wronged you, hurt you or even harmed you. Straying from the religion, Christians have acted out of fear and sometimes even hate instead of extending love and friendship to you as a person and as people. Please forgive us. I just feel I could not say that without going forward—or go forward without saying that.

So, now going forward, I'd like to quote Minister Nancy Allan when she said: At the end of the day, I will not allow faith-based schools to opt out of providing safe and secure places for students of Manitoba.

In response to this comment, I say, thank you. I don't—and that's exactly what we want, too. I don't believe that faith-based schools have any desire to opt out of the fight against bullying. In fact, I think it is well known that Christians, in particular, have been the forerunners for justice fighting and peace initiatives for centuries. We have opposed tyrannies, pursued amnesty for people. We've seen hope when there is no hope and seen the positive change before that change even exists, even to the point of laying down our lives to protect and serve the victims and the defenceless.

This applies to the present, as well. And I could give countless examples, but I'll give one from my personal life because it's the 'mo'—the closest to me, which is that the last time that I observed a person who was being bullied for their sexual orientation, they happened to be bullied, to my horror and shock, by the people that I was with at the time, and that took me by surprise. I immediately left those people and went and sat with the victim, to befriend the person and ultimately to put a stop to the slurs and to the comments. Why? Because of my faith in God and because of His love for all people. I know that I speak for many Christians when I say that the next time that I encounter the same situation, I will respond in the exact same way. And I hope, even if it costs me my—that I hope that I would respond that

way, even if it cost me my life, as I believe that is the love that Christians are called to live out.

With this in mind, I would go as far as to say that if you want to fight bullying in Manitoba, the Province needs the help of everyone—in particular, Christians—to accomplish this task. To those listening to me today, it seems there's been a misunderstanding, as faith-based schools are not choosing to opt out of the proposed provincial education policies and protocols and certainly do not want to opt out of creating a safe place and secure place for students. Rather, I believe the issue is that if you pass this bill as it is today, you put faith-based schools in a tough situation, which may result in them needing to fight against or opt out of the public school system altogether, or may result in families needing to opt out of public schools. I believe this is the issue.

The difficult situation that this bill puts some faith-based schools in is this: it is clear to me when I read the mission of the GSA clubs, or the GSA groups, who you have specifically written into the bill, that they intend to educate the student body on the definition of sexual orientation and gender identity. This education amounts to a set of beliefs that is in stark contrast to traditional Christian ideology. Please understand the following point I'd like to make, though, which seems to get lost in these debates. As Christians, we are called to accept, love and tolerate all people, independent of lifestyle choices, and we strive to do so. Yet, we do not accept, love or tolerate all lifestyles. There is a big difference. I absolutely love and value every human being to the best of my ability, regardless of sexual orientation or gender identity, but I do not love or agree with their lifestyle choices.

\* (16:10)

Therefore, I find myself in a tough situation. I eagerly, as a social worker, father and as a Christian and member of Manitoba, I want to stand up against bullying, including that which against the LGBTTQ population. And I will continue to stand against this and all types of bullying.

But yet, in this debate, my first priority lies in ensuring that the education my children receive is congruent with my beliefs. And it is clear to me that putting them in a publicly funded school that operates under this bill will result in my children having great difficulty differentiating what they're learning at school and in my home.

All of us here today know that if a face-base—a faith-based school is going to adequately promote the agenda of GSA group, they cannot also promote the Christian view of sexual orientation; it is either one or the other. A school under this bill cannot sit on the fence, as I understand it today.

And I would add to that, if it got to a point where a member of the LGBTQQT population—sorry, pardon me—was wanting to have a GSA group in a school, a publicly funded faith-based school, and the school said no, I think years down the road, my sense, as I'm listening to the debate today—my sense is that this legislation, as it's written today, weighs—thank you—weighs on the side of the student wanting the GSA group, because that group is specifically written in here. And I'm saying that in response to Mrs. Allan's comment before, to the school in Carman, just that, her requirement is only that they would accommodate. But, when I read the bill, I hear something very different—that I read something very different than what I heard from Mrs. Allan, because the GSA group is right in there.

I'll just add one more thought, and, that is, I'm struggling to see what options are left for Manitobans who share my beliefs, and who decide to remove their children from publicly funded schools but may not have the resources to pay for the non-funded ones, or may not have the time to home-school. I don't see an option for these people within Manitoba.

So I'm asking, please continue to fight against bullying, as many Christians here today are asking, because we're in favour of that too, but, secondly, please amend Bill 18 so that it does not infringe upon religious freedoms of faith-based schools. Will you please amend to read that schools can create and promote antibullying groups that are congruent with their faith traditions?

Thank you.

**Madam Chairperson:** Thank you very much for coming to present. And we'll do our questions from committee.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Yes, thank you Mr. Kenemy, for your thoughtful presentation today. And rest assured that when witnesses are coming up and presenting, that members of the committee are paying attention and listening. And I—every witness

who comes up says something else, that it gets everybody thinking. And I'm really pleased to hear you talking about the role of bystanders, and the fact that it's for all Manitobans to work together to reduce bullying. And I guess we can extend that to all forms of oppression and violence. So I think you put some very interesting points on the record, and I do thank you for coming down and joining us this afternoon.

**Mr. Schuler:** Thank you, Kris. Thank you for coming out. And you have a young family; you've got a lot of other things you could be doing, but you came out.

And I think the committee picked up your words, that you're standing up for your faith and for your beliefs. You oppose bullying of all kind, but you still have to stand up for what you believe in. And I think the committee has heard you and we appreciate those comments very much, and wish you a nice, whatever's left, of the weekend.

**Mr. Gerrard:** Thank you so much for your comments.

Let me just follow up the issue of the bystanders. How would you include the bystanders in the bill? Should they be treated with the same degree of concern as bullies, or separately, or what would your recommendation be?

**Mr. Kenemy:** Those are really good questions. When we're talking about the bystander, we're talking about school-wide policies that we cannot remain silent. We cannot stand by and not interact, and not intervene on behalf of victims. That is, I think, the best way to engage the bystanders that are silent, is to make sure that the school atmosphere and the environment is infused with an action-oriented environment where we actually believe that to be silent is to engage in an act of bullying.

**Madam Chairperson:** Thank you. Seeing no further questions, I'd just like to thank you one more time for coming and for waiting so long. Thanks again.

#### Committee Substitutions

**Madam Chairperson:** All right, we've a little bit of business before we move on. We'd like to inform the committee that, under our rule 85(2), the following membership substitutions have been made for this committee, effective immediately: Honourable Mr. Robinson for Mr. Dewar; Mr. Goertzen for Mr. Schuler; Mrs. Driedger for Mrs. Stefanson; and Mr. Friesen for Mr. Pedersen.

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**Madam Chairperson:** And we will move on to our next presenter. Actually, No. 36 will not be able to attend, just so you all know why I'm not calling that person.

And we will move on to John Fehr, private citizen. And do you have any materials, Mr. Fehr?

**Mr. John Fehr (Private Citizen):** No.

**Madam Chairperson:** Okay, so please feel free to go ahead as soon as you are ready.

**Mr. Fehr:** Thank you. I hope this is going to be the shortest one you have today.

We've—we—I'm sure you've heard all the arguments by now, and I guess I want to lend my voice to some of them. I want to start by saying that I appreciate all the people that are willing to serve in governing this province; and, especially after I spent most of the day here today, I see that it's a lot bigger responsibility than what we might see when we're out there, so.

As we go through life, we are continually faced with decisions that will bring either favourable or unfavourable consequences. Elected officials carry a responsibility to do what is right for the whole population and somehow balance it so that it will serve the province well for many years to come.

I am a grandfather of two great girls; one is 16 and one is 18 months. One of them attends a private Christian school and she is somewhat concerned about this bill. When she decided to attend a Christian school—she made that decision on her own incidentally—after she had attended the school for a while, I asked her why she chose that particular school, and her response was I feel safe there.

This bill has drawn a lot of interest, and I think it's great that you have decided to tackle the problem of bullying.

Also, being a father of a son who lived with muscular dystrophy, I know all too well the effects of bullying in public schools. You can imagine some people are very, very cruel, and my son was a victim of some of those things. So one of the problems that I see with this bill is that it seems to highlight one segment of population; it leaves a lot of other people out of the equation. So why not highlight children with physical disabilities or children with cultural backgrounds, a different cultural background, or children from different social circles? There's many other people that we could highlight, people with different physical conditions and so on.

Being a person of faith, I can tell you that, when our son made the transition to heaven, our faith was there and gave us great comfort, that we would have had a hard time dealing with, had we not had the assurance that our son was going to a better place. That is why, when he tried to convince his mother to join him in his journey to his eternal home, we had a greater peace of where he was going. That's an interesting story in itself.

So one problem I see is that this bill does not provide any protection for people of faith; they may not agree with endorsing certain lifestyles that are in opposition to what they may believe. The way it seems to me is that the faith community is to endorse things that they don't believe in to be healthy, but, on the other hand, people who don't understand faith—and this is just how a perception that is out there—people that don't understand faith in the same way are disregarding their position of faith. I don't think that's quite fair.

So, in summary, I'd like to encourage you to consider changing a few things in this bill that will protect all the people, not just a few of them. Thank you.

**Madam Chairperson:** Thank you, Mr. Fehr, for coming down and presenting.

We'll move to questions.

**Mr. Swan:** Yes, Mr. Fehr, thank you very much for coming down to join us and being concise in your presentation. We appreciate that.

I just wonder if you're aware that indeed Bill 18 includes the accommodation for peoples who want to establish and lead activities and organizations that promote the awareness and understanding of and respect for people who are disabled by barriers, because we—I agree with you that if a physical disability winds up leading to difficulties—I agree with you that there's more that schools can and should do and that's why we've included it in the bill. So I—*[interjection]*

**Madam Chairperson:** Mr. Fehr.

**Mr. Fehr:** Sorry, that is why I'm all in favour of a bullying legislation; it's just that I think that the fact that the highlight for one identified group of people, I think, is what is disconcerting for the people of the faith community. And that's really, I guess, the bottom line that I'd like to bring out as well.

**Madam Chairperson:** Thank you.

**Mr. Kelvin Goertzen (Steinbach):** John, I appreciate you being here all day and also for your own public service. You thanked us but thank you as well.

\* (16:20)

I—you talked a bit about inclusion and the importance of inclusion within the bill and the minister sort of mentioned it. It talks about a few different areas that are within The Human Rights Code, but it leaves a few out. It specifically leaves out ethnicity; it leaves out those living with social disadvantage; and it leaves out religion and creed. And am I to hear you right, then, because you'd like a bill that's more inclusive, that including those three provisions—protection for groups of ethnicity, social disadvantage or religion and creed—would be a step in the right direction?

**Mr. Fehr:** Yes, I think that's correct and I've sat through the whole process today. I didn't go to the overflow room for any time at all, and so I've heard pretty loud and clear that the pulse of what's been presented here. And I think that there's a great fear in the Christian community that there's a movement that is going to try to diminish their ability to practise their faith, and so that is very disconcerting. And it is—it's putting a lot of people in that community in a very difficult place and I think that's—I would sure appreciate it if you could fine-tune this so that it would not highlight the—one specific group of people, so.

**Madam Chairperson:** Thank you.

**Mr. Gerrard:** I just want to say, thank you for coming and presenting and being very patient as you waited here to present.

**Madam Chairperson:** Seeing no further questions, just like to thank you one more time for coming down.

Our next presenter is Shahina Siddiqui, private citizen.

And do you have any materials with you to hand out? All right, we'll take care of that. And then if you could just go ahead as soon as you're ready.

**Ms. Shahina Siddiqui (Private Citizen):** Thank you. First, I really appreciate all of you being here all day. Just being here one day, I can see how tiring it can get, so thank you.

The written submission is a lot more in detail than I'm going to cover here because we do want some time for questions. Our concern here is the vagueness of the definitions. We find them troubling, and I think a lot of people have talked about the definition of bullying being too broad. I want to focus on the intent, and I don't know how you're going to assess intent, who is going to assess intent, and I think this is something that you need to focus on as a committee because, really, how do you know my intent was to harm and it was not just an expression that did not mean anything. So I think this is an important point. And you can read in detail why I am concerned with that, especially as educators, and we know that children and teens, in particular, can exhibit profound mood swings that, when, for example, faced with a particular experience in a learning or social environment, can one day react with hurt feelings and, on another day, not.

My question is with what yardstick will school administrators or teachers or even members of the public be using to assess what the intentions of a particular child or youth are in a given context. So I'm posing questions to you; I don't necessarily have answers. But, going through the bill, these are the questions that came up in my mind.

The next is we are talking about power imbalance as one of the indicators of bullying. Again, I applaud the amendment for acknowledging how discrimination and bigotry can be exhibited indirectly and in the ways we learn to interact and the language we use. To this I understand why section 1.2 of the proposed amendment identifies bullying as taking place in a power imbalance between people involved in any form of expression, whether written, verbal or physical. So I understand that, and I seek to discourage groups of persons from inflicting harm or saying or participating in bullying.

My question, however, is how do you define power in the context of schoolyard fighting. How do you know who started it, who finished it, who's more powerful, who is less, and bullying?

Furthermore, the explicit identification and use of the words, any form of expression, causes me pause, juxtaposed with the amendment definition of bullying as including hurtful feelings, which Dr. Gerrard has been speaking to. Are we stifling healthy debate of discussion on, for example, geopolitical events because somebody will be hurt by it? Will our educators be policed in the topics they discuss in class for fear of certain hurt feelings? What is our

threshold for assessing whether free expression on critical and difficult issues, whether political or social, and the democratic debate that necessarily flows from this discourse, is suddenly poisonous to our learning environment? And these are some considerations that I would like the committee to reflect on.

If yes, do we have the resources to monitor after-school activities? And, when I was going through the bill, it was not clear to me—maybe it is clear under the schools act, is the school only going to monitor these activities if they happen within the school duration or on school property, or are we going to look outside the school, because most of the cyberbullying did not originate in schools? They originated outside of school. And how will you balance the freedom of expression and privacy with what—how will you police this?

Designing, defining, and enforcing respect for diversity policy: Sitting here, I was thinking the bill is already written, and it may, hopefully, will accommodate legitimate concerns, but if it is already written and it is given—and it will pass, and you are giving directions to schools to come up with that policy, is there any way of addressing that policy once it's done, because the bill has been passed and the schools have been given the autonomy, the authority, or the administrators to come up with their own policy?

So that, too, again to me, is a matter of concern. And I can understand why you were giving the attention to the Manitoba Human Rights Code. My concern is that, while this section of the amendment sounds nice, its language needs to be tightened to avoid abuse and misuse. For example, would having a belief that is in disagreement with someone else's qualify as disrespect? I find the word disrespect very loose, very subjective, because, as all of you know, in our society what was disrespectful 10 years ago is not today. The way our children talk on Facebook and Twitter, you and I would probably 'scringe' from the kind of language being used. So whose standard of respect are we speaking to here? The society's at large, the educators, or the students who have their own culture that they operate in?

And my broader concern, really, is while these policies, when they are written, work for adults, they don't necessarily work for children. One of my assistants' children are in grade 6 and 4. They were sent policies home for the children to sign above—one is autistic; one is only nine years old. The

parents had to read it and make the kids sign it. How effective is that, and will it be effective with children? Because we want to focus on the youth. We want to focus on the students.

And then again my concern is also that when I read the bill—I may be wrong—but when I read the bill, I felt it was—the focus was on punitive measures, rather than on education, prevention, coming up with a policy on how you will talk to people who have different opinions, how do we educate the kids to do it. And, as I said, I may have not read it right, but that's the impression that I got. And, having consulted with psychologists, as I'm sure that you have, the next paragraph I would like you to reflect on the way the brain of the teenagers develop and how they make concept. If we are going to stifle them from expressing something that we find offensive, how are we going to correct it? How are we going to show them how to articulate it in a better way? So that's, again, something for you guys to consider.

School activities and organizations: A lot has been said about this. I just want to say the concern from religious communities, and I don't speak on behalf of the entire Muslim community, only on my organization, that the concern is, okay, why did we specify gay-straight alliance? Why not someone else? The four categories that are there, I would humbly suggest if you could add religious bigotry to it because you and I are well aware of what's happening in Québec, the charter of values, which is directly targeting Muslim women who wear the hijab. Am I to then assume that French immersion schools in Manitoba will follow suit? Our children are being targeted on the school grounds, and I have not yet to hear any official recognition of Islamophobia. We are getting lip service but no official—and I can tell you I have gone to schools; I've been invited to speak at schools and human rights day, and the teacher has come up to me and said: Mrs. Siddiqui, we are teaching them about Islam, and don't you worry, and I said: Please tell me what.

\* (16:30)

The five books she mentioned were honour killing, forced marriages, female genital mutilation—every sensational headline you can think of, and these were fiction books written by victims or written as novels. This was the sum total of the school talking about Islam. So I think it is very important, and I suggest, humbly, that maybe, if you

want to make it inclusive, call it a human dignity club. All come under this umbrella, and the thing also is at our organization how we are promoting conversation is by holding conversation cafés in public squares. Why can't we encourage schools to have conversation cafés at lunch breaks, at recess, where children from different faiths, different orientations, different cultures, can come and speak to it?

And so as—I—my time is up, I will just say that, yes, Islam, like Christianity, does not condone homosexuality—the practice of homosexuality, just as we don't premarital sex, just as we don't intoxicants, but we teach our children that that is for you. You do not impose your values on anyone else and you respect others for what they—just as they should respect you.

My concern is that the way the media is contextualizing it and the way we have been talking about it, it's almost like there are two camps. And this is not the dialogue that we should be having our youth witness. It should be about bringing everybody together so that we can learn. We may not necessarily agree. You may not agree that I should wear a hijab, but you 'exerspect' to my right to do it. And that is the message which is not coming through. Thank you.

**Madam Chairperson:** Thank you very much for coming down to present. We appreciate it.

And we will do questions now.

**Ms. Allan:** Well, Shahina, thank you so much for being here today and thank you for a lot of thoughts that you have put into this presentation and a lot of reflections for us, and we appreciate all of the comments that you've made in here and all of the advice and all of the questions. It is going to make us think some more as we move forward with Bill 18. Thank you.

**Mr. Goertzen:** Shahina, thank you for being here this afternoon. And I want to thank you for three specific reasons. Over the context of this debate around Bill 18, there has been—there's been some who've tried to characterize the opposition to this bill as being either from one community, one faith community, and that's not true. And we have seen over the last few days broad-based concerns and we've heard from the Muslim community, the Sikh community, the Coptic community, Christian community, Jewish community. And I think that your voice is an important one of those concerns.

The other one—reason I want to thank you is you mention the definition. Some have said that it would be problematic if the definition would be applied to adults, but it should be applied to children. And I actually feel it's as problematic for both, and so I'm glad that you've brought attention to that.

I want to ask you, in particular, on the issue of freedom of religion or religion protection, and I asked the previous presenter as well. It's in The Human Rights Code, as well as ethnicity and social disadvantage, but it's excluded from this bill. Would you support an amendment that would specifically put in religion or creed as one of the identified protections for organizations? *[interjection]*

**Madam Chairperson:** Ms. Siddiqui.

**Ms. Siddiqui:** Oh, sorry.

**Madam Chairperson:** It's all right.

**Ms. Siddiqui:** Absolutely, because I think that will satisfy a lot of fear that is out there, and, as well, because we do live in a country where there is religious bigotry, whether it's anti-Semitism, Islamophobia, you name it. So I think it would be—yes, it would be an accommodation which would bring us together.

**Mr. Gerrard:** Thank you so much, coming here as a leader in your community, as others have come forward. And I think your remarks need to be taken very seriously and considered.

One of the things that you bring up which has not been brought up often but which is a significant concern that I had, and that is, you know, where are the boundaries of school and how does this work when things happen outside of schools? And schools may have some ways of disciplining students about things that have happened outside, but it's an iffy, right? It's an uncertain boundary.

One of the things that I have suggested is that, you know, if we can find a definition of bullying that we can have broad agreement on, that we should consider putting that definition itself under The Human Rights Code so that there wouldn't have to be a break between what happens in school and outside of school, and it would be covered, if not just under the school bill, under The Human Rights Code. And I just ask for your comment on that.

**Ms. Siddiqui:** Thank you. My only concern is the punitive aspect of The Human Rights Code. I think

the way—what you are talking about is because we are taking this in isolation to the rest of society, we are looking as if you can create an environment in the schools which—and not worry about what's out there at homes and what's out there at 'soci'—in society. Children do learn at home, and they bring to school what they have learned at home. And that is why I think bringing stakeholders like parents together to write that policy so that they know that they are signing in on it, that they are stakeholders into it—but I think bringing it under The Human Rights Code, to me, I'm not sure of that.

But I think bullying is happening everywhere, even at workplaces, not just in schools, so I think the culture of our society has to change around this issue. We need to start thinking very seriously; if we want our children to behave, are we the examples of that or not? And just the debate around this, to me, has been problematic because there's been lot of bullying going on in the press about either sides. And I think we need to stay clear of that.

**Madam Chairperson:** Minister Swan, very briefly, please.

**Mr. Swan:** Yes, well, thank you. I've got a quick answer and a question. One question you asked was whether this definition of cyberbullying would include things happening outside of school property and outside of school hours. I can assure you that it does. But here's a question. You did raise the issue of protection of religion and religious belief. Bill 18 actually provides that in preparing its respect for human diversity policy, a school board must have due regard for the principles of The Human Rights Code, which includes, specifically, religion or creed or religious belief, religious association or religious activity.

Does that give you any comfort as to how Bill 18's going to be used going forward?

**Madam Chairperson:** Mrs. Siddiqui, briefly.

**Ms. Siddiqui:** The human code also talks about sexual orientation, but we have still chosen to put it in Bill 18, so I don't know why repeating it again should be an issue if it is clearly defined, because I think if we give a—right now, what you are struggling with is balancing rights. And we need to find an accommodation on how to do this, because one right cannot win over the other. And it's really, it's all the—in the perception on how the public is perceiving this. I can tell you, there's a lot of fear in our community among parents because they feel now the

children will be forced, those who are in public schools, forced to learn about what homosexuality is, how this act happens, what is—and they are not comfortable with that because we believe morality we teach at home.

So I think you guys need to do a lot of thinking around this as to how you achieve your goal, which is noble, without infringing on the rights or stepping on toes, which makes the implementation very difficult.

**Madam Chairperson:** Thank you so much. We're past our time, and I'd just like to thank you one more time for coming down and spending the time.

All right, our next presenter is Kathy Plett, private citizen.

And, because we do have an—a second room—is that Kathy? Okay, great. Do you have any handouts—all right, thank you. Just go ahead as soon as you're ready, please.

**Ms. Kathy Plett (Private Citizen):** Good afternoon. Thank you for this opportunity to stand before you today and present my concerns about Bill 18 as written. I just do have to say, I really respect your work here. It's not an easy job, and I thank you for all the time that you sit here and listen to our concerns. I really admire you for that.

I will be approaching my concerns from different perspectives: (a) as a citizen of our beloved country, (b) as a former student that was bullied, and (c) as a mom of three girls, and (d) from my job as a piano teacher in a small community.

For the perspective of (a), from the Canadian citizen's point of view, I will in part be quoting an article from the Winnipeg Sun which seems to say it well: The Selinger's government decision to bring in its so-called anti-bullying legislation has far more to do with political posturing and virtually nothing to do with creating good public policy.

For starters, Manitoba already has anti-bullying legislation in The Public Schools Act. So there's no need to codify it in law any further.

\* (16:40)

Section 47.1 of the act says, A school's code of conduct must include the following: a statement that pupils and staff must behave in a respectful manner and comply with the code of conduct. It goes on to say the code of conduct must include a statement that the following are unacceptable: abusing physically,



sexually or psychologically, orally, in 'writting' or—in write—excuse me—in writing or otherwise, any person; bullying, including cyberbullying. And it outlaws discrimination on the basis of any characteristics set out in the subsection 9(2) of The Human Rights Code, which includes things like sexual orientation, race, income, et cetera.

In many ways, it simply reiterates what is already in The Human Rights Code, so it's all covered, and there are consequences set out in regulation for those who don't comply with an antibullying code of conduct, ranging from warnings to outright suspension from school—sorry—suspension from school. Schools already make their parents sign code of conduct sheets and they lay out the consequences for non-compliance. The rules are there; they just have to be enforced.

Now, if there are problems with enforcing these laws, then that's a different issue. We've heard about many cases over the years where schools or school divisions were not properly enforcing section 47(1). There are cases where school officials are turning a blind eye to bullying in schools. We all know that, but that's a compliance issue, not a case where we need to bring in more legislation with vague wording about hurting feelings directly or indirectly, which is what Bill 18 includes.

We know there's still bullying in schools, including cyberbullying, but this new bill won't change any of that. In fact, it may create bogus victims whose feelings were hurt because their volleyball coach benched them or because some group of kids didn't invite them to a birthday party. All that will do is undermine legitimate cases of bullying.

What government should do if it wants to crack down on bullying is ensure the existing law is enforced and that there are harsh consequences for those who violate it, including school and divisional officials who fail to act when bullying is reported to them. Now, that would be doing something constructive. We all want safe schools and respectful environments for our kids, but Bill 18 will do nothing to promote that and, in fact, could backfire.

Now, having read that, I just want to reiterate what some of the others have shared ahead of me in that exactly in implementing these things, it's a very tough job because you're coming at it from so many different angles, and so I'm not saying I have all the answers, definitely not.

But, anyway, from my personal perspective as a former student, as a student in junior high, my family moved, so I attended a new school in grade 7. A friend moved to that school the previous year, so I was looking forward to having a connection right from the start. This friend decided to spread rumours about me and turn the kids against me before I was even there. This hurt tremendously and I felt very alone. My home situation was not awful but, of course, it wasn't perfect—like none are—and so I was already carrying hurt from home also. I tried to keep to myself as much as possible for fear of getting hurt more, but then it came.

There was a game of volleyball that was open to anyone who wanted to play; whoever got on the court was first in the game. I happened to move quickly and secured a spot, or so I thought. A popular person also wanted to play and hadn't made it on time. The kids scanned the court and the eyes fell on me, then they yelled, get off the court, preacher. For one, I had never voiced my beliefs to any of them, and second, equality would mean first come first play, as was the rule. This hurt immensely. This, along with head snappies from the boys sat behind me in class and other forms of rejection, all increased my emotional pain.

It got to the point that I struggled with hating myself—excuse me—beating myself in private when no one could see me, and I've seriously struggled with suicide thoughts, but what kept me from that was I didn't want to hurt my family, because I knew they would miss me. By 16 years of age, I convinced myself that my face was too ugly to be seen, so I walked with my head down as much as possible.

I don't believe that my problems came only from those bullying incidents, but I do know that my school experience would have been vastly different had there been an atmosphere of love, compassion and empathy. I have found healing from the hurt and pain I carried. Healing came through forgiveness extended to those who hurt me, and through much prayer and intentionally retraining the old thought patterns that kept me in the unrelenting cycle of pain. From my experience has come a sensitive heart towards the hurting and the bullied. I would not wish that on—journey on anyone, regardless of what they believe. All people should be loved and cared for because that is a basic need that was knit into our very being.

So, on behalf of the bullied kids, all forms of bullying hurt, whether it's religious, sexual, body

image, all of it, and all people have a right to be protected under the Charter of Rights and Freedoms.

See, from a mom's point of view, I care for nothing more than to be able to teach my children to love their God, which happens to be our faith, love the people they come in contact with and show respect in all situations whether they agree or not with the other person's view. Having an alternate viewpoint is not the problem, pushing it on someone else is.

Is that not why we're here today? You have a point of view, as do I. Are we bullying each other by sharing where we're coming from? Our very country is run by democracy, which is by definition the principle of equality of rights, opportunity and treatment, or the practice of this principle, Webster's New World College Dictionary.

Here's a quote from Rick Warren, author of the book, *The Purpose Driven Life*: Our culture has accepted two huge lies. The first is that if you disagree with someone's lifestyle, you must fear or hate them. The second is that to love someone means that you agree with everything they believe or do. Both are nonsense. You don't have to compromise convictions to be compassionate.

Lastly, from the perspective of a piano teacher, with the definition of bullying as it stands now, I would be considered a bully—if I'm understanding it correctly—for not fully agreeing with my students' interpretation of music, say, if they would happen to be offended or hurt by a comment. A musician will never better themselves if they cannot handle constructive criticism.

And just as a little humour, can you imagine our music if our teachers, our music teachers never actually confronted anything that was an issue? Or can you imagine our sports teams if no coach is allowed to have a different point of view than that of the athlete? It's—it just can't work. So my point is please don't criminalize the innocent.

My final quote comes from a song that we all know, and I'm going to say it as prayer: God keep our land glorious and free / O Canada, we stand on guard for thee / O Canada, we stand on guard for thee.

Thank you for your time and attention.

**Madam Chairperson:** Thank you very much for coming out to present to us today. We'll go to

questions, now, from the ministers. Minister Allan—I mean from the members.

**Ms. Allan:** Kathy, thank you very much for your presentation today. I know that Bill 18, for a lot of people, has brought up some very personal stories that they experienced, and thank you for sharing your heartfelt story about what happened with you. And we appreciate all of your reflections in regards to Bill 18. Thank you so much for being here today, and I know you waited a long time and I'm glad I was here to hear your presentation. Thank you.

**Mr. Cameron Friesen (Morden-Winkler):** Thanks, Kathy, for coming today. It's great to see you here, and thank you for making the time. You have three daughters at home, and so I'm imagining maybe grandma has them this afternoon or something or maybe one of your sisters, but it's great that you could come and share with us. You've given us a lot to think about. You've told your story very honestly and with a lot of courage, and we appreciate that.

\* (16:50)

And you made some real points that we have also thought about as an opposition party, the unworkableness of this definition when it comes to setting standards as a music teacher, and I thought of that.

But the one question I wanted to ask you had to do with something that the previous speaker talked about. She talked about the fact that to really be able to create—and you used the word compassion, and I thought about—you talked about empathy, and to really create those conditions, you need to be able to put students together in a context that would encourage that. What do you think about that idea of creating, you know, a club that's not based on a certain distinction, but rather one that brings together students—I think the last speaker used the idea of a student café—what do you think about that for a context to be able to create real understanding and empathy?

**Ms. Plett:** Yes. I think that would be very beneficial, just from the personal point of view coming from being bullied, if there would have been something like that in school where I could have actually gone to share my heart, I was—I felt very alone, and I had no—honestly, the issues at home were regarding my dad; it wasn't that he abused me, but it was just our relationship was tough. And so there was—there wasn't a place, a safe place, and so that's—those

students are falling through the cracks and they need a safe place, absolutely.

**Madam Chairperson:** Thank you so much, again, Mrs. Plett, for coming.

Seeing no further questions, we'll let you be free. Thank you—thank you so much. Appreciate it.

And our next presenter is Mr. Kelvin Plett, private citizen. And do you have any materials that you would like to hand out? No? Okay, then please, just whenever you're ready.

**Mr. Kelvin Plett (Private Citizen):** Well I just, too, want to thank you for taking the time. I can't imagine sitting day after day listening to many similar stories.

How do we stop bullying? That's the big question. No one wants their child bullied. Every child and adult needs love. And what does love look like? Love is patient and kind. Love is not jealous or boastful or proud or rude. It does not demand its own way. It is not irritable. It keeps no record of being wronged. It does not rejoice about injustice, but rejoices whenever the truth wins out. Love never gives up, never loses faith, is always hopeful and endures through every circumstance. Found in I Corinthians 13:47.

I'm concerned with the wording of Bill 18. Should people be labelled as a bully just by hurting someone's feelings? If I have a strong conviction and I hurt someone, am I a bully? I was at a funeral of a 91-year old grandmother. The granddaughter shared of how her grandmother sometimes voiced her opinions in a way that would hurt her. Her grandmother still loved her. Would you call this bullying? I don't think the granddaughter saw it as that.

We need to be free to express our views on what we believe. However, we need to respect the individual. Our children are taught to respect and show love to others. However, this does not mean that they cannot have a different opinion than someone else. If you truly love somebody, you will speak the truth about the situation. Sometimes the truth hurts. We care for our kids, and when we see them make choices that will hurt them, we speak up because we care. Is this bill going to take love out of the school, too? How, then, will we ever stop bullying?

I come from the other aspect where growing up, I probably would have been the bully. And I can't change what I did. I have approached one individual,

I've asked them to forgive me, and you can tell there's intense hurt, there's intense pain, and bullying is serious. My point is when we share our beliefs and love, we don't attack the individual. We come across in love. We come across compassionately, sensitively, and I just want to say that in many ways I still fall short. And my desire is to keep improving, to keep trying to be a better husband, a better father and, ultimately, a better citizen.

And that's all I want to say.

**Madam Chairperson:** Thank you very much, Mr. Plett, for coming here and presenting and waiting. I will go to questions now.

**Ms. Allan:** Well, thank you for your heartfelt comments today, and, you know, I don't think you fell short today; I think you are—you made a beautiful presentation. And I want to thank both you—and I'm pretty sure Kathy's your wife; I'm just, you know, putting two, two together and getting four here. And I just really think that it's really wonderful that you both came here today and waited all day, and we really appreciate your comments, and thank you.

**Mr. Friesen:** Thanks, Kel, for coming today. You know, it was really interesting to listen to the presentations of both Kathy and then you, and bullying has affected both of you. And to hear you talk about wanting and needing to make amends to someone after the fact, that's a very personal thing to share, but we know that bullying affects so many people.

I just want to ask you a quick question, if you could comment on it. A few presenters ago, someone had made the comment, and I thought you really reinforced that view, when that presenter said, you know, that having a belief that is in disagreement with somebody else's belief does not qualify as disrespect. Can you just comment on that?

**Mr. Plett:** I think sometimes even within the church we have different views and ideas, and even within the church sometimes we can jab and we can say hurtful things.

But sometimes when—I think the big lie is that we have to believe the same way, and it's like, you know what? I can respect you for your views; I just simply don't believe in that, and I'm sorry. And then to leave it like that, don't try and—with an iron fist, I'm going to make you believe what I believe. It just doesn't work that way. So—that's it.

**Madam Chairperson:** Thank you.

**Mr. Goertzen:** Kelvin, thank you for your presentation. It takes a lot of courage to come to a committee just to give a presentation. It takes a lot of courage, as your wife did, to come and talk about a very personal experience of being bullied. It takes as much, maybe even a little bit more, courage to come and say that you were bully—that you were a bully, and we haven't heard as much of that at this committee.

We've heard a lot of people who have come and talked about their personal story of being bullied, and the vast majority of them, 95 per cent, have said that they didn't think this bill would help them, which has been interesting. But from your perspective, do you think that anything in this bill would have prevented you from doing the things that you now regret having done?

**Mr. Plett:** I think this bill comes from the wrong angle. I think we need to focus on loving others. I think we're just trying to fix something from backwards. And I think rather than focusing on what don't do, what do we need to start doing? How do we need to start treating each other? Whether it be kids, whether it be between your husband and your spouse, there's so much abuse going on and it's not just in our children, it's in our families, it's in our—in all sorts of relationships. And we need to start learning how to respond in love and in the midst of our differences and respect one another. Our country is full of differences.

**Madam Chairperson:** Thank you.

**Mr. Swan:** Yes, Mr. Plett, thank you for coming in and talking to us today, and you've been very honest in front of us to say that you acted as a bully. You're not a bully, we know you're not, but we know that you've told us a bit about what happened back in school.

\* (17:00)

Do you think when you were back in school it would have been helpful if a teacher or the principal had intervened to help you to understand the impact of the things that you were saying or doing? Do you think that might have made a difference?

**Mr. Plett:** I think a one-time shot wouldn't have. I think sometimes we need repetition, we need to hear over and over and over again how to change our actions. And sometimes just—we need to hear things and we also need to hear what damage we're doing, because as a young man I had no idea the damage I was doing. And to somehow understand some of

these things are lifelong consequences that you're doing as a child, and to really understand, yes, it's serious.

**Madam Chairperson:** Thank you very much, Mr. Plett. Our time for questions has expired, and we would just like to thank you one more time, you and your wife, for coming down.

Our next presenter is Darlene Duce, private citizen. And do you have any materials to hand out? And did I pronounce your name correctly?

**Ms. Darlene Duce (Private Citizen):** Darlene Duce.

**Madam Chairperson:** Par—Duce.

**Ms. Duce:** Duce.

**Madam Chairperson:** Duce. So, go ahead, whenever you're ready.

**Ms. Duce:** Hello, my name's Darlene Duce, and as a parent of two teenage sons, I've come to give my support to Bill 18. As with any parent, my greatest desire is for what is best for my children, for their physical and for their mental well-being. I discovered it wasn't as easy as it sounds. I've had to deal with bullying for both my children on the school bus, in the school and on the Internet. I have seen what it's—that it takes its toll in every aspect of a child's life, while they're at school and also at home. Parents do all they can to ensure that the children are in a safe and loving environment, but once they begin school, there's a far more difficult to maintain every hour of the day. We rely on the schools and we rely on the teachers to watch over our children while they are in their care. To do this the educators need to have all the tools and support they can to ensure our children's physical and mental well-being. One of the tools that I feel that they need is help in dealing with bullying.

The broad definition of bullying that is provided in Bill 18, to me, is very important. As a former lunch supervisor at my children's elementary school, I saw many instances of bullying, not all of which were handled as well as they should have been by the supervisors and not all of which were reported to the principal. By broadly defining bullying, this would ensure that all of these instances would be reported to the principal, so that the principal, in consultation with the teachers, can use their professional discretion to take what action is needed.

The bill also expands that this same duty be report—to report cyberbullying, making sure that bullying on the Internet, as happened to my son, is

not overlooked. One of the reoccurring instances of bullying that I witnessed as a lunch supervisor was children referring to other children as gay. At their young age, most of these children didn't even know what the word meant. They only understood that it had a derogatory connotation and that was something they were trying to put across. When children associate such negative feelings with the word gay, at such a young age, it should come as no surprise that children identifying as LGBT would require additional support when it comes to middle and high school. Children should not have to go through their entire lives being told that their sexual or gender identity is wrong and then be denied the opportunity to find support amongst others that share that experience. It saddens me that some individuals are unwilling to make safety and well-being of LGBT youth a priority.

My experience as a parent, as a lunch supervisor, has led me to two conclusions. Firstly, that bullying is not something that can be ignored and it is imperative that the school employees, whatever their role is, report all these occurrences so that teachers and principals can use their discretion. And they need that guideline as something like—that we see in Bill 18.

And secondly, that as a result of children learning such homophobic attitudes at a young age, that LGBT youth need to have a place when they're in middle school and high school that they can have acceptance, feel comfortable and feel safe. And I feel that what's—what I hear and what I see in Bill 18, it will help some of these things come to fruition. And I thank minister Allison—Minister Allan and the 'guz'—government for raising this important issue and I hope that some of my thoughts will be taken in consideration. Thank you.

**Madam Chairperson:** Thank you very much for coming out to present, and we'll go to questions now.

**Ms. Allan:** Well, thank you very much for your perspective on Bill 18. Obviously, as somebody who has worked inside a school as a lunchtime supervisor and as a parent, you understand that when those situations, those occurrences of bullying happen, that it is up to the professional discretion of a teacher and the principal to handle that situation and make a determination in regards to what those consequences will be. Thank you for saying that you agree with the definition and it should be that broad, because we've heard a lot of criticism from the opposition in regards to that definition. Thank you also for being here

today and for making your presentation, and all the best.

**Mr. Goertzen:** Thank you. I—we've heard a lot of criticism from the public about the definition. One of the concerns I heard from a teacher, actually, a teacher in the school that my son goes to, he's in grade 2. She was saying to me that she doesn't know how she would actually enforce the definition. In her view—now, she teaches grade 1, grade 2s, so quite young kids. She said within the context of a month, every one of the kids in her class, under that definition, would be both a bully and a victim, and she would spend her whole time going and making reports that she didn't think were probably necessary. But she thought she'd have to under the definition, and that she figured at some point they would just give up and not report anything. So there are those sort of concerns.

And now you specifically focused on reporting, and I appreciated that, about reporting of bullying. There's been some discussion about anonymous reporting of bullying. It was discussed at the western premiers' meeting. It was discussed by our Premier (Mr. Selinger), by other premiers about the—whether or not that would be workable. It was done in British Columbia. It's done in California. I think it's done in Ontario, in Hamilton, where you can report on the Internet, anonymously, bullying. So if you are either the victim or you're an observer of bullying, you could make that disclosure to the school directly. Do you think that would be something that would be helpful in terms of reporting, since you focused on that a bit?

**Ms. Duce:** Depending on the person as to how well that's going to work, to be quite honest. When my boys were in middle school, we did have an anonymous box notes could be put in so that things can be announced for bullying, for any issues that they had. To be quite honest, when my—one of my sons had trouble on the school bus, it didn't come from my son that he was being bullied. I received a phone call from a mother saying, you don't know me, but my son tells me your son is being bullied on the bus and I have reported it to the school. And so whether it was done anonymously or just that other third party, I do think it's important that those do be part of it, that there is something at stake, because sometimes the person that's being bullied doesn't realize they're truly being bullied. They understand the hurt that they're feeling, but they don't put a term to it. And sometimes it takes an outsider to come forward and make that awareness and just make that

step forward. So, yes, I do think that some type of reporting, whether it be anonymously or somehow through the teachers reporting to the principal, I don't think it's wasting anybody's time.

**Madam Chairperson:** Thank you very much. Seeing no more questions, we'll just thank you one more time for coming down.

Our next presenter is Lindsay Brown, private citizen, and do you have any materials with you?

**Ms. Lindsay Brown (Private Citizen):** I don't. No.

**Madam Chairperson:** No, okay, then just go ahead as soon as you're ready.

**Ms. Brown:** Excellent. So thank you for the opportunity to speak to something I feel passionately about: safe and inclusive schools. I've worked with youth for most of my adult life, and I'm in my seventh year of employment with the Seven Oaks School Division as a classroom teacher. I see daily the impact that discriminatory language and acts have on today's youth, and, frankly, I don't feel as though we're doing enough to remedy the catastrophic results of what is commonly known as bullying. Bill 18 will make a difference in the lives of all students and will give educators like myself the ability to appropriately address incidents of bullying.

When I talk to my students about bullying, we often begin by defining the term, which, as we all know, is not an easy task. We must ask ourselves, who exactly defines what an act of bullying looks like? Is it defined by the perpetrator's intentions or the frequency with which it occurs, or is bullying defined by the person who experiences it? I believe that when we refuse to acknowledge and respect the experiences of someone who feels victimized, we're making them a victim twice. If we allow bullying to be characterized solely by intent or by the number of times it occurs, we strip the victim of their agency and tell them that what they are feeling does not matter and, by extension, neither does their safety and sense of belonging.

\* (17:10)

There will always be individuals who manipulate the system in their favour, people who see an opportunity to behave maliciously and run with it. The definition of bullying found in the proposed amendment has been criticized for being vague, but I feel as though this is necessary when looking at an issue as complex and variable as bullying. No two people react in the same way to

situations of discrimination and oppression. Why, then, shouldn't the definition allow for anyone who is feeling marginalized, for whatever reason, to be protected? The odd case where someone attempts to bend this definition to suit their purposes shouldn't outweigh the number of students who will be saved from spending their days as the victims of harassment.

I'd also like to speak to the inclusion of the clause stating that schools must accommodate pupils who want to establish and lead activities and organizations that use the name gay-straight alliance. I am one of the teachers in charge of my school's gay-straight alliance, and some of the most powerful and life-changing moments in my memory have come from working with the students and staff involved.

In a school of over 1,600 students, there are diverse needs, one of which is the space for LGBT students and their allies to be able to meet, talk and be themselves. The name itself, gay-straight alliance, gives voice to a group that has historically been silenced.

I realize that many people have taken issue with the explicit naming of GSAs in the bill and feel that it gives special treatment to one group. To that, I ask you to consider the case of Evan Wiens, a student who only months ago was denied the right to hold a GSA meeting in his school in Steinbach. I have trouble believing that the creation of a group would have been denied to a student wanting to start an Asian heritage group, a disabilities awareness club or a support group for students struggling with their weight. This is precisely why GSAs need to be mentioned explicitly in the bill. They continue to be one of the most marginalized and under-represented groups, and still face very explicit discrimination even at the hands of school administration and in divisional policy. No student should have to struggle to see their life represented in their school, and the existence of GSAs let LGBT youth know that they are valued and respected.

According to Egale Canada's first national climate survey on homophobia, biphobia and transphobia in Canadian schools, students from schools with GSAs are much more likely to agree that their school communities are supportive of LGBTQ people compared to participants from schools without. Every student should feel that they are supported and cared for in their school and that GSAs are one of the ways to do that.

As a proud queer woman, I clearly remember feeling like I didn't quite fit in in my high school. There were no students or staff who were out, no discussion of LGBT people or lives in the classroom and certainly no GSA for me to be a part of. Yet, as a gender-conforming cisgender woman, I had an easier time than some of my peers who didn't pass as straight quite as easily as I did. I remember one male student who attended my school in the 10th grade who experienced constant harassment at the hands of my peers. He was an incredible artist and a kind soul who was eventually driven out of the school by the intolerance of our peers and the inaction on the part of school staff and administration. Had we had a GSA for him to be a part of or even for him to know about, perhaps he wouldn't have felt unsafe to remain there. To this day, I think of him and I hope that he found the acceptance and happiness he deserved. The passage of Bill 18 will be instrumental in ensuring that no student has to feel like they aren't wanted in their school the way he and I both did.

Regardless of the religious standpoint of a school, students should feel as though they are safe to be who they are. Human rights aren't a hierarchy. The freedom of one person to believe what they choose should not exist at the expense of someone else's right to feel safe and represented.

In closing, what we need to remember here is that, as adults, educators, parents and government, it is our responsibility to ensure that the youth in our community are happy, healthy, safe and supported. Bill 18 will make that happen by opening up the definition of bullying and by ensuring that students belonging to the most vulnerable, marginalized groups are given a voice. It is up to us to make space for every child to be themselves and to make sure that anyone infringing on that right is held accountable.

Now, I hold you, esteemed panel, accountable to make the right decision. Thank you.

**Madam Chairperson:** Thank you very much, Ms. Brown, for coming down to present. We'll go to questions now.

**Ms. Allan:** Well, thank you, Ms. Brown, for that presentation. That really was, obviously, from the heart and someone who is on the front line of our public education system and who is working with students every day. And Seven Oaks, I know, is one of the school divisions in our province that last year passed a human diversity policy and, actually, Kirsten Dozenko, a good friend of mine, is one of the

teachers who was involved in making that policy. And I thank you very much for your perspectives today. Thank you.

**Mr. Goertzen:** Thank you very much for your presentation, for being here for all or part of the day; I'm not sure how long you were here, but a long time, anyway, I'm sure.

First of all, I think the Hanover School Division would want me to say on the record they didn't deny the foundation of a GSA in Hanover. I think there was an issue with their poster policy, but they were—the GSA was allowed. So—and Evan would probably want me to correct the record too.

On the issue of—*[interjection]* I'm sorry, I'm just trying to talk here. On the issue of—*[interjection]* Sorry, I just wanted to speak to the presenter if you don't mind.

**Madam Chairperson:** Order.

**Mr. Goertzen:** On the issue of Seven Oaks, there was a couple of—I think a couple of days ago, the—somebody presented and gave a—there was a survey done Seven Oaks in terms of the reasons why kids were bullied in Seven Oaks. And I think I have it pretty close to the order, and the top reason was body image, then academic performance, language, clothing, religion and sexuality. Are those kind of the reasons that you see on the front lines that the kids are bullied within the classroom environment?

**Ms. Brown:** I think in any school you're going to see a wide variety of reasons that people are bullied. Some schools are going to lean towards bullying students for one reason or another more so than others, depending on their climate and depending on their student population.

I'm glad to see that gender 'ident'—sorry, the last one you mentioned, again, was? *[interjection]*

**Madam Chairperson:** Oh, I'm sorry. Mr. Goertzen.

**Mr. Goertzen:** I get it wrong all the time too.

Body image, academic performance, language, clothing, religion and sexuality. Those were the—*[interjection]*

**Madam Chairperson:** Ms. Brown.

**Ms. Brown:** So sexuality was included on the list, and I'm very glad to hear that, because that definitely is one that I do see in addition to all of the other ones on the list, so.

**An Honourable Member:** Thank you.

**Ms. Brown:** Yes, you're welcome.

**Madam Chairperson:** Thank you so much. Seeing no more questions, we'll just thank you again for coming down and taking the time.

Before I go on, I just wanted to inform the committee that No. 55, Sarah Leanne Tonn, had to leave and she will be rescheduled for another meeting, so just so everyone is aware of that.

And our next presenter is Silas Giesbrecht, private citizen. And do you have any materials to hand out? Yes? Okay, if we could help with that. And please feel free to go ahead as soon as you're ready.

**Mr. Silas Giesbrecht (Private Citizen):** Okay. I'd like to thank the committee for making time for everyone to have a chance to speak, even over the weekend; it's been so nice outside.

Bullying is a big issue in schools today. It has been linked to recent spikes in depression and even suicide. Particularly, cyberbullying has increased dramatically in recent years. When I heard about Bill 18, I was happy that the government was finally doing something to put a stop to cyberbullies. However, after hearing some critical opinions on the bill from some friends and family, I read for it myself—I read it for myself and I was a bit disappointed.

The definition of the action of bullying was too broad to be used effectively. According to Dr. Gillian K. Hadfield, a former president of the Law and Economics Association of Canada and former director of the American Law and Economics Association, a vague law is easily misinterpreted and misused. Bill 18 defines bullying as behaviour that 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 is intended to create or should be known to create a negative school environment for another person. But what does a negative school environment look like? How can we tell someone's feelings are hurt? What is humiliation? Is someone humiliated when they ask a girl to the dance and they're denied? Is someone's reputation hurt when they lose at a sport?

Research was funded by the Social Sciences and Humanities Research Council of Canada. Portions of this research were presented to—at the Canadian association of the practical study of law in education conference in Montréal, Québec, 2006. One of the findings of this research was that provincial

legislation is significantly less effective than localized policies in combatting bullies. In the online paper it is noted that schools should be allowed to form their own unique policies to fit their community and the needs of their individual students. And I think that makes a lot of sense, particularly in Manitoba where we have such a wide variety of schools, both private and public, with different subcultures.

\* (17:20)

Although Bill 18 is supposedly aimed at cyberbullying, it adds little to the laws already in place in the Canadian Criminal Code regarding cyberbullying. The Canadian Criminal Code protects people from hate speech aimed at their colour, race, religion, ethnic origin or sexual orientation. It also protects people from threats of many kinds to both themselves and their property or animals. It also protects people from criminal harassment and mischief. The Canadian Criminal Code even states that hate speech and threats are treated the same whether they're committed through electronic communication or verbal communication. There is no doubt that the high school LGBT community has statistically suffered from depression and suicidal thoughts more than other groups of students.

There should be some protection and support for them and a safe place to go. Students could form groups outside of school. There are organizations already in place for them to go to and people for them to ask for help from. It seems unreasonable to me to expect private Christian schools to allow the support of a group that stands against one of their traditional teachings.

The Bible states in Leviticus, a book of laws and regulations supposedly made by God for the nation of ancient Israel, that if a man has sexual relations with a man as one does with a woman, both of them have done what is detestable. They are to be put to death. Now, that was written in a law for ancient Israel, not as a religious law of the Ten Commandments. It is not observed literally by most—any Christians that I know today. But the moral behind the law stands true to most Christians. The moral is that homosexuality is not pure in God's sight, that it is, in fact, detestable, and that we cannot allow our children to think that it's not detestable, that it's good. So surely Christian private schools cannot be expected to support the GSA any more than a Jewish private school could be expected to serve pork for lunch.



Rather than focusing the bill on defining bullying and making regulations to be applied to every school, Bill 18 should give more authority and freedom to the individual schools in Manitoba to make and enforce their own antibullying policies.

Thank you.

**Madam Chairperson:** Thank you, Mr. Giesbrecht, for coming down to present. We'll move to the questions now.

**Ms. Allan:** Well, thank you very much, Mr. Giesbrecht, for being here today and for putting together your presentation and providing us with some reflections in regards to Bill 18. We appreciate it very much. Thank you.

**Mr. Goertzen:** Yes. Thank you, Silas, for coming. I think you're in the lead for the best-dressed presenter at the committee, probably even better than most of the—those of us who are on the committee. I appreciated your comments about cyberbullying in particular, and how it doesn't add a lot and it certainly could add more. We've seen in other jurisdictions, in Nova Scotia and British Columbia, almost every state in the US, much stronger sort of protections and provisions on cyberbullying, even protection orders for the most serious cases of cyberbullying, so that was a good point. I think the bill does fall short significantly on the issue of cyberbullying and I'm glad that you raised that. Thank you very much.

**Mr. Swan:** Well, thank you, Mr. Giesbrecht, for coming out and presenting this afternoon. I do note your comments about the Canadian Criminal Code about cyberbullying, and I just—I want you to know that that law, too, is being looked at. Some gaps in the way that that law works have been identified and, in fact, Justice officials from across the country from all different provinces and the federal government have actually come up with some ideas on how that law can be strengthened for the kinds of things that cross the line into criminal activity.

So I just want you to know that we'll be discussing that again and I'm hoping the federal government will bring in amendments to the Criminal Code, and if they match what we've been told, Manitoba will certainly be supporting those amendments. Thank you.

**Madam Chairperson:** Thank you. Seeing no further questions, we'd just like to thank you one more time for taking the time to come down.

And our next presenter is Fletcher Stewart, private citizen. All right, so Fletcher Stewart will drop to the bottom of the list and will be called again at the end of the evening.

Our next presenter is Mark Zoldy, private citizen. Mr. Zoldy? So Mr. Zoldy will also drop to the bottom of the list and be called again at the end of the evening.

We will now go to Jess Reimer, private citizen. And do you have any papers with you to hand out? All right. Then just please go ahead when you're ready.

**Ms. Jess Reimer (Private Citizen):** Thank you for this opportunity to share with you my concerns about Bill 18. I agree that bullying is a serious problem and that Bill 18's goal to create a safer environment for all students is important. However, I do not believe that Bill 18, currently as written, will achieve those results because it doesn't protect all student groups. It favours one group over others. It is a band-aid solution to promote one group, yet leaves others bullied.

I, too, was bullied as a child, bullied for three specific reasons: I was bullied for my faith, bullied concerning body image and mostly bullied because of a broken family situation. It wasn't just bullied from kids in school. I was also bullied from their parents. Their children watched as the parents modelled bullying for them. Our children learn from us as adults. As we model before them—what we model before them is what they will become.

So I ask you: Will this legislation show our children a society that is treating all people groups as equals? Will Bill 18 teach our children integrity, kindness and compassion for others, to respect diverse views even if you do not agree with them, or will it place some above others, disrespecting the morals and beliefs of some groups forcing a particular standpoint? If we as an adult society can model this through a bill—sorry. If we as an adult society cannot model this through a bill that is brought on because of characteristic flaws in our children, we will never see an end to bullying. We must address ourselves first. We must begin to model this kind of equality in our society. We must model it in this bill.

As a parent now, I often pray about characteristic traits I want to see in my children, but that means I must raise them in those traits. I want them to love others. I want them to treat others as

they would themselves. I want them to treat others with respect. I want them to walk in integrity, to be courageous, to fight for righteousness, to be trustworthy and, among many other things, I want them to love the Lord, their God, wholeheartedly. These are not values expressed in Bill 18. As I see it, this bill is disrespectful. It's unequal and it forces opinions and practices on independent groups that contradict their religious beliefs. This bill does not end bullying; this bill is bullying. It violates a faith-based freedom.

Currently, my—Bill 18 demands respect from me while it blatantly disrespects my morals and beliefs. Is this equality? Currently, Bill 18 takes me, as a child, and leaves me vulnerable. Where is the legislation that protects me, that calls out the bullying I endured and protects me? There must be a way to create a bill that includes all groups equally, that allows independent schools to create their own bullying policies that do not contradict what they believe.

Yesterday, I was sorry to hear that philosopher Dr. Henrik van der Breggen had suffered a health setback that makes it impossible for his presentation to this committee for which he was registered. He has approved my sharing with you the following snips of his planned presentation that say what I support. Please know—sorry—this is what he says: Please know that I strongly favour antibullying legislation, but I do think that Bill 18 is deeply problematic and needs revision. One concern that I have and think we should ask is: What about those youth whose religious morals or moral views are of a more traditional, conservative sort, whether they are Christian, Jewish, Muslim? Bill 18 threatens to mistreat these youth just for expressing a critical view of gay sex. Isn't it also important for these youth to have a safe and caring school environment?

Permit me to clarify: On Bill 18's present wording, bullying occurs when someone's comments cause distress to another's feelings or self-esteem. But this wording shuts down serious moral dialogue. If a student respectfully argues that gay sex is morally wrong or a sin or unwise or unhealthy, it makes a strong case via public reason and evidence, then, this would undoubtedly distress the feelings of those who deeply disagree. The result is that Bill 18 turns our student, then, into a bully when, in fact, he or she isn't a bully. Surely this is unfair. Surely, too, this will distress the feelings and self-esteem of that student. Thus, Bill 18 becomes guilty of bullying.

In conclusion, I am a hundred per cent against bullying and I am a hundred per cent in favour of a good bullying legislation. That is why I think Bill 18 needs revision. All forms of bullying are wrong. Therefore, I call on the Manitoba government to craft an antibullying legislation that clearly protects not just some victims of bullying, but all victims of bullying without creating new victims. Please revise Bill 18.

Thank you for considering what I have to say and thank you for your time.

**Madam Chairperson:** Thank you, Mrs. Reimer, for coming down to present. We'll go to our questions now.

\* (17:30)

**Ms. Allan:** Thank you very much for being here today. We appreciate the comments that you have brought forward to the committee today, and thank you again for being here.

**Mr. Friesen:** Thank you, Jess, for coming to committee, for staying around for a long time today and making this a priority for you on a Saturday when you could be doing a lot of other things. But I also thank you for sharing what you did today, both on your own behalf and on behalf of the other individual who was unable to come to committee.

There are experts who talk about the clubhouse approach to dealing with bullying, the idea that somehow there is value in segregating groups by identifying factors or features. You talked about something different. You talked about understanding and empathy and compassion and bringing all groups together in a format or in a context. Can you just talk a little bit more about that?

**Ms. Reimer:** Yes, I believe that certainly having clubs and having an area for students to go to where they feel safe is good, but I also think that it involves educating students, educating parents, and I think it really does fall back on us as adults. How are we raising our children? How are we encouraging—and, no, we don't necessarily always see what is happening on the playground because—my daughter just started kindergarten this week, so I don't see what's happening and it's like a whole new world that I don't understand. Yet I do trust that if something is happening that I will hear about it or that a teacher will see it and would certainly notify me as well. I don't know if that—

**Madam Chairperson:** Thank you very much.

**Mr. Friesen:** And just one question to follow, then. I think it's interesting that you gave that response because one of the current concerns that we've stated is that Bill 18 is silent when it comes to actually having a mechanism that would require the reporting of incidents to parents. It doesn't say that anywhere in here. And I wonder if you would just comment on, like, as a parent, you want a high level of confidence that if something happens at school—now, this legislation says that bullying will be dealt with at school. But nowhere in this bill do I read that parents are required to be notified. What do you think of that?

**Ms. Reimer:** I certainly think that bullying starts at all age groups. It's not just going to start when they're old enough to address it. My daughter at kindergarten age would not be able to say, Mom, I think I'm being bullied. She wouldn't catch on to that. She would say, Mom, that's not fair or something is not fair.

And for things to be dealt with in school, I want to take that home. As a parent, I want to address that as well. I want to speak into her character. I want to deflect those lies that are speaking into her, which may be a teacher or other students or—not that the teachers are bullying her, but that—well, if they're trying to deal with it, are they dealing with some of these character things that are deeply impacting her?

I was bullied. Like I said, I was bullied as well, and some of those things were not spoken to me. Some of those lies that were spoken into my life were not addressed, and addressed as lies. And this is who you are, and this is who you are in Christ, and that is how I would like to raise my child and that's how I would like to move forward as well. And so, yes, absolutely, being notified as a parent I feel is very important, and, yes.

**Mr. Swan:** Thank you. Well, as a father of two daughters, I remember well what that first week of kindergarten is all about, and a very tired child, I'm sure, at the end of the day.

I don't want you to get the impression from Mr. Friesen's comments that there isn't an obligation on schools to contact parents, and what he's talking about is not in the bill because it's already in The Public Schools Act. And The Public Schools Act says that if the principal believes that a pupil of the school has been harmed as a result of the unacceptable conduct, the principal must as soon as reasonably possible notify the pupil's parent or

guardian. Does that give you a little more comfort in how The Public Schools Act already is worded?

**Ms. Reimer:** It does; however, if we are creating an antibullying bill, how can we not include parents in the bill itself? It's written in the school system, that's great, but it should then also be written into an antibullying. Because this bill is not just for the student at school. This bill is also for the student, the home-school student or the—like I said, as adults we need to act on that, and so this bill would also cover that as adults, as well.

**Madam Chairperson:** Thank you. Seeing no further questions, I would just like to thank you for coming down and spending your time with us.

Okay, our next presenter is Mark Reimer, private citizen. And do you have any materials, Mr. Reimer?

**Mr. Mark Reimer (Private Citizen):** I do not.

**Madam Chairperson:** Okay, so just go ahead whenever you're ready.

**Mr. Mark Reimer:** I believe and agree that an antibullying bill should be put in place to protect all students. This bill should create an environment for safety but also educate those that use bullying as their outlet.

As a child, I was a bully, and I felt this was a way to get attention. I was shown bullying in my home, so I mimicked it to my classmates. With an intention to find some acceptance, I chose bullying to get my way. Now, looking back, I see the damage I've caused, and I wish I could've had an outlet that educated me, that gave me a place of acceptance, a place of safety. I didn't have that at home, so I needed to make sure to protect myself on the playground. Thankfully, eventually I grew out of it and moved on. The sad part is that it took me 16 years of guilt to be able to make amends with those that I bullied. And I believe a antibullying club, or whatever you want to call it, would be created to an inclusive environment where I would not have felt singled out for a dysfunctional home life I endured.

With permission to use context from philosopher van der Breggen's submitted presentation, I feel his concerns express my thoughts exactly. He writes: Bill 18's requirement to allow students to form gay-straight alliance clubs—clubs that in some private schools will endorse behaviours that contradict the school's charter of rights statement or moral and religious principles—it threatens to undermine the exercise of religious freedoms of those schools. In

other words, through Bill 18, religious schools will be legally forced by the state to allow a school campus the flourishing of an organization that may promote what the school believes should not be promoted. Isn't this an encroachment by the state onto the religious freedoms of its citizens? Is this not a violation of Canada's charter of freedoms and rights?

In a pluralistic society, we must be careful to respect religious differences while also respecting human diversity. May I suggest a way? Instead of granting legal favour to a gay-straight alliance club which impinges on religious freedoms, couldn't we assign legal requirement statements to a more general, more inclusive antibullying club? Wouldn't it be wise for a pluralistic society to establish student organizations wherein all vulnerable children are protected and the stronger children are encouraged to protect and nurture the vulnerable, whether the vulnerable are gay, straight, tall, short or whatever? Antibullying clubs—surely every school, whether religious or not, could promote these.

As a father raising young children, I want to model to them the greatest commandment of all, love your neighbour as yourself. I want to teach them equality, love and acceptance. I look over Bill 18 and I disagree because it doesn't provide equal protection for all students. I look at Bill 18 and I disagree because it fails to protect my religious freedoms and places my children in a place of vulnerability, targeting them by requiring faith-based schools to promote activities against their morals and principles. It takes the very morals that my life, my family's life and what this country has been founded on and strips us from the Biblical basis that has provided us with the religious freedoms thus far.

Thank you.

**Madam Chairperson:** Thank you, Mr. Reimer. Appreciate you coming to present, and we'll go to our questions now.

**Ms. Allan:** Thank you, Mr. Reimer, for taking the time to come to this committee today and to present. Thank you for your reflections and your comments today. We're very pleased that you were able to be here and provide us with your reflections on Bill 18.

**Mr. Friesen:** Thanks, Mark, for coming today and to share with us from your perspective about how bullying has affected you and your—the pathway that you've chosen to get over it and to address it, and we thank you for the time you spent coming here today.

Now, I'm guessing that Jess is a relative of yours. *[interjection]* Okay. So, it was interesting to me because then you would be the second couple this afternoon that I've heard that, where we've had, actually, a couple come in where one shares that they've been the victim of bullying and the other shares that they actually perpetrated acts of bullying.

I had a question for you based on our last exchange just a few minutes ago, and one of my colleagues across the way had asked someone who had perpetrated acts of bullying whether he wouldn't agree that this bill would've helped him because it would have maybe, perhaps, alerted administration to the situation and they could've helped him.

\* (17:40)

I guess my question is, for you: With a definition of bullying that would equate bullying with things like hurt feelings and self-esteem or creating a negative school environment, do you really feel if that had been in place when you were there that administrators would have been able to identify that this was real and legitimate acts of bullying go on and these were the ones they should really address instead of all the other ones that were cluttering their office when hurt feelings is made the measure of—the test of bullying? Just want you—to invite your perspective on that a little bit.

**Mr. Mark Reimer:** If someone would have let me know that that was hurting them, I may have considered another route. Definitely, no one let me know on the depth of hurt it caused.

It was only about four months ago when I finally found the last individual and said I was sorry. He didn't have initial response, I guess because he was maybe thrown off, but he found me a few weeks later on a job site and he let me know how much it hurt him, and that's what struck me so hard now. It's like, took me 16 years to deal with that.

Had I known that it would hurt people as much as it did at the time, I'm sure I would never have done it. I definitely recognize the hurt that it caused, and I believe—a hundred per cent believe—that if it would have been dealt with in the proper way, I would have stopped, hundred per cent.

**Madam Chairperson:** Thank you.

**Mr. Goertzen:** You're brave, Mark, not only to be here tonight but to go through that process of restoration and talking to people that you hurt earlier

in your life. A lot of people wouldn't have the courage to do that, so I commend you for that.

You know, you talked about antibullying clubs and trying to be more inclusive to include all the kids, and we've heard a lot from a lot of kids who've been bullied, either are being bullied right now or were bullied, you know, when they were in school, and 90, 95 per cent of them kind of feel that they're abandoned by this legislation. And one of the things that concerns me about bringing forward an antibullying bill that excludes 95 per cent of the kids getting bullied is it gives a lot of false hope, and I've seen a lot of parents, particularly, come to me and say, well, would this bill protect my kids? And then they read it and they go, boy, this almost hurts just as much, because I thought this was something that would help.

Do you think that there's a great danger in giving false hope to young people who are being bullied by bringing forward an antibullying bill that doesn't really include them?

**Mr. Mark Reimer:** To a degree, yes, I do believe that they would be affected. I'm not sure how to answer that totally directly.

**An Honourable Member:** I think you did.

**Mr. Mark Reimer:** Yes. *[interjection]*

**Madam Chairperson:** Sorry, sorry. Order, everyone, please. Mr. Reimer, are you good, or?

**Mr. Mark Reimer:** Yes.

**Madam Chairperson:** All right. Thank you.

Seeing no further questions, we'd just like to thank you one more time for coming down and being here and presenting. Thank you.

Our next presenter is Bob Loewen, private citizen. And do you have any materials with you?

**Mr. Bob Loewen (Private Citizen):** No.

**Madam Chairperson:** No? Okay, if you could just go ahead and present when you're ready.

**Mr. Loewen:** Good afternoon. I'd like to start by simply saying thank you for this opportunity to speak to you today about Bill 18.

I am not opposed to passing a bill that addresses the serious issue of bullying. Like most people, I am deeply troubled when I hear the latest stories of cyberbullying and the terrible consequences that too

often result because of the relentless bullying that some students endure daily.

However, I do not feel Bill 18 is worded in such a way as to truly eliminate the various forms of bullying. In fact, in its current form, I believe Bill 18 could actually create more problems than it solves. I would like to briefly address just a few areas of concern that I have with the current wording of Bill 18.

The first concern is the actual interpretation of bullying. In section 1.2 of the bill, bullying is defined in part as behaviour that causes distress to another person's feelings. One problem with that wording is that people can have their feelings hurt over the smallest passing comments. I see this as a huge potential problem for students as well as the teachers who will have to discern when bullying has actually occurred. And just for an example, should student A be afraid to speak their mind because their personal opinion might hurt student B's feelings? Or if student A does express a personal opinion which hurts the feelings of student B, should they be labelled as a bully? I can't imagine being a teacher and having to deal with the potential confusion and abuse of this particular part of the bill.

The second area of concern is the exclusive wording of the bill. Subsection 41(1.8) allows for the organization of student groups that promote the following: gender equity, anti-racism, the awareness and understanding of and respect for people who are disabled by barriers, and the awareness and understanding of and respect for people of all sexual orientations and gender identities. However, this bill fails to include the awareness and understanding of and respect for people of all religious beliefs.

In a 2006 survey by the Toronto District School Board, the results showed that the number of students bullied for religion was almost identical to the number of students bullied for gender-related issues. Religious students often stand out from their peers because of their different world views, yet this bill, which is being promoted as offering protection to all students, has clearly neglected to include a significant portion of society. It's troubling to see that our kids can only be protected or promote themselves if they fall into one of four categories, according to this bill. I fail to see how this bill truly promotes inclusiveness and respect for all people groups when it does not even protect or respect such a basic thing such as religious diversity.

The final area of concern I want to address is the apparent intention of this government to force private faith-based schools to adhere to this bill in its current form. A significant portion of this bill focuses on the promotion and tolerance of diverse sexual identities. Regardless of the personal beliefs of the decision-makers in our province, the fact remains that there are many religious institutions, including private schools, who simply cannot comply with parts of this bill without acting against their religious convictions. We live in a society that claims tolerance and freedom, however, that tolerance and freedom increasingly seems to apply only if your moral or religious beliefs don't offend anyone. There has never been a society where every citizen was in complete agreement or shared the exact same religious views, that simply would never happen. But it seems that is the unrealistic objective of this government by creating a bill that forces private faith-based schools to allow the endorsement of lifestyles that clearly oppose the beliefs and convictions of that institution. Do we really want to live in a society where the government dictates what convictions we can or cannot hold onto?

I want to live in a society where everyone is free to hold to their deepest beliefs without compromise. I believe that we should aim for a society where differing beliefs are allowed and tolerated, but never forced upon any individual or organization. Thank you for your time.

**Madam Chairperson:** Thank you, Mr. Loewen, for coming to present. We'll go to questions now.

**Ms. Allan:** Well, thank you very much for your presentation this evening and for being here this evening to provide us with your reflections in regards to Bill 18, and thank you for waiting all day to make that presentation. Thank you very much.

**Mr. Goertzen:** Thank you, Bob, for being here, as well, and spending some time with us on this weekend. I'm sure there are other things you might have been able to do on a Saturday.

You talked about the importance of protection of religious freedom, and I've mentioned this to a couple of other presenters, but I'm not sure if you would have heard it, if you were in the room or if you were in the overflow room. But there are three sections that are excluded from Bill 18 that are included in The Human Rights Code; they're not specifically mentioned in Bill 18, although it mentions other portions of The Human Rights Code. One is ethnicity, one is social disadvantage and

one is religion or creed. Would you support an amendment that would put religion and creed, social disadvantage and ethnicity within—specifically in Bill 18? *[interjection]*

**Madam Chairperson:** Sorry, Mr. Loewen.

**Mr. Loewen:** I'm sorry. Yes, I do think that would be a huge step forward for this bill. It would, in my opinion, be more inclusive. I think the wording should either be completely generic or all-inclusive, which I think is a—would be a huge challenge, but needs to be addressed.

**Madam Chairperson:** Thank you, Mr. Loewen. Seeing no further questions, we'd just like to thank you one more time for coming down. Appreciate it.

Our next presenter is Bonnie Loewen, private citizen. Do you have any materials to hand out? All right, then please go ahead as soon as you're ready.

**Ms. Bonnie Loewen (Private Citizen):** Okay. Thank you. I'm really, truly thankful to have been able to sit through this process today. It's been really informative. I've never done this before, so—and thank you to all of you who have sat through this as well. It's been a long day, but.

*Madam Vice-Chairperson in the Chair*

I just wanted to share, first of all, before I read my presentation, just how humbled and honoured I am to have shared this platform with many amazing people from my faith community. And, yes, I'm just very blessed to know them.

\* (17:50)

So I guess I have to change it from good morning to good afternoon to good evening now.

I'd like to thank Ms. Allan for the concern that she has shown for the welfare of students in Manitoba. I have two beautiful children. I've a—my husband, Bob, and I have a beautiful daughter, and, you know, I heard Kathy share her story, and it just, it really hit my heart, because that's a parent's worst fear, right, that their daughter is going to have to go through that. But I have an amazing God that I put my hope in for her, and for our son, and I trust him completely to see them through.

Anyway, I don't believe children should be bullied for any reason. And I do believe something has to be done to protect children in our province from the horrible effects that we keep hearing about in our country. But I am, and I have to be, opposed to Bill 18 as it is currently written. And my reasons are

as follows: First of all, this bill, in part, defines bullying as causing distress to a person's feelings. Feelings tend to be a pretty vague thing. My husband and I hurt our—each other's feelings unintentionally, right, and that doesn't mean we're bullying each other, and so that shouldn't be included in this definition of bullying.

There's far too much potential for misinterpretation here. And I know teachers, and I feel sorry for them that they're going to have to make judgment calls on this because of the misinterpretations, the many different accusations of hurt feelings. And I'm also very concerned about well-meaning kids, who'd easily end up being labelled bullies when they're just simply sharing their opinion or sharing their faith.

My children are extremely, extremely conscientious of other people's feelings, and we've taught them that, taught them to notice the kids on the fringe from a very early age. From kindergarten, our daughter would notice and reach out. And we want them to still be able to have the right to share their religious values, I mean, in a respectful way, always respectfully.

The second opposition that I have in regards to this bill is the fact that students with religious beliefs have been deliberately left out. That's been repeated over and over again. I've read the Manitoba charter of human rights—I think I have it right—and, yes, some of those are carried forward into this bill and some are intentionally left out. And I just have to say that that's wrong. So—sorry, I have just to catch my spot here. I guess the respect for human diversity policy outlined in the bill guarantees accommodation for certain specific groups but leaves out guarantees for students of religious beliefs.

Lastly, I'm opposed to the fact that there are no provisions given to faith-based schools in this bill. The religious beliefs of any faith group are core to who they are as people, and forcing school boards to act in direct contradiction to their statement of faith could even be interpreted as bullying itself, actually.

And just on a last note, I have to say it's frustrating; it's very frustrating as a Christian parent to have my options being taken away, and that's what this bill is doing.

So that's all I have to say. Thank you.

**Madam Vice-Chairperson:** Thank you, Mrs. Loewen.

Questions from the committee?

**Ms. Allan:** I just want to thank you very much for coming in today and providing us with some comments on Bill 18. I appreciate both you and your husband spending the bulk of the day here. I appreciate the comments that you've presented to the committee tonight and just wanted to say thank you.

**Madam Vice-Chairperson:** Any further questions from the committee?

**Mr. Goertzen:** Yes, thank you as well for being here.

You know, you mentioned—you identified your faith perspective, and I appreciate that. We've heard from others today, the Muslim community, we've heard others in the presentations and through correspondence from the Jewish community, from the Sikh community, the Hindu community. And I think history would show that there's—rarely in history have those groups agreed on almost anything. But they do seem to be united in their concern about Bill 18.

Your specific concern about 'reli'—freedom of religion—it's collective, right? You're concerned about the freedom of religion for all religions, yours and others as well. Your concern is that you want all religions to be protected and to be able to speak freely of their own views, not just of your own personal faith perceptions. Is that correct?

**Ms. Loewen:** Yes, that's correct. Absolutely.

**Madam Vice-Chairperson:** Okay, and, Mr. Friesen, you also had a question?

**Mr. Friesen:** Thank you, Bonnie, for coming today and sharing with us, and it has been a long afternoon, we—so we thank you for sticking it out.

I had a question just based on something you had said, and you talked about the fact that, you know, religious beliefs had been—and you used the word, deliberately left out of this list, when it comes to 41(1.8). And I just wondered about—two nights ago at committee, I know the Minister of Education (Ms. Allan) was giving assurances to one presenter whose children went to a private Christian school and said, you have my word that nothing will change, that nothing to fear in Bill 18. I'm just going to ask you, wouldn't you think, then, that if that was the case, that the easiest way to give those assurances to Manitobans would be to add that back in, to include religious groups under that 41(1.8) section?

**Ms. Loewen:** With all due respect, words are easy to use now. But I think we deserve to have it put in to this bill—with all due respect. Thank you.

**Madam Vice-Chairperson:** Thank you, Ms. Loewen.

Are there any further questions? If not, thank you again for coming down and giving your presentation. Thank you to you and your husband.

I would like to now call on Scott Wells. Mr. Wells, do you have any materials for the committee?

**Mr. Scott Wells (Private Citizen):** None.

**Madam Vice-Chairperson:** Okay, then please proceed with your presentation.

**Mr. Wells:** Honourable Minister Nancy Allan, members of the committee, thank you for your time. Thank you for those before me for their precise articulation. And just to reiterate the attentiveness of the Madam Chair and the committee for roughly halfway through this public process.

I am a Protestant Christian. I have no children and I am a person with longer hair than most normal men. My understanding, this is first time at—ever at a public forum and that this is Bill 18 framework. That was kind of a little bit puzzling, but provoking.

My understanding, a clause of this piece of legislation is a bully to faith-based schools public and or private.

Interpretations: a bully is obviously a troubled person. My political definition of a bully is dictator. I think what we all agree or a lot—but I've been hearing we got to expand, reword the definition of bullying. I think, maybe, also, should be included is a definition of bully. Pattern of behaviours and hurt feelings—there is obviously a plethora of issues a bully uses to bully someone: age, race, nationality, religion, clothing, physical stature, weight, housing, family, money, et cetera. I guess they figure they're perceived uncool, they're—peer pressure. They may look—they may learn their bullying from home, from family. I think a bully is limited—is only limited to their social interactions, and the only way they are identified is the bullied must speak up and caregivers, teachers, parents, must also show respect, care and not minimize the event and encourage, build up, love, accept and support this bullied person.

Bullied children have to learn not to be silent or mute, and that's where, I guess, the education

comes in hand. They must accept their hurt feelings and talk about them to educators, to police, to family, to parents. And the bully—the bullied needs love—or even the bully needs love, and being silent as a bullied person—being silent is not loving to the bullied, to the bully.

\* (18:00)

The causes, okay, there's no—I—there's no causes of bullying but the characteristics. And I really like that characteristic in 1.2(2) where it says—and I think that's a route of a bully, is the context of a real or perceived power imbalance. It's their use of power—or their misuse of power to bully, to intimidate, to make somebody else humiliated or distressed. I can almost—yes—I was going to bring up even the military not accepting gays at one time, but that is an adult that's not children.

The respect for human diversity policy: people of education system and in public works, I think, where this respect comes instinctively. It's—they want to see other people built up and encouraged and to become the individual that they are, and that's what teachers are for the betterment and growing up and maturing of children. So then, when it comes to the student activities part, I really agreed with, like, the different groups. The—a questioning group was put out or the antibullying group, the promoting human diversity group, the differences in groups, and a group not a club. I think a club makes it sound too restrictive or even like qualifications to meet, semantics, I guess. to forcing Muslims and Jews, and I heard the one principal, I think he was, he has 81 different faith groups in his school.

The—a point about research on one area, and it's only been done in one area and yet we've picked out four different minority groups to not necessarily segregate, but I don't know the terminology there. I guess, how do we make people feel safe and inclusive? The only way is by reprimanding and disciplining the bullies once they're identified and, now, how do we discipline a bully that learns it from home? Well, that's probably the worst case this bully we're going to get. But there's making of school or special classes and stuff. I really like that idea of room for delinquency or that saying earlier.

I find this piece of legislation or a bill cannot identify a bully or the bullied. We can outline who they are, their characteristics and their patterns of behaviour. I think this bill's role is to define participation, characteristics and interpretation of bullying, encourage, enhance and support the human



diversity in schools. By adding in four minority groups it seems to twist the bill because it takes it off of the focus of more or less identifying, but also the disciplinary actions that can happen from it.

Most people in the education system are open for safe and inclusive schools, and Manitoba I'm sure most—all—most schools are safe and inclusive. It's an individualistic thing when it comes to a bully, and it's a matter of the bullying over and over. A clause in this framework bill is a bully. Thank you.

**Madam Vice-Chairperson:** Thank you, Mr. Wells, for your presentation. We'll now have questions from the committee.

**Mr. Swan:** Thank you, Mr. Wells, for coming down—I think it's still this afternoon—to present to us.

Manitoba's one of the few places where citizens do have the ability to come down on a piece of legislation and have MLAs listen to their thoughts. And I want to—and I do appreciate you coming down and sharing with us this afternoon.

**Madam Vice-Chairperson:** Mr. Goertzen—Mr. Wells.

**Mr. Wells:** Thank you.

**Madam Vice-Chairperson:** Okay.

We also had a question from Mr. Goertzen.

**Mr. Goertzen:** Yes, thanks, Scott, for being here this early part of the evening, I suppose.

We—when I was looking at different pieces of legislation on antibullying across North America, it struck me how much—not only about what was in the bill, and that's been a lot of the focus of presenters, but what wasn't in the bill, and I think that this is—I've described it as one of the weakest antibullying bills in North America because it lacks so many different things that other bills have. You touch on a couple of them.

One was specific punishment, to use that word, some kind of—what's the repercussion of bullying? But you also touch on love for the bully. And that also appears in other bills about restoration and working with somebody who is bullying. And those don't appear specifically in this bill.

Now, those two might seem at odds with each other, but I do think there's a place for both of them, and I think you touched on that too. Can you talk just a little bit more about that, about how you could see something that deals with helping somebody who

is bullying but also ensuring there's an appropriate consequence for bullying?

**Mr. Wells:** Helping and—yes, when—because it's a child thing, I guess we may brush it off quickly that, oh—because parents—that we won't hear they're actually—that they're—it's a constant thing. And that's part of the growing up process, too, of working with those that are in authority or educating the children. And that's where, then, if you find one that's the pattern of intimidating or just bully—or pushing them around, that's when private classes or, like, even segregate them out of the class. But if they're learning it at home or even, like, learning it on the football field, playing sports, you banter back and forth, whereas if it starts to develop worse into the social interactions, then it's harder to treat, I guess. Thank you.

**Madam Vice-Chairperson:** Mr. Goertzen, a follow-up question?

**Mr. Goertzen:** I just wanted to say thank you again. You've brought a different perspective because you mentioned earlier on that you don't have kids, and others, of course, many who come, probably the majority, do have kids or they're young people themselves in the school system. So it's a unique perspective, and I appreciate you bringing it.

**Mr. Wells:** Thank you.

**Madam Vice-Chairperson:** Thank you so much for coming out today and for your—spending your time with us, and quite a deal of time I'm sure it's been, so enjoy the rest of your day.

I would now like to call up Jozef Braun. Okay, Jozef Braun's name will now be dropped to the bottom of the list. I would now like to call upon Carla Schmidt.

Ms. Schmidt, do you have any present—any written materials for the committee?

**Ms. Carla Schmidt (Private Citizen):** No.

**Madam Vice-Chairperson:** No? Then please proceed with your presentation.

**Ms. Schmidt:** Thank you.

I take it as a privilege to be here. Thank you to the committee. This is my first time presenting. I came at 10 o'clock this morning and wasn't sure, kind of, how this would go. But the advantage of that is I've taken a lot of notes, and that's a good thing. It's good. However, when I reread my presentation, I fear that a good amount of it is redundant. I hope that

there's some other things that come to mind—that have come to mind over the last few hours as well, that I'll share with you.

I've been a mother for 25 years. That's something that I really appreciate and I value. I'm a newly graduated counsellor with a master's degree. However, I don't want to speak from that perspective because I really feel I lack experience. I do have some thoughts, but I want to be tentative and be a learner in that regard. I would want to speak primarily from my core identity, how I would see myself as a Christian, someone who loves Jesus and wants to be more like Him.

\* (18:10)

Trying to be a good counsellor, I tried to restate what the bill was saying so that I really grasped it. I'm not sure that I have done that well. But it's my understanding that Bill 18 is an amendment to the Manitoba Public Schools Act to define bullying more extensively, to require school divisions to write a human diversity policy for their schools and to ensure that each school accommodates students who wish to organize and promote groups of interest, specifically in the homosexual community.

At issue, in the community of faith in particular, I think, is the requirement of schools to accommodate gay-straight alliances and activities, regardless of religious conviction. In my view, the difficulty first arises in a combination of the three distinct elements leaving opponents of the bill to be perceived as failing to care for the needs of the vulnerable, especially children who are bullied. In the media, after all, the bill is regularly called the antibullying bill. Let me say at the onset of this presentation that I strongly oppose, as do, I would say almost unanimously, we would all say we strongly oppose the misuse, the abuse of power, against children. And I have protected children who I felt were being abused.

The problem lies, in my view, in this area, that the bill links bullying with holding a different view of human diversity. I'll give you a personal example. In 1999 I sat on a parent advisory council in our local public school. At this particular meeting we were contributing to an evaluation of a proposed harassment policy for the school division, the Prairie Rose School Division. I raised concerns with the inclusion of sexual orientation as one of the categories on the basis of the desire to retain religious freedom, and that was very important to me. I had a very good working relationship with

the principal, who was not a person of faith, but who was very—it was—had a really good working relationship with us. And I spoke to him one day and I said, what would it look like for one of the children, one of my children to be accused of harassment? What if my child said politely and respectfully—and a sidebar would be, that was very important in my family and in my raising of my children. I expected and I disciplined them for disrespectful behaviour, and that's very important in my view. But what would it be like, how would you understand that, I spoke to the principal, if one of my children says I have been taught that the Bible says that homosexual behaviour is sin. What would happen? Would that be a problem? And he said, not the first time. That was very telling to me, and it brings up issues of dialogue. What does it look like for us to discuss this respectfully, kindly, but to own one's views and to hold firmly to them?

This past June I finished my career as a school mom. My last child graduated. So I was in—I did my 20 years of time and it was really a great experience. And my children were never accused of disrespect or bullying of any kind, and I'm pleased with that. I'm thankful for that.

So my concern is centred in a number of different areas. Will the rights of free respectful expression of religious views be protected? And I just made notes, I believe it was Nancy that mentioned something about, will children be protected who hold to different views. She reiterated the acceptance of all students and that—I think you mentioned that our teaching would not be affected by this bill.

The third point that was made was that schools must accommodate students who ask for GSA groups. I find that contradictory and I don't quite understand how that would work together.

I worry, too, about the confusion that remains between the intrinsic—God-given, I would assert—equal human value of all persons and the requirement, on the other hand, to value equally all human behaviours. And I think that it's subtle, but I think it's a significant issue that we remain at odds on. The requirement of schools to promote respect for human diversity seems to perpetuate this confusion that I would hold as important.

I'm given no guidelines in the bill as a parent would—nor as a parent would I have any input into the curriculum of the diversity teaching or in its interpretation. That would concern me.

This bill also assumes the school system's primacy to teach values, especially values surrounding human sexuality, and I would take issue with that. I find it very, very important that parents retain their role to teach values around sexuality.

It was interesting—I took a recent course with Dr. Gordon Neufeld, a developmental psychologist out of Vancouver. He wrote a book called *Hold On to Your Kids*. He's presented in a number of school divisions. He spoke about a number of issues. His big thing is that he believes that children and youth in particular are peer-oriented, that they find their sense of value, their self-definition, in their peers as opposed to in their parental—in their home of origin. And I agree with him.

I think that while a bill may be important because a government's mandate is to provide protection, I really believe, though, the issue must be addressed on the level of family, and I really think that if I could I would call parents to come back to their job. I would call them to—back to the hard work of parenting and remaining attached with their children.

Time is almost up?

**Madam Vice-Chairperson:** Just wanted to let you know you have about a minute left.

**Ms. Schmidt:** Okay, thank you, I'll finish.

I'm a Christian. I'm committed to protecting vulnerable people from abuse. I will go further: I'm committed to loving people, though I often fail at this. Because I want to love, I must speak truth, and more than just my truth. Being a Christian in this arena means more than loving people. My relationships with people are only made possible because I love God; that's the preface to my understanding of loving people, is that I love God and I love what He says, and I'm learning to do that.

So how do I see this? Jesus has invited me to His Cross, to turn from my sins, and I've come and I have found rest for my soul. To those who come, He promises to make all things new and He truly reorients in many, many deep levels. My relationships have been reoriented on this basis of His love for me and His truth and His Cross.

I expect this bill will pass. I'm disappointed and I hope for change, but my hope, ultimately, is not in government, though I affirm your job and your role in society; I think it's valuable and essential. But my hope is in something far deeper, far greater. My hope

is that people will come to know Jesus. I know that sounds simplistic, it does not sound academic, but that is my primary orientation.

**Madam Vice-Chairperson:** Thank you for your presentation, Mrs. Schmidt, and now we have questions.

**Mr. Swan:** Thank you, Ms. Schmidt, for coming down today. I think we're all impressed by the fact that you've been here since 10 a.m. and have heard many, many presentations putting forward different points of view, and I just want to thank you for your tenacity and your interest in coming down and presenting to us today.

\* (18:20)

**Madam Vice-Chairperson:** Mrs. Schmidt—okay. And there are further questions—Mr. Friesen.

**Mr. Friesen:** Carla, thank you for coming. Thank you for sticking it out, for spending this whole day. You're a good student. You said you took notes while you waited. But I was happy that you waited and spoke to us this afternoon because I did feel you brought both compassion and wisdom to this committee this afternoon.

I think about the fact that you said you've—you'd have a master's of counselling, but you also said you've been involved at a community-levelly run parent council, and I think—as I see this process, I think about how much we lose from this process of legislation-making when we don't take the time to properly consult.

I guess my question is, for you as a community person, a person who's thought about this bill, do you think that there would have been value and there would have been good ideas come forward had the time been taken by this government to go to communities and ask them for submissions and tell them where—what direction they were planning to go in and ask them to provide input in the process?

**Ms. Schmidt:** Well, if I was your counselling supervisor, I would suggest that was a leading question. And—[interjection] I'm not a lawyer.

Respectfully, I'm not aware of the process, so I really can't fairly speak to that. I'm not aware of what has been done, so that wouldn't be fair for me to say. But I do value, and I—and if I hear the essence of what you're asking, I really do value consultation. I think that's essential. Parents, in my view, are the

core of this issue, and I believe that they're the core of the answer for this issue. Thank you.

**Madam Vice-Chairperson:** Thank you very much for your time here today, Mrs. Schmidt. And if there are no further questions, again, I'd like to thank you.

And we'll call the next speaker. I'd like to now call Brian Schmidt.

Mr. Schmidt, do you have any materials for the committee?

**Mr. Brian Schmidt (Private Citizen):** No, I don't.

**Madam Vice-Chairperson:** Okay, then, please proceed with your presentation.

**Mr. Schmidt:** Okay, so I'll start with praying and then I'll kind of get into it.

Jesus, I'm just asking whether You would speak because we don't need any more of man's opinions or—we need your Word, so please, oh God, take my lips and speak Your Word. What is it that is being said at the throne, oh God, because we need Your authority and You are a terrifying and wonderful God, and I love You Lord and I'm begging You, reveal Yourself here in this meeting. In Your name, Jesus. Amen.

So I'm the youngest son of Mrs. Carla Schmidt, so I just wanted to throw that out there. The Book of Isaiah in the Bible, Isaiah 5, it says—5:20, if you want to look for that, it says, woe to those who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter. Woe to those who are wise in their own eyes and clever in their own sight. Woe to those who are heroes of drinking wine and champions of mixing drinks, who acquit the guilty for a bribe and deny justice to the innocent. Therefore, as tongues of fire lick up straw and as dry grass sinks down in the flames, so their roots will decay and their flowers blow away like dust, for they have rejected the law of the Lord Almighty and spurned the Word of the Holy One of Israel. Therefore the Lord's anger burns against His people. His hand is raised and He strikes them down. The mountains shake and the dead bodies are like refuse in the streets. Yet for all this, His anger is not turned away, His end is still unpraised. The judgment of God on those who reject the law of the Lord Almighty is great and it is terrifying.

And the Scripture says it's a terrifying thing to fall into the hands of the living God, so I will—I'll now move again to I Corinthians 6, verses—starting at

verse 9: Do you not know that the wicked will not inherit the kingdom of God? Do not be deceived, neither the sexually immoral nor idolaters nor adulterers nor male prostitutes, nor homosexual offender nor thieves nor the greedy, nor drunkards nor slanderers nor swindlers will inherit the kingdom of God. And that's 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. Jesus says, in the Gospel, he says, if any of you cause one of these little ones who believes in me to sin, it'll be very bad for that person. It'd be better for him to have a large millstone tied around his neck to be thrown into the sea than to cause one of these little ones to sin.

And so, what I'm getting at with this—with all of this, is this bill that seeks to norm—teach and educate children, like, teenagers, too, but especially, like, little kids, elementary age and middle-school age—the—that homosexuality is okay and it is just normal and it should be assimilated into—and it goes—it's okay. This is spurning the Word of the Lord Almighty and it is calling evil good and good evil.

And I was praying yesterday. I live on a farm, so I was combining. So I was in a combine, like, 15 hours. It was crazy. But so I was praying. I was praying for you guys, I was praying, Lord, I was praying for your guys' souls because I believe with all my heart that if you do not know Jesus Christ as Lord and as the King of Kings, if you are not submitted to, if you are not in Christ, you are—you are headed to an eternity in hell separated from God in eternal torment that will not end and mercy is cut off forever. This is what I believe with all my heart and I believe that if you—I warn you with a sobriety in my heart, I don't take this lightly, but if you put forth this bill it will be leading many young children into sin as defined by the Lord not by defined by man or the church but by God and the Scriptures will be very bad for that person. And so I warn you, ladies and gentlemen, with all my heart, please do not put forth this bill.

I don't appeal on behalf of a group, of like a group of people or on behalf of whatever. I'm crying out to you guys on behalf of God, in the name of Jesus, for your own souls because God will hold you accountable to this and all the sin that is being taught to children as okay and all the evil that is being put forth as good to little children. God will hold you accountable to this and many of you would probably—okay, that's nice religious banter. That's nice cultural view you grew up with because you

grew up in a Christian home and things like that. So this is just my view point. I assure you the day is coming when you will see Jesus Christ, He is coming back in the—He is coming back and He will rule and all—rationalism likes to rationalize God away. Okay, no, He can't exist and if He is it's not this one. Different religions want to say no, the God, the Bible isn't true.

*Madam Chairperson in the Chair*

This is your God. This is the Creator and everyone has their banter, but it will soon be made clear who is—who really is God. And I plead with you, with every single one of you, please reconsider this bill and more than just this bill, but just your hearts before God. Forget about this bill for a minute. If you live in sin in your life, if you don't know Jesus Christ, then the Scripture says you're an enemy of God. And He is coming back and we will all be judged. It says, every one of us must come before the judgment seat of Christ. And so here's the thing, if you don't know God and you want to—this is the way. He—it says in the Bible, the Book of Acts, the Apostle Peter, he's preaching and the men ask—it says they were—cut to the heart of the idea—is what should—must we do to be saved? He said repent and be baptized in the name of Jesus Christ for the forgiveness of your sins. So repent. So turn from your arrogance and turn from your sin and come humbly before this God, and He loves you very much. He loves you very much. I love you very much. I do love you all very much and that's why I'm warning you of the coming judgment. And what He's saying is—it says in the Bible today is the day of salvation, get—turn to God now before it's too late because the time is coming where it will be too late and mercy will be cut off forever, and those who are not in Jesus Christ will be in an eternity in hell, apart from Him, without mercy.

\* (18:30)

Lord Jesus, I just pray, send Your conviction and do what only You can do. I can't change people's hearts but You can, and so I just cry out in Your name, O Lord, for You to do Your will, and that Your will be done, Your kingdom come on earth as in heaven. Amen.

**Madam Chairperson:** Thank you very much, Mr. Schmidt. You really had a long wait to get to this point, so we do appreciate it, and we'll go to questions now.

**Ms. Allan:** Well, Brian, I—you—I walked in the building the same time as you and your mother this morning, and, at one point during the day, I walked over to you, and I said, when are you speaking, because you had waited for so long. And I found out that you were second last on the list and I thought, I've got to make sure I'm here for his presentation, and I want to say thank you, as well, to your mother for her beautiful presentation. Thank you for being here today. Thank you for sharing your very personal religious views and connections with us today. We appreciate that very much, and all the best.

I'm sure that you are in good training for being here today, because you can spend 15 hours a day on a combine, so that means that you were in training for being here today. So thank you so much for being here, and thank you for your comments.

**Madam Chairperson:** Thank you.

**Mr. Goertzen:** Yes, thank you, Brian. If there was any concern that the long wait will have taken away any of your passion, it was dispelled very, very quickly.

You spoke with great passion. You spoke with great conviction, and I'm glad that we live in a country that has the religious freedom that you can come and express that with the passion, the conviction you do, and I hope that our country is always—always has that freedom of religion so that you can and others can continue to do that. Thank you.

**Madam Chairperson:** Thank you, and seeing no more questions, we just would like to, yes, thank you one more time, appreciate it.

And our next presenter is Kristy Penner, private citizen. And do you have any materials to hand out?

**Ms. Kristy Penner (Private Citizen):** I do.

**Madam Chairperson:** All right, we can help with that, and then you can go ahead whenever you're ready.

**Ms. Kristy Penner:** Thank you for allowing me to share my thoughts with you today.

I care about people and I care about antibullying measures. I don't have children of my own. I am young and married and looking forward to starting a family. I have 12 nieces and nephews and I have the privilege to work with many high school students and young adults, and so I value young people and I

value their opinions, their feelings, their safety and their security.

It is my firm belief that, to borrow from the US Constitution, all people are created equal—emphasis on equal, but first on created. I believe we are purposely created by God, and, because of this, we can promote equality. Each one of us in this room, each person on the planet has intrinsic value and worth and our opinions, our feelings, our experiences are all valuable. Beliefs like these have laid the foundation of our nation as well as of the United States and it is only because of these beliefs that we proudly call Canada the land of the free.

I am proud to be Canadian, yet this bill brings me great fear because I believe it threatens the very foundations of our nation, freedom of religion. It is protected under the Canadian Charter of Rights and Freedoms. It is a basic freedom for Canadians. Canada prides itself on multiculturalism, the ideology that a myriad of cultures can coexist peacefully in the same country.

Immigration.net puts the right to religion, culture, language choice and the freedom of expression, all as laid out under the Charter of Rights and Freedoms, as one of the top 10 reasons why people immigrate to Canada. On the Government of Canada website, under Citizenship and Immigration Canada, in a section titled Canadian Multiculturalism: An Inclusive Citizenship, it says the following, quote: "Canadian multiculturalism is fundamental to our belief that all citizens are equal. Multiculturalism ensures that all citizens can keep their identities, can take pride in their ancestry and have a sense of belonging. Acceptance gives Canadians a feeling of security and self-confidence, making them more open to, and accepting of, diverse cultures. The Canadian experience has shown that multiculturalism encourages racial and ethnic harmony and cross-cultural understanding." Unquote.

And to requote the first sentence: "Canadian multiculturalism is fundamental to our belief that all citizens are equal." Freedom of religion and freedom of speech and expression are also foundational to the belief that all citizens are equal, and it is because of these things like freedom of religion and expression that we are able to be a multicultural nation and offer a home to so many immigrants.

As a Canadian citizen, Bill 18 invokes fear in me, fear for the freedom of my generation and of the ones to follow. I believe that Bill 18 attacks the

Canadian Charter of Rights and Freedoms and tears a hole in the very fabric of our society as a free nation in two primary ways: No. 1, protection for students on the basis of religion is excluded from the bill while protection is offered to students on the basis of gender, race, sexual orientation and disabilities. Religion is not mentioned, and I believe this is deliberate because freedom of religion contradicts other amendments put forth by the bill.

The bill forces schools, including those of Christian, Jewish and Muslim faith to promote groups that go against their religious beliefs. For many Christian, Jewish and Muslim denominations, homosexuality is considered a sin. That belief that homosexuality is sinful does not give allowance for any person of those faiths to hate or bully anyone who lives an LGB or T lifestyle. To love God and to love others regardless of any factors is the foundation of the Christian and Jewish faiths. To bully or hate anyone, then, even if we do not agree with their lifestyle is a betrayal of our faith and our God. Yet to enforce and promote a group that goes against our religious beliefs is also a betrayal of our faith and our God, and to force us to do this infringes upon our rights as a Canadian citizens.

The bill includes a respect-for-diversity aspect. I love that respect is important to this country, that is, if respect means what it always has: giving due consideration to the beliefs and opinions of others without having to agree with them, showing value and worth to a person without necessarily accepting their beliefs or their lifestyle and being able to express that. This is the respect I've been raised to show, and this is the idea of respect I believe that has been embedded into the foundation of our country since its birth and the idea of respect upon which our Charter of Rights and Freedoms was developed.

Yet I fear that respect in this bill is defined as wholeheartedly approving. This definition of respect goes against the right of religion and the right to free speech. We are a free country and a democratic country because we are allowed to disagree with one another on important issues. It is because of this allowance that we even have a Charter of Rights and Freedoms. Bill 18 steals that right from religious groups, a group that is supposedly protected in the Charter.

My heart on this issue is very well-'represented' by—represented by the John G. Stackhouse Jr. article in the Winnipeg Free Press, printed on March 23rd, 2013, entitled, why would

Mennonites oppose an antibullying law. I have taken a few thoughts from it already. Had I more time I would read his article here. But there's one more thing his article touches on that is incredibly vital to this issue that I must address. As you have called me, my last name is Penner, and my maiden name is Neufeld and I am—come from Neufelds and Wiebes and Friesens and Brauns. So I am only Mennonite, and though I'm not Mennonite in a religion sense, I do care about the history of my people. My great, great grandparents came to Paraguay and then to Canada by choice. But many, many other Mennonites were not so blessed and it was religious persecutions that forced them out of Europe to Canada, which welcomed them, which is something to celebrate that Canada has been a haven for so many people.

History shows us what happens when religious rights are non-existent or taken away, done away with. Since the birth of Christianity—and I'll speak from a Christian perspective because I am a Christian—since the birth of Christianity, its followers have experienced intense persecution. The Apostles of the Bible, men whom history proves existed, were all persecuted, and all but one were martyred for what? For sharing the gospel, the good news of Jesus Christ. Ancient Rome served up the Christians as mass entertainment in the gladiatorial rings. Protestants and Catholics were persecuted and martyred by each other during the Reformation and Counter-Reformation. In 1930s and 1940s, Germany reminds us of a time when both Christians and Jews were stripped of their religious rights as a new god stepped up to rule with an iron fist: so many atrocities at the hand of one man who sought to play God.

And, yes, I know that some awful things have been done in the name of religion as well. And as a Christian, I can only offer the defence that any atrocity done in the name of the Christian God were not Christian at all, as they clearly violated the greatest commandments to love God and to love others.

\*(18:40)

Real martyrs don't murder, titled a recent Christianity Today article, yet there seems to be a clear pattern that when religious rights are taken away, the religious suffer tremendously. I am so thankful to be a Canadian citizen. Right now all over the world my brothers and sisters in Christ, fellow Christians, are being persecuted for their religion in

North Korea, Iran, Saudi Arabia—there's a big list there—et cetera. Statistics continue to say that Christians are the most persecuted religious group in the world. Christians whose foundational belief is to love the Lord their God with all their hearts, minds, souls and strength, and to love others as themselves—not just to love others but to love others as I love myself.

And it is because I love myself and others and my country and my God, that I implore you today to protect the religious rights and freedoms of Manitobans. Please do not pass Bill 18, but if you do, make amendments that are consistent with freedom of religion under the Canadian Charter of Rights and Freedoms.

Thank you.

**Madam Chairperson:** Thank you, Mrs. Penner, we appreciate you coming to present, and we'll go to questions now.

**Ms. Allan:** Well, thank you very much for your presentation. You have obviously put a lot of work into it and we appreciate that. We appreciate your reflections and your comments that you have made in regards to Bill 18. And thank you so much for waiting all day to make your presentation, but we obviously saved the best for last. Thank you.

**Mr. Goertzen:** Kristy, thank you for being here this evening and for your presentation. I'm glad that you tied in the issue of multiculturalism in terms of the concerns with the bill, and I think that that's important because as a Canadian society, we do value multiculturalism. And you talked about the Jewish community, the Muslim community. I've had the opportunity to visit many in the Sikh community and to visit their temples—also expressed great concern about certain aspects of Bill 18. And so I'm glad that you brought in a broader perspective in terms of multiculturalism.

You know, one of the things that happens I think sometimes when people of faith or individuals who hold different perspectives get concerned about what the state is doing, is they would tend to withdraw in their own way.

And you mention that you look forward to starting a family someday; I know your parents would share that sentiment as well. But I've heard from a number of young people at this committee and elsewhere in Winnipeg and in other parts of the province where they've talked about the option of home-schooling and they talked about—some of them

said they've never thought about home-schooling before, it was never on their radar, they might have had careers so it was difficult but because of this kind of legislation and other things that have been talked about by the government, that that might become a consideration. Now, do you think that people of your generation might be more likely to home-school if they hold some of the same concerns that you do?

**Ms. Kristy Penner:** I definitely think so. Someone earlier used the analogy of the Titanic, and I'll use it in a different way, just that of the iceberg. And I believe that this bill, though it doesn't outright attack our freedom of religion, in many ways it is the tip of an iceberg, and home-schooling would definitely become an option.

**Madam Chairperson:** Thank you very much.

Seeing no further questions, we'd like to thank you one more time for coming down tonight and presenting.

Now we will go back to our list and call those people who were not here when they were called. So the first person that we're calling is Nathan Knell. Nathan Knell? Nathan Knell's not here; he will now go to the bottom of the global list.

The next person is Todd Reimer. Is Todd Reimer in the room? No? He will go to the bottom of the global list.

Charis Penner. No? To the bottom of the global list.

Fletcher Stewart. No? To the bottom of the global list.

Mark Zoldy? To the bottom of the global list.

And Jozef Braun? All right. That is the—well, Jozef brown—Braun will also go the bottom of the global list.

All right, that concludes our list of presenters for tonight. The hour being 6:44, what is the will of the committee?

**Some Honourable Members:** Rise.

**Madam Chairperson:** Committee rise?

And, before we rise, it would be appreciated if all the members would leave behind the copies, please, of the bill so they may be collected and reused at the next meeting. Thank you so much.

Committee rise.

**COMMITTEE ROSE AT: 6:44 p.m.**



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