

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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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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

Friday, September 6, 2013

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Melanie Wight (Burrows)

**VICE-CHAIRPERSON – Mr. Mohinder Saran
(The Maples)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Ms. Allan, Hon. Mr. Chomiak, Hon. Ms. Marcelino

Messrs. Altemeyer, Eichler, Ewasko, Goertzen, Graydon, Maloway, Saran, Ms. Wight

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

*Mr. Ken McAllister, private citizen
Mr. Gilbert Fehr, private citizen
Mr. Art Koop, private citizen
Ms. Susan Penner, private citizen
Ms. Menoukia Pearson, private citizen
Mr. Russ Reimer, private citizen
Ms. Heather Grant-Jury, United Food and Commercial Workers Union, Local 832
Mr. Travis Neufeld, private citizen
Ms. Chantal Reimer, private citizen
Ms. Carmen Allard, private citizen
Mr. Roger Dueck, private citizen
Ms. Kaitlyn Fenton, private citizen
Mr. Randy Wolgemuth, private citizen
Mr. Patrick Peters, private citizen
Mr. Kristopher Braun, private citizen
Ms. Catherine Pearse, private citizen
Mr. Cameron Funk, private citizen
Ms. Char Kenemy, private citizen
Ms. Corinna Klassen, private citizen
Mr. Ernie Plett, private citizen
Ms. Charis Penner, private citizen
Mr. Brock Peters, private citizen
Mr. Stuart Penner, private citizen
Ms. Seantel Anais, private citizen
Mr. Bernie Bilecki, private citizen
Ms. Phillis Penner, private citizen
Ms. Sonya Braun, private citizen*

Ms. Kimber Munford, private citizen

Mr. Tony Falk, private citizen

WRITTEN SUBMISSIONS:

*Hendrik van der Breggen, private citizen
Eric and Angela Klippenstein, private citizens
Pedro Wolf, private citizen
Karen Price, private citizen*

MATTERS UNDER CONSIDERATION:

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

* * *

Clerk Assistant (Mr. Andrea Signorelli): Good evening.

Will the Standing Committee on Human Resources please come to order.

I have before me the resignation of Ms. Melanie Wight as Vice-Chairperson of the Standing Committee on Human Resources.

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

Mr. Rob Altemeyer (Wolseley): I'd like to nominate Ms. Wight.

Clerk Assistant: Ms. Wight has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Wight, will you please take the Chair.

Madam Chairperson: Good evening.

Our next item of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Altemeyer: I would love to nominate Mr. Saran.

Madam Chairperson: Mr. Saran has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Saran is elected Vice-Chairperson. Okay. I can start now.

Good evening. *[interjection]* All the rules. I forgot. Got to tell you all the rules. I apologize. Okay.

This meeting has been called to consider Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools). As per agreement of the House dated June 20th, tonight we will hear from 30 of the presenters registered to speak on Bill 18, and you have the list of these presenters before you.

On the topic of determining the order of public presentations, I will note that we do have out-of-town presenters in attendance marked with an asterisk on the list. With this in consideration in mind, in what order does the committee wish to hear the presentation?

Mr. Kelvin Goertzen (Steinbach): Similarly to what we did a couple of nights ago because there's very few, I think, of those who aren't from out of town, perhaps we could just go numerically as presented. I don't think it'll make much of a difference in terms of the order.

Madam Chairperson: Just leave it and go in order? Is that the will of the committee? *[Agreed]*

All right, that's what we would do.

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

Before we proceed with presentations, we do have a number of other items and points of information to consider. I hope you can all hear me; I'm speaking as loud as I can.

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 in photocopying those, please speak with our staff. They will help you.

As well, I would like to inform presenters that, in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. If you're getting to about one minute away from your 10, I will do my best to remember to just let you know that you have one minute to wind it up.

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 be dropped to the bottom of the list of tonight's presenters. If the presenter is not in attendance when their name is called a second time tonight, they will be dropped to the bottom of the global list of presenters.

The following written submissions on Bill 18 have been received and distributed to committee members: Hendrik van der Breggen; Eric and Angela Klippenstein; and Pedro Wolf.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting? *[Agreed]*

Prior to proceeding with public presentations, I would to advise all the members of the public regarding the process for speaking in committee. The proceedings of our meeting are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. That's the signal for the Hansard recorder to be turning the mics on and off. So that's why I'm doing that. Hoping I won't forget, so don't feel bad if you forget.

Thank you for your patience. We're now going to proceed with public presentations.

I will now call on Ken McAllister, private citizen. And do you have any written materials, Mr. McAllister?

Mr. Ken McAllister (Private Citizen): Yes, I do. And I'm just going to ask if it's possible that I may switch with presenter No. 2, because Gilbert Fehr is well known in our area for singing O Canada at our sporting events and he would like to do that as part of his—as part of if not all of his presentation. May we do that?

Madam Chairperson: Is that okay with the committee? *[Agreed]*

So Gilbert Fehr, please, private citizen. Thank you. I assume we should stand.

Mr. Gilbert Fehr (Private Citizen): O Canada! / Our home and native land / True patriot love in all thy sons command. / With glowing hearts we see thee rise / The true north strong and free / From far and wide, O Canada / We stand on guard for thee. / God keep our land glorious and free / O Canada! We stand on guard for thee / O Canada! We stand on guard for thee.

Madam Chairperson: Thank you very much, Mr. Fehr. That was amazing.

I think he's finished now, right? Now we would like Mr. McAllister—or is Mr. Fehr—does he want to come and finish his presentation, or is that—

Floor Comment: Would you like to say something more, Gilbert, at all? [*interjection*]

Madam Chairperson: Okay. A fabulous voice. Thank you so much.

Mr. Goertzen: I just want to—I want it noted for the record that Mr. Fehr was the recipient of the Diamond Jubilee—golden jubilee—Diamond Jubilee Medal in Steinbach for his great volunteer work. He's raised thousands of dollars for cancer research and volunteers at virtually everything, I think. I don't think there's anything that he doesn't volunteer at, so thank you, Gilbert, for being here today, for singing and for your work in Steinbach.

Madam Chairperson: Beautiful. Thank you.

Hon. Nancy Allan (Minister of Education): Wow, Gilbert, thank you so much for that wonderful rendition. I think you should probably apply at the—maybe to sing at the Jets. I think you've got a great voice there, and thank you for all your community work in Steinbach.

*(18:10)

My husband is a leukemia survivor, and so I'm always very pleased when I hear that someone holds the issue of cancer close to their heart.

Thank you very much.

Madam Chairperson: Great. Thank you, Minister Allan.

All right, so now back to Mr. McAllister. And people will help you distribute those. We have staff, I believe, who will do that. And you can just go ahead whenever you're ready.

Mr. McAllister: At the end of the day, all we want to do is create safe and caring learning environments for all of our students, and that is the goal of Bill 18.

I agree with Minister Allan that this is the reason we must support Manitoba's antibullying legislation, but this brings up a question and the question is, can Bill 18 be improved? And, if Bill 18 can be improved, should it be improved? And, if it should be improved, will the Manitoba government support an amendment that makes Bill 18 even safer and even more caring for all of our students?

If the Manitoba government would support an amendment that would make Bill 18 even safer and even more caring, may I respectfully submit two alternatives followed by rationale. The two amendments I propose are either, No. 1, change the wording gay-straight alliance to antibullying club, inclusiveness group, we accept everybody society, or any similar phrase that doesn't imply a sexual connotation, or No. 2, change the word must to may in section 41(1.8) of the proposed legislation.

The reason to adopt either proposed amendment would bring Bill 18 in line with section 2 of the Canadian Charter of Rights and Freedoms, which guarantees freedom of conscience, freedom of religion, freedom of thought, freedom of belief, freedom of expression, freedom of peaceful assembly and freedom of association.

This is important, because why would we want to pass legislation that creates a safe and caring learning environment, keeps our students safe but contravenes the Charter. It isn't a matter of keeping our schools safe or respect personal freedoms; it's a matter of keep our schools safe and respect personal freedoms.

I respect the fact that someone has said we cannot have our cake and eat it too; however, in the case of Manitoba's antibullying legislation, I believe we can. And, if we can, then we must.

So what is wrong with the gay-straight alliance? Well, nothing. I support the liberty of schools to accommodate them, but I also support the liberty of independent schools to say, thanks but no thanks, if school administrators deem them inappropriate for their unique situation. Certainly, we don't want to outlaw all religious schools in Manitoba, and neither do we want to force all schools to be religious. In other words, diversity is the key. We all want a diverse province where all people of all cultures, orientations and religions are respected and affirmed. But diversity is the opposite of sameness; therefore, for our provincial schools to be truly diverse, they must not all be the same. Variety is a beautiful thing. So let's embrace variety while taking a strong stand against bullying. Let's exercise tolerance by allowing different schools to be different.

So how can we do this? Well, let's start with sexual diversity, for example. Some of our parents taught us the birds and the bees at a young age. Some of us—some of our parents waited until we were a little older. Some of us had to figure stuff out for ourselves. Regardless, is there a precise, perfect age

at which a child should be introduced to sexuality? I think we would all agree that there is no cut-and-dried perfect age. Some advocate introducing children to the concept of sexuality at a very young age; others wait until later. We must respect each other's liberty to parent as we best see fit for our child. Similarly, different schools should be able to adopt different approaches with sexual education.

Currently, sexual education is taught at grade 5 and parents may opt out. This is good. This respects parental liberties. Many parents love the fact that their children can learn about sexuality at school, and there are other parents who do not want their children exposed to sexuality at school because they would rather discuss those matters in their own home. It is these parents that often will send their children to an independent school where they may not discuss sexuality at all, other than the requested biology of sexual reproduction.

They may instead learn to love all people, regardless who they are. They may also learn that they must never bully anyone for any reason. And they may also learn that schools must be safe and caring learning environments for all students at all times. So what's wrong with that? Shouldn't the government protect both LGBTQ rights and religious rights? Or should we instead attempt to defend one and not the other?

Sadly, Bill 18 defends some rights but stomps all over religious rights. This is wrong. I believe we need amended antibullying legislation that protects the rights of all Manitoba students. And are rights not, in fact, freedoms? Aren't rights really freedom to believe what you choose to believe? Freedom not to be a victim of force, violence, coercion and/or bullying; freedom to respectfully, without discriminating, choose the people who are not allowed in your meeting; freedom to associate with whom you choose to associate; freedom to gather where you wish to gather; freedom to meet with the people with whom you choose to meet in privacy. But perhaps this is the wrong focus.

Paul Olson, president of the Manitoba Teachers' Society, has said the following: If someone has something in their personal values hierarchy that's more worthy of focus than our kids are scared, then I look forward to hearing that explained at the Leg. So what would I say to a scared gay student? Well, I would put my arm around him or her and say: Jesus loves you; this I know, for the Bible tells us so. Little

ones to him belong. We are weak, but he is strong. Yes, Jesus loves you. Yes, Jesus loves you. Yes, Jesus loves you; the Bible tells us so.

I would tell that scared gay student that Jesus loves him or her so much that He gave up His heavenly throne as God and Creator of the universe in order to come to Earth as a human person, to be misunderstood, abused, bullied, tortured and murdered, just to demonstrate His love for us. And He did this, even though none of us is perfect.

We all have orientations that tempt us to do bad things. But what if that scared gay student feels that he or she is born that way? Well, I would say that, regardless of whether or not I share your opinion regarding your genetic disposition, I promise never to bully you, nor will I try to force you to change. In fact, I promise to love you. And I will come to your defence if anyone bullies you for any reason. How does that sound? So please don't bully me either. Is that a deal? Great. That means that I won't force you to do anything you don't want to do, and you will agree not to force me to do anything that I don't want to do.

So, Province of Manitoba, please don't force all faith-based independent schools in Manitoba to accommodate student groups that discuss sexuality. That means that we will agree to replace Bill 18 with more flexible legislation. This is called tolerance. I will tolerate the manner in which you believe you were born. Please tolerate the manner in which I choose to educate my family, because, more importantly than the manner in which someone may have been born, I would like my children and grandchildren to retain the opportunity to hear the message from their Creator that they must be born again.

Jesus replied, I tell you the truth; unless you were born again, you cannot see the kingdom of God. What do you mean, explained—exclaimed Nicodemus. How can an old man go back in his mother's womb and be born again? Jesus replied, I assure you; no one can enter the kingdom of God without being born of water and the Spirit. Humans can reproduce only human life, but the Holy Spirit gives birth to spiritual life. So don't be surprised when I say you must be born again. The wind blows wherever it wants. Just as you can hear the wind but can't tell where it comes from or where it is going, so you can't explain how people are born of the Spirit.

I would also tell that scared gay student that we should love others like Jesus loved us. But, if we are

to love like Jesus loves, there are a couple of things to keep in mind: (1) Jesus didn't get along with everybody, (2) Jesus didn't avoid talking about sin and hell. And there are a few things that Jesus did that we will want to emulate. We will lovingly expose sinful actions without judging people. We will lovingly warn people that we will all be judged in the future. We will tell others that Jesus came to save us and liberate us from the sinful orientation with which we were born. We can be reborn.

Now, you may or may not agree that a relationship with Jesus is the answer for people who are scared—that's okay. You should have the liberty to believe whatever you choose to believe.

It would be wrong for us to legislate that all schools must accommodate student organizations that teach the Biblical moral code. Likewise, it is wrong for us to legislate that all schools must accommodate student organizations that do not teach the Biblical moral code.

So, in closing, I suggest to the Manitoba government, respectfully, that we should either: (1) change the wording gay-straight alliance to antibullying club, inclusiveness group, we accept everybody in society or any similar phrase that doesn't imply a sexual connotation. Or, change the word must to may in section 41(1.8) of the proposed legislation. And, if we do that, we will create safe and caring learning environments for all of our students and respect the liberties of people of all faiths and all orientations. Thank you.

Madam Chairperson: Thank you, Mr. McAllister.

Do members of the committee have questions for the presenter?

Ms. Allan: Well, thank you very much, Mr. McAllister, for being here this evening.

* (18:20)

I have been anticipating your presentation, because you're kind of famous. You set up the anti-Bill 18 Facebook site, so I have been certainly waiting to—and your three children gave excellent presentations. I was teasing them last night that they could be the new MLAs in Steinbach. *[interjection]*

Madam Chairperson: Sorry. Mr. McAllister.

Ms. Allan: So, thank you very much for your presentation. It was very thoughtful, and thank you

for making the trip in to present this evening. *[interjection]*

Mr. Goertzen: I'll agree that any of your kids—including you, Ken—could be great MLAs in Steinbach anytime, except not in the next 20 years.

But I appreciate your presentation and also the work you've done in terms of presenting different ideas and amendments, and not just coming to criticize but bringing forward different ideas. And I want to suggest another one, too.

In the bill, there are some specific wording, in terms of protected groups, and it identifies four that appear in The Human Rights Code, but there are three that are specifically excluded that appear in The Human Rights Code but don't appear in this bill. One would be ethnicity; one is social disadvantage; and one is religion or creed. Would you support an amendment that would place those into the bill so that they have equal protection as well? *[interjection]*

Madam Chairperson: Mr. McAllister.

Mr. McAllister: I'm sorry.

Madam Chairperson: Sorry. Just saying your name: Mr. McAllister.

Mr. McAllister: I apologize. Yes, Mr. Goertzen, I would say that it should be either, yes, you include all of the—all of those demographics that are named in The Human Rights Code, or none of them. If The Human Rights Code is comprehensive, then we don't need to rename some of them and not name others, so I would say, yes, we should either rename—restate all them in the bill or leave them out totally. It should be consistent.

And I support the heart behind antibullying legislation, so I support that. I think it's a good start, but I just think we should have an amendment like that before we actually finalize this. So thank you.

Madam Chairperson: Thank you, Mr. McAllister.

Hon. Dave Chomiak (Minister of Innovation, Energy and Mines): Thank you, Mr. McAllister, for a thoughtful presentation.

What if you weren't there to put your arm around that gay student and make those presentations with that gay student?

Mr. McAllister: I can't speak for all schools. However, I believe we have, in the province, an outstanding education system. I believe we have excellent schools, excellent teachers and excellent administration. And I know that locally, our record for school safety in the southeastern quarter of our province is stellar. I can't recall the last student suicide, I believe it was in the '80s, and it was—the suicide note, I believe, was because of a bad father relationship with the young son, and his suicide note, I believe, said that, in committing suicide, I hope to go to my Heavenly Father who will be kinder to me than my earthly father.

So it wasn't an issue of sexual orientation, bullying or anything of that nature, but I think our schools do a great job. And I just think that we need to allow schools and school administrators to manage their unique situations.

Inner city is different than rural Manitoba. It's very different; we would all agree with that. So I would think that we have, you know, a one-size-fits-all approach; just I think we can do better than that by allowing administrators to manage their own unique areas.

Madam Chairperson: Thank you, Mr. McAllister. Seeing no further questions, thank you so much for coming.

Our next presenter's Mr. Art Koop, private citizen.

Mr. Koop, do you have any materials with you to hand out?

Mr. Art Koop (Private Citizen): Yes, I do, but we asked for 20 copies. And it must have been some government cutbacks someplace. But I will distribute these—

Madam Chairperson: If you could just give them to the staff, they'll make sure that we end up with enough. Is that right? They will make sure that we end up with the right numbers for you. If you want to go ahead with your presentation, then she will come back and make sure we all get one. Thank you so much.

Mr. Koop: Nancy Allan, members of the committee and fellow citizens, I'm grateful to be able to present my concerns here. I assume we're all here because of our concern for the safety and well-being of our students in Manitoba schools and how Bill 18 will impact that.

I start off with a quote by Nancy Allan, the Minister of Education. At the end of the day, Bill 18 is about providing a safe and caring learning environment for students in the classroom. We all know that students do better if they are in an environment that is safe and caring. And, at the end of the day, that is what we want to have happen with this legislation.

I agree wholeheartedly with that stated purpose. I, as well as everyone else here, is or should be opposed to bullying. So why would anyone oppose passing Bill 18 in its present form? There are many reasons. I will speak to four of them.

The definition of bullying needs changing. It includes hurt feelings. So if you hurt someone's feelings, even once, does that make you a bully? Everyone has their feelings hurt by others at times. Does this mean they are all bullies? Everyone here has also hurt someone else's feelings, even if unintentionally. So everyone here is a bully.

So what is accomplished by having everyone defined as a bully? All the accusations of bullying would overwhelm staff. If they were to write up all the reports, they'd have little or no time for teaching or administration. The definition of bullying needs to be changed to make it workable. And, I quote our Premier Greg Selinger, the definition has to comply with all the groups that are protected under the Manitoba Human Rights Code.

So the short answer is I think it has to be broad enough to cover all groups that are required to be protected under human rights legislation. Nobody should be left out if they are the victims of bullying and if we have evidence that shows that they have been systematically bullied throughout time. I do not disagree with that statement, yet Bill 18 does. Bill 18 does not include systematically bullied throughout time. It'd be great to include that in Bill 18.

Number 2, no penalties are specified for bullying; of what use is a law without penalties? I do not think judges should have the option to set their own penalties where none are specified. This would open the door to further discrimination. Penalties need to be set that are appropriate to the offence.

And, No. 3, select groups are singled out for protection. Without including all the groups, none should be mentioned. This very wording is discriminatory. It is also divisive and does not promote a safe and caring environment. In the previous mention, quote, our Premier said that none

should be left out. So let's listen to our Premier (Mr. Selinger) in this matter, as well, and include everyone.

And, No. 4, religious freedom is being attacked in Bill 18. This is done by insisting that private schools must allow gay-straight alliance groups to form and meet. This goes against what most religions teach. I believe this is contrary to human rights and our Canadian Constitution. Human rights legislation requires protection for religious freedom.

So, if we were to listen to our Premier and make the legislation all-inclusive, we must include protection for various religions. The Manitoba Human Rights Code, in 9(2)(d), lists: religions or creed, or religious belief, religious association, or religious activity as being protected. It also states that these various protections for the human rights of Manitobans are of such fundamental importance that they merit paramount status over all other laws of the province.

How can we support a bill that goes against this? May Bill 18 be changed to eliminate religious discrimination and repression. If no changes will be made to Bill 18, then I ask you all to please vote against it in the Legislature. I do not want my grandchildren going to school with the fear and stress that Bill 18 will cause if passed as is.

In summary, I am against bullying, but am in favour in creating a safe school environment for students and staff. Unfortunately, Bill 18 may have the opposite effect, as it does not have a good definition of bullying, does not spell out reasonable penalties, is discriminatory, restricts religious freedom and goes against the Manitoba Human Rights Code. Thank you.

Madam Chairperson: Thank you, Mr. Koop, for coming down.

Now, do members of the committee have questions?

* (18:30)

Ms. Allan: Thank you very much, Mr. Koop, for your presentation. We appreciate the fact that you have taken the time to come here this evening and make this presentation and offer us suggestions in regards to Bill 18. Thank you once again.

Mr. Goertzen: Art, good evening. Thank you for being here on this warm—I don't know if it's summer anymore but a warm night anyway.

And you mentioned the issue of the definition of bullying, and that's certainly been one of the critical points that's come up.

You know, yesterday in the Legislature the Attorney General (Mr. Swan) said that he wouldn't want the definition of bullying in Bill 18 applied to adults, but he thinks that it should be applied to children. And that worries me, because I think it will probably be harder for adults to live under this particular—for children to live under this definition.

What are the kind of key elements that you would see that would be important in a definition of bullying?

Mr. Koop: Yes, even the one that Greg Selinger mentioned, that it was an ongoing thing over a period of time, instead of just a one-moment thing. That would improve it a lot already. And if it's just by saying hurt feelings, well, maybe I hurt your feelings by presenting here. I don't know. Are we all bullies? I applaud the effort to make schools safe, and I think there are ways that we can improve Bill 18 to make it more palatable for the whole province and to make it more effective in achieving its stated purpose.

Madam Chairperson: Thank you, Mr. Koop.

Hon. Jon Gerrard (River Heights): Yes, I just want to say thank you for your concerns about kids and about bullying.

I think that one of the wonderful things about this discussion that we're having is how many people are very concerned about—

An Honourable Member: Into the mic, Jon.

Madam Chairperson: Thank you, Minister Allan.

Mr. Gerrard: I think one of the wonderful things is that there are so many people concerned about how we reduce bullying, and I hope that we get out of this legislation something that will help people all over the province and be fair. Thank you.

Madam Chairperson: Thank you so much, Mr. Koop.

Seeing no further questions, we really appreciate you coming down tonight.

And we'll move on to our next presenter, Susan Penner, private citizen.

And do you have any materials to hand out? Excellent. Our staff will help you with that. And as soon as you're ready.

Ms. Susan Penner (Private Citizen): Thank you for this opportunity to speak on Bill 18. My name is Susan Penner, and I live in Steinbach, Manitoba. Like many others who have presented over the past few days, I am concerned about both the intended and unintended consequences of Bill 18.

One of the great things about living in Canada is our constitutionally protected right of freedom of speech and religion. I feel that Bill 18 may infringe upon this. My concern with Bill 18 is that when a student expresses an opinion or belief that another student doesn't like or agree with, it could very well be considered bullying, that instead of celebrating students' freedoms to believe what they want and still get along, Bill 18 will stifle freedom of thought and expression because students are not allowed to have different world views for fear of offending someone.

I want my children to grow up in a school system where they can express their opinions and be respected as well as hear the opinions of others and respect those. What they are allowed to believe should not be legislated. A free society means that people have different views and beliefs and differences in opinions. And, yes, people's feelings will get hurt and they will be offended along the way. However, stifling freedom of speech and religion, as Bill 18 will do, does not serve society well in the long run.

Secondly, I am concerned that one group, GSAs, are singled out as being more deserving of special treatment than kids bullied for other reasons. I feel strongly about this, because two people I know very well were seriously bullied during their junior high and high school years, and I see the long-term impact it has had on them even decades after they have graduated. I will be brief on the incidents but would like to give an example of each.

Example 1: The girl I know was the shortest one in a small class of mainly boys. One time her bullies shoved her into a box and kicked and rolled it down the hall laughing while the rest of the students stood by not knowing what to do. It's total humiliation for her. Second is about a boy I know. One time, two of his bullies, one of which was gay, incidentally, hung him upside down on the schoolyard fence where he was stuck waiting for someone to rescue him.

Perhaps those involved in creating the legislation know someone they care about to have been bullied because of sexual orientation. However, even though the people I spoke of were bullied for other reasons, their pain and humiliation is no less.

In conclusion, I respectfully request that Bill 18—the Bill 18 legislation be changed. The cornerstone of a free society is freedom of speech and religion, and I believe Bill 18 will stifle those freedoms. I also believe that singling out one group of kids as being more deserving of special treatment than others, such as a GSA, will further marginalize students who are being bullied for other reasons—or for reasons other than sexual orientation.

The legislation should reflect that all students are equally important by 'eliminating' mandatory GSAs and instead having general antibullying clubs for bullied students. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the—yes, Minister Allan.

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

I think that each and every one of us in this room could share a story like yours where we have been left with remorse about what has happened to people that we know. And I thank you for putting a personal story into your presentation this evening.

I thank you for the comments that you have made around Bill 18, and just wanted to say thank you for your presentation.

Mr. Goertzen: Thank you for your presentation.

You know, one of the interesting things that I've found at the committee hearings, the hours so far that I've had the opportunity to hear is a lot of young people who have come forward and told their story of being bullied even currently. Adults have come forward and told their stories of being bullied in the past. You've come forward and told the story of friends that you know.

What surprises me is that so many, probably 90 per cent of these young people who—or others who have been bullied in their lives, don't support Bill 18 because they don't think it would have helped them. And that's always an interesting sort of thing when you have a bill that's supposed to protect somebody, and then the people that who it's supposed to protect come forward and say, this wouldn't have helped me, and they're opposed to the bill. In fact, I don't ever think I've ever seen that in the Legislature before.

Do you think in the instances that you have brought forward with, the two people you know, that

this bill would have protected them from being bullied?

Ms. Susan Penner: Not necessarily. I think these were extreme incidents, so maybe it would have been—they would have been addressed in that way. But it's—sexual orientation, for example, and I'm referring to GSAs, has—in this case, one of the—like I said, one of the bullies was gay and so to paint the picture that, let's say, all gay students need a GSA may be victimized isn't necessarily true. Whether you're a bully or not doesn't have to do necessarily sexual orientation, it doesn't have to do with weight, it doesn't have to do with race. Everybody comes from a different background, has different incidences, all sorts of factors that lead to whether you're a bully or not. So I don't think one should be protected over the others.

Mr. Gerrard: Yes, I think you said something very important when you talk about the importance of celebrating students' freedom to believe what they want. I guess the important thing here is to know what the boundaries are, in a sense, because—I mean, we can have students believing that the world is square or, you know, things that we can show are not true. But, on the other hand, when we're talking about faith issues, then we want people to have a freedom of religion and to be able to believe, from a faith perspective, whatever they would like.

So I'd just like you to comment on this.

Ms. Susan Penner: What's your question, specifically?

Mr. Gerrard: When we celebrate students' freedom to believe what they want that there are some instances where—you know, that this is a microphone. It doesn't help to have a student believing that this is an elephant, right. But, on the other hand, obviously when we're dealing with religious beliefs, we enshrine in the Constitution and in the human rights legislation that it's very important to allow people to believe, you know, whatever they want in terms of religious beliefs, right?

Ms. Susan Penner: I can only speak from my perspective when I say I would like my kids to have a broad world view, to hear about other religions, to hear about different world views. And I fear that something like Bill 18 is actually going to stifle our differences, because kids are going to be too afraid to say something that may offend somebody of a different belief. So, instead of celebrating and learning about each other, I—if it deems offensive to a

religious group, I think kids are just going to start being quiet.

* (18:40)

Madam Chairperson: Thank you. Dr. Gerrard? No?

Seeing no further questions, thank you so much, Ms. Penner, for coming down tonight.

And we will move on to our next presenter, Menoukia Pearson. And if I'm saying your name wrong, please, when you get to the mic, correct me.

Did you bring materials?

Ms. Menoukia Pearson (Private Citizen): Yes.

Madam Chairperson: Excellent. If you could give those to the staff.

Ms. Pearson: You said my name right. Thank you.

Madam Chairperson: Oh, good. Thank you. Go ahead whenever you're ready.

Ms. Pearson: Good evening.

I would first like to thank the Standing Committee of Human Resources for the time, energy and effort spent in ensuring that Manitobans have a chance to be heard with regard to Bill 18. Thank you for the countless hours that you've put into preparing the public hearings and also for the time that you've taken away from your families and loved ones to hear the voices of Manitobans concerning Bill 18.

I'd also like to thank my fellow presenters that have also taken the time and have had the courage to come speak about their convictions on Bill 18. It's no small task to write your thoughts and beliefs and then present them for the public to hear. And for that, I am grateful. It has enriched my heart to know that I'm standing here in a room full of people who care deeply about the safety of our children while they attend school.

This bill has evoked much emotion in citizens across the province who are both for and against the bill. It is my sincere hope that through this process we may find common ground. Our country is vast and varied, and what makes Canada great is the fact that we all come from different walks of life, different belief systems and different world views.

As Canadians, we share one thing in common. We all share the freedom to believe what we want to believe, to be who we are and to stand by our convictions and encourage our children to do the same. This is something that can only be

accomplished in the context of a free and democratic society; in a society that is both inclusive and tolerant, where individuals are kind and loving to one another while respecting each other's differences and beliefs. It is my sincere hope that we can create a bill that is inclusive of all people groups.

I believe that for Bill 18 to be truly inclusive, it must focus on the common denominator that includes everyone in this room, everyone in this province, everyone in this country and the world. How much more inclusive can a person get? And the fact is that we are all human beings. And, as such, we deserve to be retreated with respect, kindness and dignity. My name is Menoukia Pearson, and I'm standing before you today as a French Canadian, *en tant que Canadienne française*, as a mother, *en tant que mère*, and as a concerned citizen, *en tant que citoyenne concernée*.

As a French Canadian, I'm no stranger to the challenges minority groups face. Even within the Franco-Manitoban community I found myself as a minority, as my parents and I had moved from Québec. And though I was born a Manitoban, my French accent and my lack of knowledge of the English language differentiated me from other kids at school and in my community.

When my family moved to Manitoba, my brothers and I attended a French school in the heart of St. Boniface. I was learning English at the time and didn't know the meaning behind the words I was learning. One day, at recess, on the playground, one of my classmates called another classmate an insulting name in English. I did not know the meaning behind the name. I repeated it to another classmate, who reported what I had said to the principal.

Later that day, I was called to the principal's office. I was berated, threatened and left crying in the bathroom for hours. I was in grade 4. I didn't know what I had done and I had been labelled a bully by the school administration. A teacher at the school proceeded to humiliate me at lunch hour in front of all my classmates. I had insulted her daughter and she wanted to tell me that I was a bad girl for doing so. I felt labelled, helpless and ashamed. My parents were never called that day. I remember feeling scared to go to school the next morning because I felt the school's administration had no accountability in how they treated their students.

We were transferred to a French immersion school later on that year when my brother got two

broken ribs after getting beat up at recess. My brother's bully was the principal's nephew. The boy was not reprimanded; there were no consequences; his parents were not called. There was no assurance for my brother and my parents that this would not happen again.

While I want to believe that Bill 18 could have helped my brother and I, I don't see how it could have. The safe and inclusive schools act makes provisions, through the creation of its respect for human diversity policy, that all pupils who wish to establish and lead activities and organizations promoting either gender equity, anti-racism, awareness and understanding for people who are disabled by barriers, and awareness and understanding for all sexual orientations and gender identities, must be accommodated by the school. But it makes no provisions for pupils who wish to establish and lead activities and organizations that promote awareness and understanding for religions, faiths and beliefs, and the promotion of bilingualism and linguistic diversity or even the promotion of multiculturalism.

While I want to believe that Bill 18 is an inclusive piece of legislation, it has 'exclusi'—excluded the promotion of our most fundamental human rights and freedoms, upon which our society is built. To ensure Bill 18 creates equal opportunity for all students, it needs to ensure that schools accommodate students who wish to establish activities and organizations that promote religions, faiths and beliefs as well as bilingualism, linguistic diversity and the promotion of multiculturalism, in addition to the promotion of organizations already mentioned in the bill. This will ensure that the antibullying bill creates an equal opportunity for all students to express their beliefs, faiths and values and the promotion of those values within a safe and inclusive school environment that accumulates—that accommodates—pardon me—pupils from all walks of life. Failing to include the rights of these minority groups in this bill would be to promote discrimination.

As a parent, I would also like to see provisions in the bill that would ensure schools give parents a detailed description and summary of all student activities and organizations. The description should include the various organizations' visions, purposes, statements of beliefs and goals. This will ensure that parents can continue the human diversity dialogue with their children within the context of their home and family values. I believe it is my role and

responsibility as a parent to educate my child about issues like human diversity.

Bill 18's enforceability completely hinges on the human diversity policy, which will be implemented in schools province-wide. As a mother, this leaves me with way too many unanswered questions. Bill 18, in its current form, does not include the human diversity policy as such.

I believe this bill should not pass until Manitobans can see in writing what exactly is to be included in the human diversity policy. We cannot put forth a bill into law without fully knowing all of its implications and ramifications. If Bill 18 passes as is, there will be no accountability as to what exactly is included on the human diversity policy. The provisions to create and implement the policy will have already been put into law. As a mother, I would like to know exactly what is included in the policy before the bill is passed.

And, finally, as a concerned citizen, though I applaud the government's effort to bring social equity in all facets of our society, I often ask myself: Is this the government's role and responsibility? We live in a multicultural nation, and, as such, there are a plethora of values, opinions and beliefs about social equity and how it should be implemented. I believe social equity is best taught in the home, according to each individual family's culture, values, beliefs, without government interference. While I believe it is important that students treat each other with kindness and respect, the discussion of social justice needn't be addressed by teachers.

We have seen, in the last several months, newspaper articles that not all Manitobans agree on matters such as sexual–sexuality with regard to Bill 18, and that's okay. We don't need to all agree, but what we do need is the freedom to disagree and still love, care for and treat one another with respect, kindness and dignity. Freedom to disagree is a crucial piece that is missing from this legislation. It does not allow for a framework in which people can express different beliefs, thoughts and opinions about sexuality and human diversity within our schools. If we want to guarantee the freedom for all people, we need to make provisions and allowances for students to disagree while treating one–with one–while treating one another with kindness, dignity and respect.

And, in closing, I'd like to quote Kahentiiosta, a young Kahnawake Mohawk. She once said: When our people make decisions, they think of how those

decisions will affect our people seven generations from now. As I reflect on that statement and put it in today's context, in the discussion that we're having right now, I have deep doubts that this bill, as written, will reach the outcome we're hoping to achieve for our children and grandchildren.

To put an end to bullying through legislation, we need a bill that leaves no room for interpretation. It must be precise, clearly defined and inclusive of all people based on their humanity alone. We need a bill that allows schools to make their own policies about bullying and human diversity. Provisions must be made to inform parents about student organizations their children's—their children will be exposed to. We need to ensure that teachers and principals are accountable to, and work in conjunction with, parents to end bullying. Without parental involvement, bullying will have no end.

And, finally, we need to make sure that Bill 18 allows for pupils the freedom to disagree while treating one another with kindness, dignity and respect.

Thank you for your time.

Madam Chairperson: Thank you for your presentation.

Questions?

* (18:50)

Ms. Allan: Well, thank you very much for this presentation. It's interesting, because there are so many pieces of this presentation that I agree wholeheartedly with, and I really appreciate that you have put together this well-thought-out brief. So thank you for your comments this evening. Thank you so much for being here.

Mr. Goertzen: Just excellent. It was one of the—I hate to rank presentations, but it was a great, great presentation. And one of the things that I liked about it is you talk about your own experience and how you were sort of accidentally caught into the issue of bullying and how that could relate to the definition and how it's so broad here. You talked about, I think it was your brother, and how this bill wouldn't have protected him. And that's been such a critical concern.

But one of the things I haven't heard as clearly and as articulate as you've identified is that by not including other groups, in many ways you marginalize those groups. And that's what bullying is

about—being marginalized. And you just made that so crystal clear, that an antibullying bill shouldn't become the bully that we're trying to prevent, by marginalizing others. So thank you very much for a great presentation.

Mr. Gerrard: Yes, you raise, in your presentation, which I thank you for, an important issue. I mean, you mention the instance of your brother being bullied and that the bully was the principal's nephew and the boy wasn't reprimanded.

And, I mean, we can have a perfect bill, but when we've got situations like that, you may not get things addressed properly. And so, I mean, it seems to me, that there needs to be a clear avenue to be able to take this beyond the confines of the school in a clearly defined way. Now, I've actually proposed legislation, right, which we debated yesterday, which would cover not the schools but would actually cover all the province and provide for antibullying being a—prohibited under The Human Rights Code, so that bullying would be covered, whether it's in or outside a school, and so that you wouldn't have so much of a concern as you would have here, because you could then take it to the Human Rights Commission where it was an issue and there was a conflict within a school.

So I'm just—want to allow you the opportunity to comment about this problem, because it is a real-life problem where you've got bullies who are related to people in authority, like principals, and give me your suggestion as how we would deal with this.

Ms. Pearson: I try to put myself in my parental shoes and when I send my daughter to school, if I choose to send her to school, I would want to be included and I would want to know exactly what's going on. I wouldn't want the school administration to deal with; I would want to get the first phone call. I'd like to bring my daughter home and I'd like to have a talk with her.

I'm not sure that I like the idea of government policing inside my home. I like to have my privacy and I would feel a little bit like we might be going into a totalitarian direction if I'd have to report every bullying incident to the Human Rights Commission. But I would like just the freedom to deal with bullying in my family the way I see fit, while I send my children to school.

Mr. Chomiak: Thank you for your presentation. I think it was very well thought out. I disagree with several of your—I think some of your statements are

contradictory. And I think it's based on the fact that it's very difficult in legislation to capture all elements.

You say in your presentation that you want a precise definition, but then you also say you want parental control. And one of the dilemmas of legislation is that it, in attempting to be encompassing and in attempting to capture events, there has to be some ambiguity, as opposed to specific preciseness. So I think what has attempted to be done in this legislation is, based on The Human Rights Code, is to put in place a criteria that recognize the diversity and the complexity of Manitoban society, and at the same time, allow principals and schools and local entities to make those decisions, including parents.

So I think you've—the dilemmas that you outline in your presentation, which I think are brilliantly thought out, are the same dilemmas that we face in drafting legislation like this. So thank you for that.

Madam Chairperson: Mrs. Pearson, thank you so much for coming down. Appreciate it very much.

Russ Reimer, private citizen, please.

Do you have any materials, Mr. Reimer?

Mr. Russ Reimer (Private Citizen): No, I don't.

Madam Chairperson: All right. Just go ahead as soon as you're ready.

Mr. Reimer: All right. Thank you for hearing all of us and that—as I sit here I just think that one of the best things about our country and where we live is that we are able to do this. Whether you guys are here—some of you maybe don't want to sit here every day and listen. Some of you do want to listen. But at the end of the day, we as citizens are allowed to come and do that. And when we look around the globe, we live in a phenomenal nation and I absolutely adore Canada, and I'm very, very proud to be a Canadian. And so hearing Gilbert sing in the beginning, too, was pretty cool. I've grown up with him throughout the years. We're about the same age, so he's a pretty cool kid.

When it comes to Bill 18, I have two little boys that are going to be entering the school system in the next few years, and so I am a brand-new parent. I have a 3-year-old and a 4-month-old so I might be a little short on sleep still, but I can survive. And my wife and I, obviously, watch things like this much closer now, because we've entered into the parenting stage, and we also think—we think broader than just,

you know, tomorrow's headlines. We sometimes sit and think, where's this headed 10 years from now? You know, what direction is our country going and what does another decade look like when we're instituting things like this today?

And sometimes we have concerns around that. Some of my basic concerns around Bill 18 are—and you're going to hear it over and over so I'm not going to dwell on it—but the broad definition, again, of a bully—I bet you within two hours at the first day of school there were a ton of bullies this week if it's a matter of hurt feelings. So I have a bit of an issue of with that.

I also have a large issue when things are implemented where I can't see a clear consequence. I think it's fine and all to say that, you know, let's say, Joe Smith is a bully, and we define at school that he's a bully. I like to hear more the bill that covers what do we do with Joe Smith and what does every school have in place to deal with him and is that consistent. You know, would the schools in Winnipeg have the same thing as the schools in Steinbach and the schools in Thompson. And I think that there should be a policy that is going to, when we identify a bully, a good antibullying legislation would tell, empower teachers and principals how to deal with it. Otherwise, I think you've kind of tied their hands a little bit, and I'd be at a bit of a loss if I was a principal of a school constantly being told that so-and-so's a bully and the country's defined that. But what do I get to do with him? You know, is there a suspension? Is there, after four times of this, are you suspended for a few months and then can you get kicked out of school? Like, what happens with a bully?

I, too, have a story of someone being bullied, and it was my brother, and I used to watch people follow him home. And, unfortunately, I actually used to try and walk elsewhere so I didn't get caught up in it. He was older than me, and the kids would follow him all the way home and they would pull on his shirt and they'd pull on him, because he had a problem with anger. We're both adopted kids and we're very different, and he has a little bit of a spark for getting upset and the kids knew that so they preyed on. And they loved to pull on his shirt—I remember that—and then run away because if he caught them, I mean, he would beat them up pretty bad. But yet they were the bullies. But they would bully him and, as a result of that, when I would get home, then I was usually the brunt of his aggression now. It was me. But my whole life growing up I

watched these kids and basically I know all of those kids. I knew all of them and I knew their families and, you know, those kids were hurting kids that weren't getting certain things fulfilled in their homes, and so out of that lack of fullness they were taking it out on other kids.

And so when I look at this whole Bill 18 thing, you know, I can't help but go more back to morals and ethics. And not only should we address who a bully is and what to do with him, but what about empowering a family who has a bully? What if our government—what if you guys as elected officials who are supposed to be the brains and the genius behind running this wonderful country, Canada, because you are part of that as standing up for Manitoba, what if your genius says, okay, we've identified a bully. We're dealing with that bully. Let's see where this is coming from and let's actually set this bully free. Let's get him the help that he needs. If any of you have dealt with other things in your family when people have addictions or different things, right, and, if a spouse is dealing with an alcoholic husband or—people eventually try to bring help to set that family free. They don't just identify, well, he's an alcoholic, so, oh, well.

* (19:00)

And that's sort of what I gather out of this Bill 18. I would much rather see you guys as the ones that we've elected to run our country telling me, as a new parent, that when my boy goes to school, if he gets bullied, I'll be able to come there and you're going to be able to tell me, and this is what we're doing with that. This is how we're taking care of it. Or, on the flip side, maybe my kid will be a bully. Maybe he's the one and I'm getting called in, and I'm being told, listen, your son is bullying. We're dealing with it. What's going on?

Now, I know that at this—you know, we want to be careful that we don't draw government into our homes to govern how we raise our kids—yes, I agree with that. But we have to raise our kids well. You can't just have your kids also doing things in society, and if there—if some of that problem is coming from home, then I think that people have a right to ask and say, do you want some help? I think a lot of parents maybe are overwhelmed. Maybe they don't know what can be done. Maybe they don't know what to do. And there are things that could help them.

When it comes to the groups, the gay-straight alliance stuff, I actually have—I have a cousin who has—is an openly gay person. At our family

gatherings, I'll be honest, I mean, coming out of a conservative background, my wife and I sit with him at Christmas gatherings, him and his partner, and I have absolutely no issues being with him. I love him. I adore him. He's a great person. I don't agree with the life decision he's made, but it doesn't change how I am towards him at all. And within the family, sometimes there's a bit of tension because people aren't used to that always, but I love those people desperately, and I love all people.

I want to basically end on saying that you are elected government officials. I typically have no interest in coming to things like this and I would have way rather just not done this. But I felt like I needed to, because of what I said at the beginning of adoring Canada. I love our country and I want it to stay that way. Throughout the ages of history, people who have been in power in places like you guys are, are under God. There's no ifs, ands or buts around that. You are under God, and He is watching you. And it's gone on for centuries, countries founded by God.

And I get a little worried with things like this, on a subtle moral slide. The group idea of a gay-straight alliance in a secular school, if that's how you want to mandate it, that's fine. But I struggle a little bit with how much of the freedoms against religious classes and stuff I've seen. So it doesn't seem to be on par; one group gets advanced and the other group is actually getting pulled away or pushed against. And I've watched that, and at the same time, this idea that Bill 18 needs to be mandated on a school whose foundational principles go against something like being gay, I don't think that's right for the government to say, well, you're going to have to follow this, this is going to be province-wide.

If Bill 18 would have a better definition, would have consequences, and would also, at least, at a minimum, allow those schools that do not want to be part of allowing a gay-straight alliance, not have it, and they can continue to have religious classes or whatever they want—whatever group suits your fancy—they should be allowed to do that.

And the moral slide, I'm not going to say a ton, other than I didn't believe in Jesus at one point in my life for a long time. And I met Him. He's real. I found Him. I've taken Him into my life. It set the bar in my life a whole lot higher and I've changed. But He's changed me. So it wasn't a matter of me changing anything. I accepted Him and I've slowly changed. But He has a standard. And this idea that

His standard changes with the times is wrong. God is the same yesterday, today and forever. And He's watching all of you. I don't know if you believe in Him or you don't. And I'm definitely not here to persuade you today to believe in Him, but I will assure you that one day you will meet Him, same as I will, and He's going to hold you accountable for every decision you made. And one area where you guys are in charge is with kids, and God is very, very fussy about who handles kids.

So I just want to leave you guys with that. And, again, I thank you. I love this country—like, love Canada. I love stuff in our country. I could not do a government job, so I'm glad you all do it. And thanks for sitting here in this scorching heat each night in your suits.

Madam Chairperson: Thank you very much, Mr. Reimer, for your presentation. We appreciate it.

Do members of the committee have questions?

Ms. Allan: Well, thank you very much for your presentation, Mr. Reimer. I appreciate you being here this evening. I appreciate your love of Canada. I think everyone in this room would agree with you for sure on that. Thank you also for all of the comments that you have made this evening. We appreciate you being here.

And we are very thrilled here in Manitoba, that we are one of the few jurisdictions in Canada that has this process, where people can come and be in a respectful environment, and give us their views in regards to the legislation that we pass as policy makers.

So thank you very much.

Mr. Goertzen: Thanks, Russ. You did a great job.

This is a unique process and it's a valuable process because we can hear from citizens directly. It's only valuable though if we listen, and then we take the ideas that come from citizens and we act on that. If we just, sort of, sit here and then don't act on them, then the process is greatly diminished.

So I just want to make sure that there are specific things here, because I'm going to be taking back the different ideas we've been hearing over the last few days and the days to come, and trying to craft some amendments to the bill.

You talked about the definition, that's been largely talked about. But there's four other points I thought that were good points, and haven't come up

in every presentation yet. One is that there should be a specific notification to parents on bullying; there needs to be some specific punishment outlined; there should be some intervention to support—to help the bully, to change their behaviour; and also educational resources for parents. Is that a good 'capturization' of some of the things suggested?

Mr. Reimer: Yes. That would be excellent.

Mr. Wayne Ewasko (Lac du Bonnet): Thank you, Mr. Reimer, for coming in and giving your presentation.

And I just want to add to what Mr. Goertzen had to say. In regards to the fact that I did hear you initially talk about consequences, but then you did go into exactly what Mr. Goertzen said, in regards to process, reformation of that bully. What is the plan? We've gotten—okay—we—sorry, I'm basically asking that to the government, what is the plan with this bill? What happens when we have the bully? It doesn't necessarily have to be suspended for the, you know, infinity type of thing. What is the plan? And we need to communicate that to parents of the affected children as well.

So I very much appreciate your presentation, Pastor Reimer. Thank you.

Mr. Gerrard: You and others have talked about the need for consequences. We had earlier this week a fellow who's a retired principal, who had introduced in his school, after some considerable training of the staff, a process of mediation, where he brought the bully and the person who was being bullied, into the room, and had each of them talk about, you know, how they felt about the process, and get—understand what they were doing, the impact of it. And it turned out to be a remarkable way of decreasing the amount of bullying. Now it's not consequence in the traditional punishment, but it seemed to be a type of consequences which would work effectively. And I just would get you to comment.

Mr. Reimer: Yes, I think that that's excellent. I mean, as adults we often say, if you have a problem with someone—I mean, a common thing you see, is people will natter behind someone's back or vent, which is just—can be just brutal. But yet they have no backbone to go and talk to the person who they actually have the offense with, but they're more than willing to explain it to tons of other people. And it is best when you bring two offending parties together to say, let me understand why you did this to so and so? Like what brought it about? Right?

I think that is very good if we will do that. However, I think that still needs to be combined with a—also this will happen to an absolute bullying incident. And so if that—so let's say, I mean, maybe on one time, maybe a school suspension is harsh. I don't know. But you could bring that bully, even that was on a suspension, into that same meeting with the kid that's still in school. I think there's—they need to talk but there still needs to be some very strict consequences.

* (19:10)

Madam Chairperson: Thank you. Seeing no further questions, thank you so much for coming down.

Heather Grant-Jury, director of training centre, United Food and Commercial Workers Union, Local 832, do you have anything to hand out?

Ms. Heather Grant-Jury (United Food and Commercial Workers Union, Local 832): I don't. It'll be oral.

Madam Chairperson: Thank you. Go ahead as soon as you're ready.

Ms. Grant-Jury: Thank you, Madam Chair, and I do appreciate the comments made that this is a respectful room, and I also do appreciate the opportunity to appear before your committee because I am going to speak with much different views than the previous presenters. Tonight I'm going to share three different perspectives: one as a parent, second as a president of a parent council and third as a proud director of a union training centre representing over 15,000 workers in this province.

Let me begin by saying how supportive I am of this bill. And I thank this government for introducing it at a time when, to me, it's both necessary and up against much opposition. It is bold and it is courageous and it's necessary, in my view. Contrary to those who have even said to me, why do we need legislation on this? All of us would understand that we don't want bullies, it's common sense. I agree. However, I also do know that many of us in this room would argue what common sense is. I see legislation as a baseline. I see it—and legislation to—I see it in legislation on minimum wage. I see it on legislation on health and safety rules. I see it as a baseline for—as a right to join a union. Why do we have legislation? Because, in many cases, if we don't, the baselines aren't met.

I'm a parent of a 13-year-old daughter entering grade 8 in a district in a school very diverse with

huge cultural inclusion. She's blond, she's blue-eyed and she's a white child in a sea of ethnic diversity. Her school pictures from elementary school show the blond child as the minority, which is why we love and chose the area to live and to raise her. We have tried our best to raise her in an environment that is inclusive and understanding of all walks of life and situations that she may face. We all know as parents in this room tonight, there's no handbook given to us as parents that tells us how to raise our children. And if there is, I've missed receiving it.

She has not been a bully; she has not been a victim. But, as early as grade 3, she's been an observer of bullying. She's come home and asked the tough questions we, as parents, hate—and I've taken out some names—but why did so-and-so do that to so-and-so? And how do people come to Canada, mom? And why do they speak different languages and look differently than me? Why are her or his parents like that, or they—how do they—why do they respond like that? And we answer to the best of our ability and I try to steer her in the right direction.

Since nursery school to grade 6 at Tyndall Park Community School, I have been a vice-president of the parent council, a body which focuses on bullying in assistance to the school. We try to demystify that children who bully will grow out of it; that bullying is a normal part of growing up; that children are best left to resolve their problems on their own; and that old-school belief that if we know who the bully is, if that bully is a friend, a schoolmate, a sibling, a parent, then they can't be called a bully, because we know them, right?

I was stunned as a parent at an elementary school to watch bullies develop and, in turn, watch the school and our teachers try to respond. Times are much different today and, as parents, I believe we need to get our heads out of the sand and parent. So many are afraid, some don't know how, some really are too busy and, for many other parents, social issues affect their ability to parent. Our teachers need to be able to teach, and you and I know they do so much more to 'attest'—to assist our children that sometimes it really just boggles my mind. This legislation, to me, defines it; it addresses it; it gives action to resolve it; and it focuses on training for teachers and others that require it—an integral part of this bill.

We've now left Tyndall Park and we've moved on to École Stanley-Knowles, one of the largest schools in Winnipeg School Division No. 1, with

over a thousand children. And I was honoured to be elected last year as their parent council president. We also, as a parent council, support this legislation, as I raised it formally at our last June's meeting before we broke for summer, with 30 of our parents present—a very large contingent who come to a parent council meeting. I told them that I wished to speak in favour of this bill and why, and I did receive their full support.

What a surprise. Some of the same issues that I dealt with at Tyndall have moved on to Stanley Knowles, a little older, a little taller and, wow, bigger bullies.

We have worked with the Winnipeg Police Service on cyberbullying. We support the school whenever we can, and for some of us we've stopped being observers. I was thrilled two nights ago to see the story from Hamilton on the news about their new way of tackling bullying with a new app, because what I do not want is to open up the paper or read the news that we in this province have lost one child who decided it was not worth living anymore and they've taken their life. This bill is to me about the children. Let's not forget this, and the society we grew up in is different today and we must have laws that change with it.

Finally, in my day job as director of the UFCW local 832's training centre in this province, we have introduced a course called Stop Bullying, which, for your information, was asked for by our members and by some of our employers because the issue was appearing on the shop floor and no one knew how to address it properly. If we don't address the issue at the school level, guess what? They become workers and the cycle continues. This course is delivered to all of our 500 shop stewards and it's mandatory, and beginning in January of 2014 it will be introduced to all of our health and safety co-chairs on all of our sites as they have requested it as well. Since 2004 when I first introduced this course, we have surveyed our whole membership, and at their request I've developed day courses in the following: cultural comfort, which includes a whole section on homophobia; Aboriginal awareness; dignity at work; a respectful workplace; and next week, I introduce a new course called Generation Gap. These are the times we find ourselves in today and we must adapt to address them.

We in our Stop Bullying courses have confronted bullies who did not even recognize that they are the bullies that we're talking about in this

course. We've also had victims in our classes who now, as adults, for the very first time are able to talk about what happened to them and get a lot off their shoulders and out of their heart. We begin to break the cycle that has begun when we went to school, and now as adults they have placed a name on it and a resolve.

I care about my daughter's future, and right now I do not know who my daughter will choose to love as a partner, but when she makes that decision, regardless of what her choice is, I hope whether it's at school or at work the necessary supports are there for her.

Let's complete these hearings, pass this legislation and allow the work for our children's sake to begin. Thank you.

Madam Chairperson: Thank you, Ms. Grant-Jury, for coming down to present.

Questions from the committee?

Ms. Allan: Well, Heather, thank you very much for your presentation. This is a presentation as a parent and as a chair of a parent council and, of course, in your leadership role and training role at United Food and Commercial Workers. And I really want to thank you for all of your perspectives and your personal reflections on Bill 18 tonight.

And how did—your daughter's 13 already? It just seems like yesterday, just means that we're all getting older, right? Thank you so much, Heather.

Mr. Goertzen: Heather, thank you for coming for your presentation tonight.

A couple questions. You mentioned the Hamilton app, and I just want to make sure if I know what this is. I know in British Columbia and in California they've started off a lot of online anonymous reporting of bullying so that observers could—or even those who are being bullied could report it without being fearful of being bullied as a result of that. Is that what that app is about?

Ms. Grant-Jury: Yes, as far as I could take. Again, I caught the last tail end of it on the news at 11 o'clock on Tuesday night. It seems like in Hamilton the app is allowing for children anonymously to introduce bullying, something that happens to them or as an observer, they've noticed something and it's a direct link to the principal.

Mr. Goertzen: Because if—secondary question. You mentioned representing the 15,000 workers in your

trade union—or in your union. The—I made, not the mistake, but I early on in this debate I asked for input and feedback from people and I got 12 and a half thousand emails. I'm not sure if I'll do that exactly again, but lots of emails, lots of responses on the bill.

Did you survey your members directly on Bill 18 and their views on it?

* (19:20)

Ms. Grant-Jury: We have surveyed our members on a number of different topics in relation to harassment, bullying, et cetera. We are very—they are very much aware of the position we take on Bill 18. We have done a recent survey not too long ago where there was lots of inclusion about what was happening in their workplace; that was when the issue came up. So, in an indirect way, I would say we've probably surveyed as a union more than any other union in this province on this issue.

Mr. Gerrard: Thank you for your presentation and your concern about kids.

You know, as a—somebody who's been on the parent council for a number of years, perhaps you could tell us what you have found is the most effective way of eliminating bullying or dealing with it when it does occur.

Ms. Grant-Jury: I think it's a combination. Again, there's been a whole bunch of different scenarios that I've seen come to light similar to what you talked about earlier. Some of the intervention of bringing the parent, the child, the principal, the teacher together to collectively talk about what the expectations are of that child, about the decisions or the choices they've made and that they might be wrong, in a—not a confrontational way is usually—and has worked at Tyndall—is the first step, and we continue to try to do that in our workplaces as well.

So I do believe in the concept of trying to alleviate it at that level first and then, of course, it has to be monitored to make sure that we're making some success in the change of a behaviour towards that individual.

Mr. Chomiak: Yes, thank you. Thank you for the presentation.

For the purposes of education, which is fundamentally the most important issue relating to this, could we incorporate your training manual or contents of the training manual into our record, or portions of it? I think it would be helpful to all committee members.

Ms. Grant-Jury: Absolutely. I only brought the facilitator notes with me. There is a facilitator piece I participated in, and I'd gladly send it in to the House next week.

Mr. Goertzen: Just more specifically, because I'm kind of a data freak on this particular issue, did you survey specifically your members on Bill 18? I'm just trying to find as much information and feedback on this bill. Did you specifically ask your members about Bill 18? [*interjection*]

Madam Chairperson: Ms. Grant-Jury.

Ms. Grant-Jury: Sorry. On Bill 18, no, we did not. But I probably, as I said earlier, have surveyed our members on the issue of bullying, I would probably suggest, more than some MLAs have done in their constituencies.

An Honourable Member: Not this MLA.

Ms. Grant-Jury: Fair enough.

Madam Chairperson: Sorry, I'm not catching up with the remarks.

Thank you. Seeing no further questions, thank you very much for coming out tonight. We appreciate it.

Next presenter is Travis Neufeld, private citizen.

Do you have any materials to hand out?

Mr. Travis Neufeld (Private Citizen): Yes.

Madam Chairperson: Thank you so much. They'll come and help you, and you can just go ahead as soon as you're ready.

Mr. Neufeld: All right, I'm a little out of my comfort zone here but—thank you for the opportunity to speak this evening.

My wife and I have four children aged 7 and under, who are either in the school system or will be entering in the next few years. I want them to have a positive school experience and be free from the anxiety that being bully—about being a bully—bullied at school. To make this a reality I need to be notified immediately and be involved in any bullying where it involves my children, as either the aggressor or the 'aggressee.'

I understand that bullying has always been an issue and needs to be addressed, but my quick response to the problem of bullying is not—or that it is not something that can ever be legislated away. Bullying is a hard issue, and, until people's hearts

and attitudes are changed, you're never going to see an improvement.

That being said, practically, I believe there are number of flaws found within this bill that make it ineffective in reducing bullying in our schools, and I want to expand on a few of them.

Number 1, Bill 18 focuses on one specific group to the exclusion of others. Under the student activities organization section of the bill, it's very specific as to what type of student organizations must be promoted. By singling out one group within the section, this bill potentially excludes all other children from being protect—from the protection being offered, and this can significantly weaken the bill's effectiveness in protecting all children from bullying. It is providing privileged protection for a certain group over all the others, which does not make for a safe environment for all students.

Stats Canada, in 2006, indicated that only 2 per cent of the Canadian population aged 18 and older are gay. And if those numbers can be considered consistent with younger children, then Bill 18 is disregarding 98 per cent of the population to promote the 2 per cent. A recent article in the Free Press—the title, It's OK to be who you are: transgender youngster—indicated that even a smaller percentage, one in 1,000 students, experience transgenderism, and that's an extremely small portion of the student body.

The LGBTQ kids will also be left with a false sense of security. By singling out any group, you can effectively make them a target, not by choice, but by natural progression. I've heard—you've heard the argument made that all kids have the opportunity to create their own clubs or groups to help fight bullying. If this bill were to be enacted as is, logic suggests that each group of vulnerable children would form their own support group to stop bullying. Each of these groups would need to be started and run by a child that is coping with an established insecurity and these groups would then be essentially standing alone against the aggressors, and, most likely, against each other. And what chance do they really have? Would it not be more efficient and effective to establish an antibullying group to bring all vulnerable children together under one banner? Why promote one group over the others?

I read an article in the Free Press, dated March 26, by Sidney Green, who is a lawyer and former NDP Cabinet minister, and I thought he made

some good points about the bill as well. So I'm going to just do a couple of quotes.

As far as he could tell, there are no current restrictions for students to start a gay-straight alliance club within the school system.

In the past, these groups were not encouraged or promoted, as this bill requires, but were a natural outgrowth of a free society.

To require a school division to pay special attention to a specific club gives that club a favoured position which is not something that schools should be involved with.

If a school attempted to prohibit any club, the situation could easily be corrected by administrative action through the Department of Education.

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

Number 2: there is currently no system in place to collect data on bullying in Manitoba that I know of. I'm surprised that the government can stand here and say that we have a bullying problem when they have no current system of collecting statistics on bullying within the province. While I don't deny that bullying has always been a problem, to state that it's getting better or worse or to claim that any legislation will make a difference without having a measurable set of data to track how it is working is absurd. Who would make an investment of any kind into a project without knowing what kind of return they were going to be getting from their investment?

Before this type of legislation should even be proposed, there should be a documented, verifiable need for it. It seems awfully subjective to me at this point. This being said, there have been studies done to determine what the main causes of bullying are. One such is the 2006 Toronto District School Board Research Report. They surveyed 105,000 students and found that body image was ranked the highest reason for bullying at 38 per cent. The next were grades at 17 per cent, cultural backgrounds at 11 per cent and gender and religion at 6 and 5 per cent. None of the top reasons for bullying are addressed in this bill.

In my opinion, body image and cultural background should be at the backdrop of this legislation, not sexual orientation given these stats. In my years at school I can't think of a single time someone was bullied because of sexual orientation.

Maybe it just wasn't—at that time it wasn't as out there, I guess, but I can't recall anything like that.

Bill 18 violates the religious freedom of Canadians of many faiths. By requiring all publicly funded schools to hear this legislation, this government is forcing its views on faith-based schools and violating their religious freedom. Where I come from, that's called bullying.

In section 41(1.8), this bill specifically states that schools must promote a human diversity policy that clearly violates the values and moral stand of many faith-based schools and organizations. In 41(1.6) it states that the human diversity policy must promote and enhance a safe and inclusive learning environment and a positive school environment. The wording and terms in this section are very vague and subject to interpretation.

Forcing faith-based schools to promote gay-straight alliances when there are clear alternatives such as antibullying clubs that do not violate their religious freedom is a boundary that should not be crossed, and I would question its legality.

Former provincial MP Vic Toews recently stated that if the province—provincial Legislature does not amend Bill 18 to address the concerns of faith-based organizations, schools and communities, the only remedy may be an application to the courts to decide if the legislation is compliant with Canada's Charter of Rights and Freedoms. So, based on that, if this bill is passed it will most likely be tied up in the courts costing taxpayers a lot of money and rendering the bill ineffective during that time. If the government truly cares about the children in this province, it should remove the unnecessary portions that potentially violate religious freedom anyway, and focus attention on amending the bill to protect all children.

So there's lots of other issues that have been addressed. I didn't enough time to go through them, but I hope the government listens to the people of Manitoba on this issue and amends Bill 18 to address the concerns.

Thank you.

Madam Chairperson: Thank you, Mr. Neufeld, for presenting.

Questions from the members of the committee?

* (19:30)

Ms. Allan: Thank you very much, Mr. Neufeld, for taking the time to come to the committee hearings this evening and make your presentation and for the work that you have put into your reflections on Bill 18. We appreciate it very much. Thank you.

Mr. Goertzen: Yes, thank you for your presentation.

I'm glad you cited the need for statistics; that hasn't come up tonight yet.

You mentioned the Toronto school board research. I saw very similar statistics presented a couple of nights ago about Seven Oaks in Winnipeg, and it was very, very similar in terms of the reasons why young people were bullied. So it had seemed it was very close to what the results were in Toronto.

You made a good point, though, about there not being a very good mechanism for monitoring or tracking bullying in the province of Manitoba. And that goes to—how do we know how significant the problem is? Anecdotally, we know there's a problem. But also, are anything that we're doing going to make the problem any better, if we don't really know what our baseline is, and whether things are going to be any better?

I know how you feel about the bill, in general, but would you support an amendment to the bill that would require the Province to collect data from the school divisions on bullying, to see if the problem is getting worse or better in the future?

Mr. Neufeld: Either way, I would recommend some kind of tracking or measurable way to measure the bill because either way, you want to know—if the bill passes or not—whether the stopping bullying is effective with whatever's happening—whatever happens.

Mr. Gerrard: I just want to say thank you for your presentation.

Madam Chairperson: Seeing no further questions, thank you so much for coming out tonight.

Our next presenter is Chantal Reimer, private citizen. And do you have any materials to hand out?

Ms. Chantal Reimer (Private Citizen): Yes I do.

Madam Chairperson: All right, thank you. People will come and help you, and then you can just go ahead as soon as you're ready.

Ms. Reimer: Good evening.

Though it is commendable that our government wants to put an end to bullying, I don't think that Bill 18, as it is written, will accomplish that.

Firstly, Bill 18 denies freedom of religion. No exemptions with regard to the forced promotion of gay-straight alliances are made for faith-based—faced—sorry—faith-based schools or for students and educators in the public school system who hold onto a specific set of beliefs.

In order to create a truly safe environment, all lifestyles and beliefs need to be given the same respect and opportunities to grow and thrive. By focusing on creating only a few specific alliances between different groups, Bill 18 ignores the greater need of creating healthy, respectful relationships between all students.

Secondly, there are no specific factors that are in and of themselves the core reason bullies choose to bully someone. A bully uses any distinguishing factor that sets a student apart from the accepted norm to hurt that student. Students are also bullied because they are overweight or short or the smartest kid in the class or the dumbest kid in the class, or even because their clothes are not considered fashionable. By focusing its attention on certain targets for bullying, Bill 18, as it is written, fails to address the real cause of bullying.

The real cause of bullying lies in the heart of each of us. Bullying is a response to the wounds that have been inflicted on the bully himself or herself. He or she has been hurt, and they don't know how to deal with the pain in a healthy way, so they repeat the cycle by hurting others.

In order to make an effective impact on reducing the incidents of bullying in our schools, we need to focus on the hearts of our students. Alliances will do nothing to heal the wounds that are leading bullies to inflict pain on others. Sexuality, religion, intelligence and appearance are not the cause of bullying; the bully merely sees them as an opportunity to unleash the pain and anger that resides in them.

Any attempt to curb bullying needs to seek to heal, both the hearts of the bully and of the victim. We need to teach our youth how to deal with the pain inside and how to react to people in a healthy way when others hurt them. We need to teach them to forgive and love and not continue the cycle of woundedness.

Changes to Manitoba's curricula should include teaching students that they can control their emotions

and their actions. They can choose to forgive those who hurt them; they can choose to seek help to sort through what they are feeling; they can choose to say something nice instead of saying something hurtful.

Rehabilitation, and not simply punishment, should be the focus when a student has been found guilty of bullying. Counselling should be a mandatory part of that rehabilitation and should seek to reveal and heal the root cause of the emotions that lead the student to bully.

I urge you to rewrite Bill 18 and to focus more on the real causes of bullying. And if you do, I'm certain we will have far fewer victims of every kind of bullying.

Thank you.

Madam Chairperson: Thank you very much for coming out to present.

Members of the committee have questions for the presenter?

Ms. Allan: Well, Ms. Reimer, thank you so much. This is—thank you so much for being here with us this evening and for sharing your presentation with us.

This is something, obviously, that you've put a lot of thought into, and I appreciate the comments that you have made in your presentation. Thank you.

Mr. Goertzen: Chantal, thank you. I appreciated your comments, specifically on the counselling part of it. Yes, I mean, I do think that there is a way for legislation in some ways, 'particular' where there's protection orders or those sort of things—in very serious cases of bullying we've seen how that could have been helpful in cases in Nova Scotia, British Columbia. But I do, when I talk to kids in schools, and I've asked them a lot about bullying now, and so many of them tell me that they don't think legislation's going to make any difference, that they say what you do, that it's an issue of the heart.

How would you see counselling working? Would you see that in the school environment or would you see that involving outside organizations who are involved with that counselling? There's lots of organizations to do that sort of thing. But have you given some thought in terms of how that might work in practice?

Ms. Reimer: I really don't know what to say about that. Specifically, I just think that perhaps counselling should become more a regular part of

school, that each child should have access, or simply just every child will have a mandatory counselling session throughout the year, one or two. And so that they can talk to somebody about what's going on inside and the counsellor can actually see, oh, this child's actually having some issues, and maybe we should deal with this before they start hurting other people and just making—just getting to the kids and getting them the help that they need before they start hurting other people.

Mr. Gerrard: Thank you, Chantal. You say something here that I think is very important, and that is that the bully, the one who is doing the bullying is often one who is hurting, and sometimes, in fact, not infrequently, the bully is somebody who was bullied when they were younger. And so it's very important to break the cycle, and whether that's through counselling or in other ways.

Let me just give you a chance to expand a little bit on—are there other things as well as counselling, or is just counselling going to be the solution?

Ms. Reimer: I really can't say if there's more options; that was the one that really stuck out to me. I grew up in a home where it wasn't necessarily always loving and it wasn't always kind, and so I'm sure by today's standards I would have been called a bully in certain situations. And so I just—I think that if somebody would have forced me to sit down with a counsellor on a regular basis, then maybe I would have gotten a little bit more help and I wouldn't have hurt other students.

And so, yes, that's the extent of my knowledge. I can't really comment on more than that.

Mr. Chomiak: Thank you for your suggestion of mandatory counselling. I think that it's a really interesting concept. And through my years as an MLA I've often wondered why sometimes I'm the only person some people will have the opportunity of speaking to and getting advice from, and I think it's sad. And so I'm—I think your idea to the question, your response, is how can we help people and saying—no one likes the word mandatory—but having the ability to access counselling on a very systematic and regular basis for everyone, I think, has some value in our disjointed and our multifaceted society. So thank you for that suggestion.

Madam Chairperson: Thank you.

Seeing no further questions, thank you again for coming down tonight. Appreciate it.

Our next presenter is Carmen Allard, private citizen. Do you have any materials? Yes, they'll hand those out for you, and go ahead whenever you're ready.

Ms. Carmen Allard (Private Citizen): Good evening, ladies and gentlemen. My name is Carmen Allard, and I would like to take a few minutes to explain why it was important for me to come here and give my opinion on this topic. You see, I'm a 14-year veteran of the Canadian Armed Forces, and I'm a survivor of bullying at the hands of my superiors from 1990 to 1992.

I was bullied in the military because I was a female in a man's world. I was an air force soldier on an army base and a junior rank. The military system was not to blame for the intolerance I endured, but rather the people in a position of authority were because they did nothing to stop it from happening. There were several tainted investigations before the truth was found and the perpetrator was held accountable.

*(19:40)

The reason I mention my case is that once the verdict was realized and several other more public cases came completed, the military changed the manner in which complaints were handled and made every effort to deal with the issue. Do they have a perfect system to deal with the issue of bullies in the military? Probably not, but at least they were willing to put into place a better way for the victims to be heard and the perpetrators to be held accountable.

Much the same as the military had to change, I feel the laws of the land need to be amended to reflect the society that we live in at the present moment. I see Bill 18 as being one of the changes needed to afford children a safer environment to express themselves, feel safe and have the guilty parties be held accountable. I had the chance many years ago to be one of the first people who trained with the Red Cross on their abuse prevention services program that went into schools and taught kids about the different types of abuse. Through that three-year experience I had encounters with both students and teachers who were relieved to finally put a name to what they were experiencing. The conversations we had in those classrooms were eye-opening, to say the least. We talked about verbal abuse, physical abuse, abuse of power and other topics. We discussed emotions, feelings and had some pretty frank exchanges about people's

perceptions of what abuse really is and how to stop it.

I was surprised at some of the comments I received from a few teachers because they were under the impression that we were wasting their class time with nonsense. Hearing the kids tell us the events that they had endured and having the kids understand that it's not acceptable and it is not the norm, quelled any negative response I received from those educators.

Self-esteem in children is fragile and, more often than not, we expect our children to deal with adult issues in an adult way. They neither have the skills nor the understanding of what is expected of them to be successful. That is where we, as adults, have an obligation to them to act as their advocate, educators and mentors, by ensuring that they feel protected. Nonsense is when educated people who have never experienced abuse think they are immune to this type of human interaction because they are stronger than quote, unquote, the wimps, crying the blues about a few bad things that happened in their life.

Many people have said, well, I was bullied as a child and I'm okay; kids just need to get a thicker skin. There's a drastic difference between the manner in which we were bullied and how children are bullied today. Years ago, when a child was bullied at school, they could go home and get a reprieve until the next day or had two days on the weekend to get away from their tormentor. Now the bully can access their target—and I mean target—24 hours a day, seven days a week, unless the victim does not go onto any social media sites, doesn't have a cellphone or lives in a bubble.

The bullying we received years ago was more being called names, pushing, shoving and getting a cut lip or a black eye. Today's bullies can do all those things as well as post things online, because they think they're anonymous and cannot be touched. The online bullying reaches a greater number of people, so the attack is longer in duration because once the message is out there on the Internet, it cannot be taken down. Online, the victim has to endure the bully, people the bully knows and complete strangers, so the amount of torment the victim receives is multiplied.

As we have seen in some well-documented cases in the media, there is a real need for such legislation. Children are suffering and we, as adults, would be derelict in our obligation to this group in our society

if we were to just sit back and let more youth take their life to cope with such abuse—I'm sorry.

In researching Bill 18, I see that all public and funded independent schools are included, which I think is a logical step in this process. If a school is receiving funding from our tax dollars, then why would they have to—why would they not have to adhere to the laws set forth in this province? The bill does not stipulate that any school has to change their philosophy or change their ideology. It does not state that they have to change their curriculum. It states that they are required to allow students to hold meetings on school property, which seems like a small request. If the subject of the meetings or the people holding the meetings are not the type of people you wish to associate with, then I suggest you do not attend the meetings. If the topic of the meetings do not appeal to you or you find them offensive, do not attend. I do not particularly appreciate the game of chess; therefore, I would not join a chess club.

As I stated in my opening paragraph, I was bullied physically, mentally and emotionally because I was a woman, an air force soldier on an army base and because I was a subordinate rank. My being stationed on that base at that time had nothing to do with corrupting the military, being a bad influence or being a bad soldier. It was strictly about intolerance, abuse of power and a few people in a position of authority not looking after the best interests of everyone under their command.

As for the idea that allowing the gay-straight alliance groups to meet on the school grounds could corrupt your school, rest assured, it won't. The groups that are mentioned in this bill just want what everyone else has, which is a safe place to discuss their views without being judged, criticized or tormented. All I wanted to do was my job, and look what grief and aggravation I had to endure.

I think enlisting the help of the education system to deal with the bullying issue is an intelligent move. The teachers see the children/youth most of the day and develop a rapport with the students. In turn, the teacher is in a position to aid the student in dealing with the turmoil surrounding the events of being bullied.

Furthermore, if the student has been bullied online before or after school, this would have a direct impact on their ability to learn what is being taught in class. Also, if the bully happens to be a classmate, the teacher has more tools to address the negative

impact on both parties involved as well as the other students being taught. As such, I agree with Bill 18 and hope for the sake of all involved it's passed as written. Thank you.

Madam Chairperson: Thank you very much for your presentation.

Do members of the committee have questions for the presenter?

Ms. Allan: Well, thank you very much, Ms. Allard, for your presentation.

First of all, good for you for standing up for yourself as a woman in a man's world. I have a 26-year-old daughter who is an electrician, and I often talk about Jessie because I am so proud of her, and I say that she works in the construction industry, which is the last bastion of cavemen. And I'm sure you can relate to that.

Thank you for the work that you do with the Red Cross. The Red Cross is a partner with my department and we have a 'long-stan'—we've done a 'longst'—had a long-standing relationship with them and appreciate the work that we have done with them around pink day and creating more diverse schools in the province of Manitoba.

Thank you for talking about cyberbullying. So often in these deliberations we have not talked about the—how our laws have to keep up with social media, and that is a serious threat to young people in this society. And the genesis of this legislation came out of the death of Amanda Todd in British Columbia when she committed suicide because of a depiction of her breasts on social media that got out of control and went viral. Once you put something on Facebook, it is forever.

Thank you so much for your presentation and thank you for being here this evening.

Madam Chairperson: Thank you.

Mr. Goertzen: Thank you for your presentation. I want to thank you for your service in the Canadian Armed Forces. It's because of your service and others that we have this ability to come here and speak before a committee, so thank you for that.

You brought up a very good point on cyberbullying and how it's 24-7 and how it's very difficult for young people to escape, and that makes bullying very different. One of my challenges with this bill is it doesn't deal with cyberbullying outside of the school environment and, of course, most of the

cyberbullying happens outside of the school environment.

And I've talked to those in Nova Scotia, talked to those in British Columbia, about the Amanda Todd situation, about the Rehtaeh Parsons situation, particularly in Nova Scotia, and they took a very different approach. They took an approach that would allow the law enforcement to be able to go and look at the instances of bullying that is repeated, that is persistent, that is consistent, and to allow for protection orders in the most serious cases, and the Rehtaeh Parsons case and the Amanda Todd case would be one of those situations. Would you support an approach like that, where law enforcement in the most serious cases would be able to have protection orders issued in the cases of cyberbullying?

Ms. Allard: As a matter of fact, the way—my son grew up in Winnipeg. We had a community police officer that was involved with the school on a regular basis. I would have no problem with letting the police officers be involved when there is cyberbullying. They have the ability, they have the structure and they have the training to deal with that type of event. The community's police officer in my son's school was—we were on first-name basis for a while because my son was acting out, and he got into a fight. And you mentioned about mediation and we did do mediation with the child that he fought with. The only problem I had with the way it was dealt with was the person who started the ball rolling, who lied about what was going on had no punishment, had no—they were—she was not involved in this mediation. But the boys figured it out pretty well on their own.

* (19:50)

As far as counselling, we said we'd give them a month to figure it out. They were 14 and 15. They know the difference between right and wrong. Counselling works. I've seen it work. I do believe the police do need to be involved. I do believe that the papers you speak of, at times, would be necessary.

Madam Chairperson: Thank you.

Mr. Gerrard: Thank you for both what you've done in the military for all of us and for what you've done to improve the conditions in the military.

You mentioned that, as a result of your efforts, the approach to complaints in the military was changed, and I'm just wondering if there are things that we can learn here from the improved approach in the military that would be applicable to how we

deal with bullying here in schools and elsewhere in Manitoba.

Madam Chairperson: Ms. Allard, briefly, please.

Ms. Allard: Yes, there is. What changed in the military was the chain of command was not the only group of people who heard the complaint. The person who was the victim was allowed to have outside people other than the chain of command that they use. I believe the same applies with teachers. Sometimes the administration, the teacher involved, may not have a very good rapport. There should be an outside entity that does help in that instance.

Madam Chairperson: Thank you so much. I'm sorry. Our five minutes are up. Thank you so much. You really got discussion going there, and you're a hero. Thank you so much.

All right. And while we have a moment, we've received another written submission on Bill 18 from Karen Price, and copies have been distributed to committee members.

Does the committee agree to have this document appear in the Hansard transcript of this meeting?
[Agreed]

And our next presenter is Roger Dueck, private citizen. And do you have any materials, Mr. Dueck?

Mr. Roger Dueck (Private Citizen): Yes, your honour.

Madam Chairperson: Okay, great. And you can just go ahead as soon as you're ready.

Mr. Dueck: Okay. I was going to start with introducing myself. My name is Roger Dueck. I'm from Blumenort, Manitoba. I work as an IT administrator.

First of all, I want to thank you all for your time. I know that most of you have been going all summer with no breaks. Thank you for listening to the voice of the citizens. There's a lot of citizens that have been very vocal on this issue, and I want to start off by saying that I'm not here to beat a dead horse. I'm not going to touch on the issue of homosexuality, the Bible, or religious schools, though I find validity in all of those arguments and even agree with a lot of them. No, I'm going to tell my story and see how Bill 18 could have helped me.

I moved to a small community, Landmark, at the age of about grade 3. I think the move hurt me because I was leaving friends, comfortable environment, and I really wanted to fit in, so I did

some crazy things. I started by telling all the kids there that I was a Satanist. Landmark is, traditionally, a Christian community and that was a bad approach. It was a bad first step. When I try—I went on from that and I tried to claim fame saying I was some sort of stunt devil or daredevil, and that didn't go so well either.

My story about bullying started with something beyond my control, and that is a child's imagination. I had no control over where my imagination would take me. It simply led me where I was. I had not thought about the potential implications of declaring my alleged Satanism in such a traditional community, even though I, myself, I was actually raised in a Christian home with a Christian world view. I was simply born with an imagination that brought me to where I was.

As I grew up, developing friendships became a challenge—it became a real challenge. I stuck together with other fringe kids and outcasts and sometimes bullied them myself to help elevate my status. By grade 7 and 8 the bullying eventually became so intense that kids would place me under a chair so as to pin me down and tap my forehead repeatedly, claiming they were giving me Chinese torture.

In later grade 8, I actually ended up snapping. The year was 1999, and on April 20th two high school students in Colorado, the victims of bullying, decided to do the unthinkable and massacre 12 students and injured another 24. This was fresh in people's minds at the time. It was what I would use to grab their attention. I started telling other students that I, too, had thought along the same lines as these young men who acted so violently. I told them I had a plan to blow up the school and kill the families of a few select students. It didn't take long, and I actually had a lot of people's attention.

The school got phone calls from concerned parents. I got a visit from the RCMP. I had to see a psychologist who tried to get the best to the bottom of what was wrong with me and why these things were going on.

Now, I want to go and review my story and see what Bill 18 might have done to prevent my situation from happening. First, had Bill 18 been in place when I was in school, how would bullying have stopped? It's likely that, in my early years, as I declared my alleged Satanism, other kids would have felt threatened, the majority would have ruled, and I would have found myself in trouble at that point.

Problem solved, right? Well, not so fast. It may have stopped me from doing insane, thoughtless things, which likely hurt people's feelings in the process, possibly making them feel unsafe. And that ended up giving me the label of outcast. I would have ended up with a far worse label, and that's bully. The bill would have effectively taught me to restrict my imagination, and put me in a place of fear to say or do anything without explicit permission.

We have warning labels addressed to children for those situations these days, not always laws. So let's assume I got away with the whole Satanist rant, okay, great. But the next thing I did was claim to be a famous stuntman who drove bikes on chain-link fences. Who does that anyway? For the sake of argument, let's just assume I got away with all that, still, and became a victim. I slipped through the cracks.

Fast forward to grade 7. The verbal attacks have happened for years. The physical attacks are starting. Now, how would Bill 18 have protected me? The attacks happened mostly over lunch hour in a collegiate. With zero staff presence during lunch hour, or very close to zero, witnesses wouldn't have been there. Today we have cameras. Fine, the student would have been caught. So what's next? It's highly likely the student would have been confronted. What would have been an appropriate punishment for the bully in this situation though? A detention, a talk, a visit from a psychologist, expulsion—with Bill 18, who knows? There are no defined penalties—not one, zero.

So let's say the principal acted on this and issued a two-day out-of-school suspension, because that's just what he thought was appropriate for the crime, right, so—plus a phone call to the parents explaining how serious the situation is. What happens next? I can recall numerous times where I had to take alternate routes home because a mob of peers was waiting for me to come home. When my house was in sight, I had to make world-record time for the fastest 100-metre dash in the Guinness Book. Sometimes I got intercepted.

This didn't happen on school grounds. Educators need not be involved. Who is? The parents? I recall one parent's reaction to my parents' phone call. It was something along the lines of, I teach my kid not to be a wimp and kick butt when he needs to. He's not scared to throw a punch. Would the RCMP get involved? Suppose a victim finds himself with a mob of five peers at the end of a driveway, and he takes

that advice, and he throws the first punch out of fear, intimidation, self-defence. It's now five testimonies against one. He's labelled the bully and the other kid ends up laughing. Who wins?

Bill 18 is going to do little in the way of preventing bullying. What it will do is give students a false sense of security into thinking they have protection. They won't. Believe me, when it passes, we are going to see numerous cases similar to these which are going to end up being nightmares for educators and legal authorities to deal with.

Bill 18, as written, is, in my opinion, illogical legislation with no backbone to stand on. It's going to end up costing more money to push through into law. It's going to end up costing money in our courts, in police time, in educator time, et cetera. In the end we'll be back to square one, redrafting or amending antibullying legislation because the last bill didn't work.

Madam Chairperson: Thank you, Mr. Dueck, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Chomiak: Yes, thank you, Mr. Dueck. I'm always impressed when people come towards—to this committee and are—and share their life experiences. That's—as—to help us and assist us, in terms of how we draft legislation and how we try to improve society in general.

I think that one of the mistakes in your observations is that Bill 18 is a be-all and an end-all. I think there's other means. There's school codes of conduct they'd utilize in schools; there are other provisions in legislation; and there's specific provisions in this act, in fact, to engage parents.

* (20:00)

And at the end of the day, the point is for someone to get help. And the earlier a person gets help, the better off they are.

If anything goes towards helping an individual achieve some kind of link with a helpful institution, counselling or otherwise, that would be—to me—an achievement in—that this bill would help to deal with. And it seems to me that that's—at least in my opinion and you may disagree—that this bill would have helped your experience because it would have brought to the attention of authorities some of the issues you were dealing with.

Mr. Dueck: Yes, I'll respond to that. Actually, my principal at the time was a man by the name of Ken Klassen and he was a fantastic educator. And he was one of the few people that actually took time, at the time, without Bill 18 and spent one-on-one time with me. And one of my passions at the time turned into my career and that was computers. And he was one of the few people that actually allowed me to spend time in the principal's office to actually invest into me and allow me Internet access at the time—which was a big thing at the time, right—and probably furthered my career in the process or helped, you know, kind of kick-start that.

I don't think Bill 18 is going to do anything to kind of further that, and, furthermore, a lot of the bullying that's happening—as already been discussed tonight—is happening outside of school, either via social media, and none of that is addressed in Bill 18. So that's another reason why I feel it would be ineffective at actually addressing the issue of bullying.

Mr. Goertzen: Roger, thank you.

You know, yours was a fascinating presentation because we've heard from a lot—I mentioned earlier—heard from a lot of young people and adults who talk about their youth experience who talk about being bullied. You brought actually both perspectives into it and very dramatically, actually, and so I appreciate that you did that. And you re-emphasize the point that so many have already, that they don't think this bill would have helped their experience—you, on either side of it, either as someone who was acting out as a bully or someone who was being bullied.

You know, I want to ask you about one of the concerns about this bill to me is that I think it's going to give kids who maybe aren't paying as much attention to it as you are, false hope. That they're going to see that there's an antibullying bill in Manitoba and go hey, now my problems are going to be solved. And the minister suggested it's not a cure-all and I agree with that, but it's called the safe schools bill. It's being promoted as an antibullying bill. It could be strengthened, obviously, but it probably won't be.

Do you think there's a danger of giving a lot of young people who are being bullied today false hope by passing a bill that is, I think, quite a weak antibullying bill?

Mr. Dueck: Yes, absolutely. In fact, I don't know if anyone watched the television interviews of a bright

young gentleman in the Steinbach area by the name of Evan Wiens when he was awarded the ability to have a GSA in the school. The media captured it, and in the background you could hear students still taunting him.

All it's going to do is really expose these kind of issues, and the people that are going to bully are going to bully anyway. And I'm not saying that in a defeatist mentality that we can't do anything to combat bullying. I'm just suggesting that this bill really isn't going to be the answer to deal with it.

It just—so much happens outside of school and this bill just doesn't touch on that. And school is only seven, eight hours a day plus one hour on lunch which may as well not be there.

Madam Chairperson: Thank you.

Mr. Ewasko, briefly.

Mr. Ewasko: Thank you, Mr. Dueck, for bringing your presentation and, again, as some other presenters, sharing your own personal story.

If you could pick one—I know that the minister had mentioned how this is not the be-all and end-all bill for antibullying—but if you could pick one amendment, what would that be?

Madam Chairperson: Very briefly, please. Thank you.

Mr. Dueck: That's a very tough question to answer because billing—the issue of bullying is so complex. I don't think I can give one amendment. It's just the bill is so broad and so unfocused in some areas and so focused in other areas that it lacks consistency. I think really it needs to be tossed out and redrafted.

Madam Chairperson: Thank you.

Our time for questions is up. Thank you so much for coming out to present tonight.

Our next presenter is Kaitlyn Fenton. Do you have any—oh, I'll wait for Kaitlyn; there she is. Do you have—okay. They'll hand them out for you and you can go ahead whenever you're ready.

Ms. Kaitlyn Fenton (Private Citizen): All right. That's for you. Thanks.

Okay. Thank you for giving me the opportunity to come and share my opinion with you on Bill 18 tonight. My name is Kaitlyn Fenton as you mentioned. I'm 22. I've been married for two years now and shortly I hope to be starting a family of my own.

I think it's fair to say that if you're a loving person, you will accept others and have tolerance towards them.

Acceptance and tolerance: what do these words mean? If acceptance and tolerance is approving of and not disagreeing with what is wrong, then acceptance and tolerance are not in fact loving attributes at all. To be loving is to tell the truth with kindness because you genuinely care. Now, that being said, sometimes to love is to keep quiet because it is just not the time to speak. However, in my opinion, this is a time to speak.

Today I speak against Bill 18 with love because I genuinely care about the school system, about students and about the 'fuener' gener—future generations to come. Now, I know you've heard a lot of the same things again and again, but I hope that wakes you up to the fact that there is a problem with the way the bill is written as of right now and that the province and people who will have to live this legislation out each day once it's passed, are not okay with it.

If this bill was okay as is, I don't think we'd be having these meetings, because I think everyone is okay with standing up against bullying. The more popular one you've probably heard is that the definition of bullying is not properly defined, and I happen to agree. People can be wrongly disciplined and I think that the real bullying might just slip under the radar.

When growing up, things I was made fun of was the way I look; things like Sasquatch because, at the age of 10, I didn't shave my legs, or chipmunk because of the shape of my cheeks and my teeth. Or, at Halloween, when I was going out trick-or-treating with my family—sorry—and my friends weren't, somehow it meant that I was a bad person. Little things like this happen all the time in elementary, and you know what? It didn't ruin my life. I think it would have been great if some of these situations were handled differently by the teachers, but I still had friends. I learned to forgive and I learned a lot of other life lessons through these experiences.

Bullying that should be punishable should be repeat offenders. Teachers and parents should be able to use their judgment when taking a child—talking to a child that's been bullied or someone that has hurt another person's feelings, and if it's a repeat action, then at this point discipline could be brought in. But the girls who told me I was bad for trick-or-treating, that's what they were taught and

that's what they understood was right. They shouldn't necessarily be disciplined. There are other solutions for situations such as this.

Another thing I'm not okay with in this bill is that we are protecting one group under student activities and organizations. This makes absolutely no sense when there are hundreds of potential groups that could be started up in a school setting that might receive bullying from another group. Someone mentioned a chess club before—that's an example. There's absolutely no need to protect one group and not the other.

In my eyes, this is bullying coming from the creators of this bill. How can we favour one but not the other? Is this not supposed to be about making sure everyone is treated equal and not bullied for the way they are and who they are? You've already heard this, but the Toronto school district board website did a graph on leading causes of bullying. It suggests that the leading causes of bullying related to body image; the second reason was grades or marks; the third was cultural background; the fourth was language; and the fifth was a three-way tie between gender, religion and income.

So why are we enforcing gay-straight alliance groups when they are nowhere near the top thing people are bullied for? In my personal experience, throughout school, the people who called themselves gay were not bullied the way people make them out to be. I've only been out of high school for four years and I doubt that things have changed this much. I know and have known many openly gay people in the past, and I have not seen more bullying than the average going on. I was not gay in high school and I still had girls who had something against me for what seemed like no reason to me. Whether I dated the wrong boy, wore the wrong clothes, hung out with the wrong people, did better in class than they did—the list goes on.

Everyone is going to have someone who doesn't agree with the way they are living or doesn't think the same way they do. I don't think we have to single out LGBT groups because, if that's the case, we have to protect every group because every person gets bullied for whatever it may be. Examples might the loner for not having any friends because of the way he was raised or who he is as a person. Are we going to protect all the socially awkward people out there? I promise you, they probably have less friends than the typical LGBT student out there.

I have an example that's not in my paper. My brother, Austin, he's 19 now; he has Asperger's. It's something he was born with. It's something that he was bullied for all his life. He had to change schools because of it. He was that one kid that was throwing a chair across the classroom while the other 20 watched. There is no protection in this bill for him. There's no protection for anyone specifically other than gay-straight alliances.

I've heard mentioned, since the bill was introduced, other solutions such as ABC groups—antibullying clubs. This is not my original idea but I think it's wonderful and something that would do well to be promoted in all schools across the province. Any group is going to and should look different from a public school setting to a faith-based school setting because different beliefs make up our lives. An antibullying club would fit in both types of school settings and would promote no bullying of all kinds in both schools.

* (20:10)

Mr. Vice-Chairperson in the Chair

I know that the bill mentions, and I quote, "or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils," which I think is great, but, unfortunately, it is not defined in depth, and, again, one group need not be singled out. My solution for this is do not enforce gay-straight alliance groups on schools. They should have the option to have one or not, just as public schools have the option of opening a prayer group or study group. I remember when it was mandatory to say the Lord's Prayer before the school day started, and now it is in no way mandatory because people should have the freedom in choosing to do these things, and that is how it should be.

We are somehow moving backwards if you begin to force things in schools again. I would not walk into a Muslim school and force them to support a Christian prayer group; that would be bullying and violating their freedom of rights. So then why is it that Bill 18 is pushing to be able to walk into a faith-based Christian school and make them support something that their faith does not support? What is the point in having a faith-based school if you are taking out the faith?

It saddens me greatly for when the time comes that I have children and want them to follow in my footsteps. Shouldn't each parent who's given birth to

their own child have a say in how they are raised and what they are taught to be right and wrong?

Faith was pushed out of public school, so separate schools were created with the sole goal to be able to keep faith in a school setting, and now there are laws being created and pushed on us that go against our Charter of Rights and Freedoms. I have included an excerpt of the Charter of Rights and Freedoms. Something that it goes over is everyone has the following fundamental freedoms: freedom of conscience and religion, freedom of thought, belief, opinion and expression, including freedom of the press of other—and other media of communication, freedom of peaceful assembly and freedom of association.

In closing, I hope my argument has in no way made people think I have anything against someone who chooses to be LGBT. I have friends that I call—or I have friends that call themselves this. I respect their decision on how to live their life, what they choose is right and wrong, but that does not mean that I have to agree with it. Everyone is my neighbour, and I am called to love everybody regardless of their beliefs or lifestyle. The Canadian Charter of Rights and Freedoms says I have the right to hold an opinion, a belief, a conscience and a religion. All I'm asking for is the respect to live my life how I've chosen and to believe what I want to about right and wrong, giving me the freedom to teach my children the same and not be forced to promote something I do not support. And if I want to send my children to school one day, I would want that freedom in the school setting. Thank you.

Mr. Vice-Chairperson: Thank you.

Questions from the committee members?

Mr. Chomiak: Thank you very much for making your presentation and touching upon issues that haven't been talked about, such as Asperger's, which would be covered within the act under section 41(1.8) of the act. And that's an issue, I think, that disabilities—and I think we haven't paid enough attention to issues of racism and disabilities in this discussion, nor some of the issues regarding cyberbullying. It's also mentioned in the act.

And so thank you for bringing that to our attention and for taking the time, particularly for someone who's out of high school relatively recently and brings a perspective that some of us may not have, given some of the decades from which we've been away from the system. So thank you.

Mr. Goertzen: Thank you, Kaitlyn, for your presentation. I thank you for sharing your story about your brother. And you're right. There is no specific group that would protect your brother, and there's no specific punishment, and there's no specific intervention. So you're absolutely correct in stating that, in your belief, that this bill wouldn't have helped your brother, and I—nobody would know better than you, or your brother, about whether or not, in fact, that would be the case.

You know, this may be a little premature to ask, but you mentioned about—you mentioned you might be looking to start a family at some point, and at the end of your presentation you said, if you choose to send your kids to school. So it got me wondering about home-schooling, and I know that there's a lot more people home-schooling in the last 10 years, and I'm not entirely sure of the reason why, but I certainly have heard it suggested to me by some that issues like this or other issues might result in them being more likely to home-school where they might otherwise not have preferred to home-school. Is that something that you think could be a reality for you or perhaps your friends of a similar age?

Ms. Fenton: I definitely do. When I was younger I thought that home-schooled kids were strange. Maybe I would've been considered a bully towards them. But as Bill 18 has come out and as I've matured and realized the opportunities that lie within home-schooling and the opportunity to be able to teach my kid—my children my values, my principles and to have them live a life that would fit into our moral compass and our world view, that's definitely an option now. It's the one that's definitely on the higher ranking in options of schooling. So even if it doesn't fit into the financial situation and all that, that's—it's more important to have my kids get a good education that suits me than whatever else may be there. For sure.

Mr. Vice-Chairperson: Hearing no questions, thank you very much for the presentation.

Now, our next presenter is Randy Wolgemuth. Randy Wolgemuth. Do you have any printed material?

Mr. Randy Wolgemuth (Private Citizen): No.

Mr. Vice-Chairperson: Okay, thank you. Go ahead.

Mr. Wolgemuth: Okay, good evening and—Minister Allan and committee members, appreciate all the work that you do and I would have actually approved putting air conditioning in here.

Okay, I do have several reasons here that I want to just bring out, reasons that—why I do not agree with Bill 18 the way it is written, and I have five actually. It fails to provide a clear definition of bullying and instead defines bullying so vaguely as to be unenforceable by school officials and administration. (2) It fails to provide for any consequences for bullying. (3) It fails to provide 'aquedate' parental notification of bullying incidences when their children are bullied or accused of bullying. (4) It fails to provide equal protection for all children who are bullied for any reason. And (5) It fails to protect religious freedom by requiring faith-based independent schools to allow for activities that are against their faith principles.

You've heard a lot of presentations about the bill here tonight and I agree with a lot of them, and so I have these five that I think are very important and I want to present these to the committee for your consideration.

Ms. Allan: Thank you very much for your presentation, and as you have said, you're right, we have heard other presentations that have touched on those five particular issues. So we thank you very much for being here this evening in, unfortunately, the sweltering heat and for making your presentation. Thank you.

Mr. Goertzen: Randy, thanks for your presentation. I've known you always to be a person who gets to the point, and you did that again tonight and I appreciate that. You used the word unenforceable in the definition, and I think that that's an interesting word to use because I've heard that from teachers, particularly in the younger ages, that they have absolutely no idea how they're going to enforce this.

Hurt feelings—I've talked to teachers in my son's school and they say, you know, at an early age, in grade 1 or 2, kids are both bullies and victims all in the same month, and by the end of the month they'll all have been a victim and they'll all have been a bully under the current definition. They don't really know how they're going to enforce it, so I appreciate you using that particular word because I think it's telling and it's true.

On a side note, I know you're pretty involved with the Steinbach Pistons and we wish you well in defending the championship in the next year and go, Pistons, go.

Mr. Vice-Chairperson: Seeing no further questions, thank you very much, Mr. Wolgemuth.

Next presenter is Patrick Peters. Mr. Peters, you have written material?

Mr. Patrick Peters (Private Citizen): Nope, I just have my cheat sheets.

Mr. Vice-Chairperson: Okay, thank you. Go ahead.

Mr. Patrick Peters: I'd like to say thank you that you've given me this opportunity to speak. A number of years ago, my wife was working as a nurse's aide at the time, was talking to one of her charges—I guess they call them clients these days—and asked if there was anything that she would have done differently, and she answered, basically, that she wouldn't have wasted so much time in all those committee meetings. So I'm hoping, really, and from what I've heard today so far, that this isn't one of these committee meetings that we are wasting our time. And I appreciate the fact that, you know, you guys—I know when I say you guys I use that term loosely, you are elected officials and you are Legislature—legislators and I do appreciate what you are doing. But I really—I hope we are not, as a group and as a body, wasting our time.

* (20:20)

You've heard a lot of individuals speaking here. You've heard a lot of opinions. And again, strictly on an anecdotal level, those opinions, from my understanding of what at least I've heard today, have basically been against the bill, and many of them have come up with some very, very good, solid reasoning and some very, very good logic.

Just on a small note: I do have three children. The first two went through public school. Both of the first two were bullied, but they were bullied by teachers. None of that's been addressed so far. My third child has elected—and I say that deliberately—he has elected, he chose a faith-based school, private school. He made the decision. We've supported him. We're very happy we did support him. Again, going back to my first two, they said the public school system, other than some of the treatment that they received from the—I'll be careful now, educators—was probably less than beneficial to their education, it actually played an important role in their education.

Everyone here—you know, I was just thinking about the number of times that I came here to the Legislature for the tours. The schools always do tours. And when I came here, every time, I was quite impressed by the building. I mean, it's a large building. It's beautiful. And, I mean, there's a lot of important stuff happening here—that's pretty cool.

The last time I came here was with my youngest, and I sat down on the steps that are leading up, and I'm not sure what you call the Rotunda or that area or anything else, and I sat there, and I just sat there and I marvelled. And I marvelled at the simple fact that here we have people that are representative of all the people, and they have been elected. And I—what I marvelled at was, you know, when their terms end, they leave. They don't put up sandbags. They just go. And they're replaced with the next set of individuals. And those next set of individuals, just as those who have left, every single one of them—and we've got some of the leaders up here on the walls—every single one of them has made the pledge that they will legislate laws and enforce freedoms to the best of their abilities. And that's exactly what your responsibilities are, as well.

Now, right in there, we start running into a problem. We run into Bill 18. And we run into a problem because we—we're to legislate freedom versus fairness. And it's virtually impossible to legislate either morality or stupidity. You just can't do it. I mean, God tried it with the Ten Commandments, and it just didn't make a lot of progress. He sent His Son—that made some progress.

So each one of you have pledged that, you know, and every one of you that came here today, every one of you has come from a history, or I should say not everyone, but I think almost everyone here has a history of their forefathers who came to this country, again, in search of freedom, and that could have been economic freedom, it could have been educational freedom, it could have been philosophical freedom, it could have been any number of things. My own forefathers came here in, well, the first delegation was here in 1873. And that's 30 years before this building was even constructed, well, construction began, I think, in twenty—or, I should say, 1913. So, 30 years beforehand, they came. And, actually, one of those characters, one of those delegates, and I don't know how many greats there was, was an ancestor of mine or a forefather. And I say that only because everyone here has a forefather. If not, you might be an immigrant yourself, but you've come here for some freedoms. And in those freedoms, you also want to find some fairness.

One of the things that my forefathers, at least those delegates, received was an actual written document stating, in part, that the fullest privileges of exercising their religious principles is by law afforded the Mennonites—oh, gave myself away, there—without any kind of molestation or restriction

whatever, and the same privilege extends to the education of their children in schools. And that was—that document, that was issued July 23rd, 1873, that was prior to The Manitoba Schools Act. The Manitoba Schools Act—initially the first act came out in 1890. In 1890, when it was introduced, it basically attempted to ensure that the government funding would be spent on schools that could in essence be controlled by the province, or, in this case, we'll call them the state. And one of the first things they actually did is prohibit the use of any language except English, and so my forefathers saw this as a direct conflict. I mean, again, it's a German background and it was a German language that was taught; it was written.

Interestingly enough, the biggest push back—and this was a severe crisis in 1890—the biggest push back came from the francophone community. And partially because of the push back in the francophone community and their long history of schools and they were the primary educational institution—primarily because of their push back, the Province actually relented at that time and allowed what they call bilingual, and that included French, it included German, it included Ukrainian, so they did relent. But, unfortunately, as the years went by, in particular in 1916, and this is just into World War I, this bilingual allowance was abolished. And it was just strictly abolished, because after all the provincial legislation was already in place; it could be easily done.

And see this is where we run into some of the problems with Bill 18 as well. When we talk about certain restrictions and we talk about certain allowances, and I talked earlier about—vaguely about some freedoms and some fairness. Well, we also run—and it's been mentioned here earlier—now how do you deal with a situation that is perceived, and I stress the word perceived, how do you deal with a situation that is perceived as unfair or, in this case, bullying?

Well, in 1916, what the legislatures did is they actually fined the parents of the children who didn't attend the public schools. They fined them \$15 a child per month. In today's dollars that could be anywhere from \$200, \$250; that was quite a financial burden. That actually caused a—well, if you want to call it a diaspora—we actually call—caused a migration of those families to leave, and some people have taken that a little bit further and called that a cultural linguistic genocide that was caused at that time. Those are all strong terms.

My concern here is the fact that the initial legislation was put into place with not necessarily all of the given abilities to enforce it but that those particular restrictions could be added on afterwards.

Mr. Vice-Chairperson: Mr. Peters, one minute left.

Mr. Patrick Peters: And I see this particular bill as, in essence, a Trojan 'horsh'-horse, and there's a lot of red herrings around this bill because the bill is namby-pamby, sounds good. It sounds wonderful and I agree with the basic premise, but, once it's placed into law, it remains there. Amendments and changes to the act can very easily be done and they can probably—I don't know this for a fact—but most likely can be done without the public exposure that you're seeing here today. And those are my concerns about Bill 18. It's a poorly written bill, and I think simply it's going to be sliding in under the auspices of let's make ourselves feel good and introduce this wonderful bill.

So is it a good bill or a bad bill? You've heard a lot of people here. Is it a question of who's responsible for our children's moral education? Is it the state? Is it the parents? Is it a question of freedom? And I'm not talking freedom of religion I'm talking freedom of—

Mr. Vice-Chairperson: Mr. Peters, your time has expired.

Ms. Allan: Thank you very much, Mr. Peters.

We have had many presentations—well, not many, I should say we've had a lot of presentations that have been wonderful historic—history presentations. It's been quite wonderful to hear. Thank you for your reflections, your personal reflections on Bill 18, and thank you for being here with us this evening.

*(20:30)

Mr. Goertzen: Patrick, thank you. Both philosophical, historical and very well presented and was something unique. It's difficult, I think, when you have 313 presenters queued up, to have unique presentations. They're all impactful and they're all important, but I think yours touched on issues that I haven't heard so far. So that was very helpful.

Thank you.

Mr. Vice-Chairperson: Hearing no questions, thank you, Mr. Peters, for your presentation.

Our next presenter is Kristopher Braun. Mr. Braun, do you have any written material?

Mr. Kristopher Braun (Private Citizen): No.

Mr. Vice-Chairperson: Okay, then, go ahead.

Mr. Braun: Thank you all for being here today. My name is Kris Braun and today I'm voicing my concern of Bill 18. I'm speaking out against the way that the bill is currently written and not against the idea of having a bill that is towards antibullying.

Madam Chairperson in the Chair

I would like to speak concerning the bill because the defining of bullying is so broad. In its current state, it would be really hard for schools to implement the bill since it would invariably include, as defined in section 1.2, hurt feelings, which really could happen to a child over any numerous things, and would be difficult to enforce in such a manner. The reason that this is not sufficient is because children may be charged with bullying when they are not making any comment where they intend for it at all and it's not teaching the children to respect differences of opinion. If one child says they don't like another child's favourite toy, or that it sucks, and hurts the child's feelings, and is hurt because of it, how would the teacher discipline, and where is the ability for the children to voice their own opinions?

With all children you need to regard everything—or will all children need to regard everything to be good in an attempt to avoid hurting classmates' feelings? This would then teach children they cannot have their own preferences as individuals and teach them they are not able to have their own likes and dislikes about school, sports, toys or anything else. If teachers actually act upon this broad definition of bullying, the children will not be learning to grow up and understanding how to relate to their classmates and their differences of opinions, but rather—yes—but rather it wouldn't happen.

In another definition of bullying, as I've read through that, I thought it was more direct, was one from the North Dakota government, where it's so severe for evasive or objectively offensive that it essentially interferes with a student's educational opportunities or benefits and places a student in actual and reasonable fear of harm to the student's person or property. And the reason why something like this is better is because the intent of the bully is often to—is to hurt a student emotionally, mentally or physically in a severe manner, rather than just in an everyday conversation with children.

And in this case, also, a definition like that, it may include one child bullying another one

repeatedly, but in some cases it can also be that one child is a bully and he bullies many of his classmates at once and he doesn't necessarily just bully one at a time. As a grownup, I've seen that, where in my classes I'd have one student—he wouldn't always just pick on one student, but rather he would pick on different students, and it was kind of like he would change dependent on the day, right?

And so I feel also that children make comments at times, not knowing it would hurt someone else. Instead of being charged with bullying, I think it is important to teach children how to respectfully give their opinions and ideas.

And something further, with just the defining of the bullying or the definition of bullying is weak. I feel as though because after it gets into special protection of—specifically the GSA clubs, but also even mentions anti-racism and that—and I feel like because it adds that instead of that being already included in the definition it seems like it's not a strong enough definition because now you have to further add in—into, well, these groups have to be protected.

So that brings to the question: Well, then, what about the other students in the school? Are they not protected then either? Maybe those like a chess club or the skinny kids are and that, like, do—should they also have clubs, then, and also be protected further along in that point?

And I feel that in—this means that the—that—I feel that as it is currently written, that the bill in this state would not include such groups or it would be able to get under or go under the radar because of that. And students should be allowed to, well, have a chess club and play chess with other students and that—that should be allowed. But I feel as though it's not going to protect all the organizations.

And the next issue is with the bill imposing values on private schools, forcing them to promote groups which may go against their own beliefs. I feel this is seen with the GSA club, where it should be optional to have and promote in private schools as they have values and different—that are different, making it a reason why parents send their children there in the first place.

Students can and should be able to attend private schools with different—like, a student can attend a private school with a different—even what they believe from themselves personally, but that—and in that sense the student shouldn't have to be in fear of

bullying while they're there either. But at the same time, I—the school should be allowed to express the views that they have and that they may be—and that—yes—and that they can express those views, as well. Also, just because a student does not accept all the views of the private school does not mean that they will be respect—or will not be respected or loved there.

And some of this has just been taken from the section 41(1)(a), where it talks about the GSA clubs and the other groups being, yes, protected—and where am I—and, yes, I am for students coming together and forming the groups within their own—within their schools, which can be done, but not the forcing of the schools to have to promote things that they don't believe is right. Because, on the flip side, I—like, I was mentioning a school that teaches a Muslim faith shouldn't have to be forced to teach every student Christianity and clubs such as that has to pushed through, though the kids should be allowed to be able to read other—into the Bible and other things, and the school should allow them to do that, but they shouldn't be forced themselves to actually—or change what they view is their faith.

And that—that's all I have. Thank you.

Madam Chairperson: Thank you very much for coming down and presenting. We appreciate it.

Are there questions from the members of the committee?

Ms. Allan: Thank you very much, Mr. Braun, for being here this evening to present your personal reflections on Bill 18. We appreciate the comments that you have made this evening and thank you for being here.

Madam Chairperson: Thank you.

Mr. Goertzen: Kristopher, thank you. You spent a bit of time talking about the definition; I appreciated that you did that. And, you know, a lot of people have said that the definition is so broad what they're worried about is it's going to capture a lot of cases that really aren't meant to be bullying in terms of hurt feelings.

I think there's another risk, and that is that when a definition is so broad in law, when it means everything it ultimately means nothing. It becomes unenforceable. People who can't determine what the definition actually means or, if it's so broad, they just ignore it, and it ultimately becomes useless.

I mean, I think there's a risk of people getting caught in their unattention, but I also think there's a risk of those who might need protection not getting protection because the definition is so unwieldy. Do you think that's a possibility? That it's so broad, it's so undefined that it ultimately is going to be nothing—mean nothing, because it means everything?

Mr. Braun: Yes, I would say in the case of schools, if the teacher is having to worry so much about just the broad implications, and students come in with their concerns and maybe—whatever, they made fun of my favourite toy or something—that then it could be the more serious cases could go under the radar and then they wouldn't have as much attention focused on those as should be in the case of, like, where physical abuse happens or something like that. I think, yes, for sure that could be missed.

Madam Chairperson: Thank you.

Seeing no further questions, thank you so much again for coming out.

Our next presenter is Catherine Pearse, private citizen. And do you have any materials with you?

Ms. Catherine Pearse (Private Citizen): Yes I do.

* (20:40)

Madam Chairperson: All right. If we could help hand those out, and then whenever you're ready, go ahead.

Ms. Pearse: Good evening, Madam Chair, and respected committee and respected audience members.

I am here because I want to speak in favour of Bill 18, and I want to give you some personal reasons why.

I've titled my very brief presentation "It's About Young People's Lives." And I would like us to stand, all of us. I'm going to read these names of people who have died so I would ask you to respectfully stand. Thank you.

From Canada: Jenna Bowers-Bryanton, age 15, died in January 2011, from cyberbullying; Jamie Hubley, age 15, October 2011, suicide from homophobic bullying; Mitchell Wilson, age 11, died September 2011, disabled bullying; Amanda Todd, age 15, died October 2012 from cyberbullying; Emily McNamara, age 14, died March 2011, cyberbullying; Courtney Brown, age 17, died March 2011, cyberbullying; Rehtaeh Parsons, age 17, died April 7, 2013, cyberbullying.

And from the United States, these are gentlemen, young men who died from homophobic bullying by their own hand: Zack Harrington, age 19, in Oklahoma; Jamey Rodemeyer, age 14, New York, died September 18, 2011; Josh Pacheco, Michigan, November 27, 2012; Jadin Bell, age 18, in Oregon, died February 2013; Carlos Vigil, 17, New Mexico, died July 13, 2013; and an unnamed boy, age 14, in Rome, Italy, died last month, August 2013, homophobic bullying.

These and many others are what this bill is about. Thank you.

I kept a list of the Canadian names before me as I wrote an essay this spring for the University of Winnipeg. I'm in the faculty of theology, and I titled my paper "Manitoba's Bill 18 is Compatible with Human Rights and Christian Ethics."

I looked at the Universal Declaration of Human Rights, 1948; the UN Convention on the Rights of the Child, ratified by Canada in 1991; The Constitution Act, 1982, with our Charter of Rights and Freedoms, the Canadian Human Rights Act of 1985, Manitoba's Human Rights Code of 1987.

And The Public Schools Act and Bill 18 both refer to section 9(2) of The Human Rights Code and say that all of those protected characteristics are part of what The Public Schools Act is about and what Bill 18 is about.

Number 3 is religion or creed, or religious belief, religious association or religious activity. It has been asked why schools—certain characteristics are being included in Bill 18. And this is a quote; I did not include it in the handout, but it's from my paper. The fact that Bill 18 explicitly identifies specific characteristics that need accommodation indicates that those characteristics, in particular, by their nature, require explicit mention, probably due to the fact that some school administrators might not want to accommodate them. Those in opposition are just proving this point to be accurate.

You'll have to excuse me. I live with a disability and fatigue is a big issue at this time of day. So I'm going to go back and forth here. I've been very unwell for the last two days as well.

Schools are not being mandated to start a GSA. They are being instructed to accommodate pupils to allow for or consider to allow room for, contain or to adjust or make suitable, adapt. I like the fact that Bill 18 is called safe and inclusive schools. And, as

I've sat here listening to presentations, I realized that my own life experience does come into play and why I am so interested in this topic. The issue of hurt feelings in the definition has come up quite a lot. And, oh yes, innocent things that children say could be construed to be bullying. Well, I'll share a part of my experience. I attended 10 schools, three countries, from kindergarten to grade 7. I was hauled around the world. My home was not safe. It was where I was bullied by my father. My mother was terrified of my father. So it was not a safe place. So, for me, every school I went to was the only place I could find that would be a safe place. But often I was called the new kid or the weirdo or the nerd because I kept my nose in a book quite a lot. And I found the glee club supportive. I think if there was a GSA, even though I do not identify as LB-LGBT—I can't say it tonight—we know those initials—I would probably have attended because gay, straight, well, I'm one of those. Alliance? I probably would have been there looking for a safe place.

In my paper I mentioned how GSAs are so supported by online resources. There's over 3,000 of them in the United States alone, and there's many, many, many in Canada. If one goes even to MyGSA.ca, you'll find tons of resources. A GSA always has a sponsor teacher or two. In an independent, faith-based school, if students started a GSA with a teacher faculty adviser 'preven'—present, even as an overseer, the excellent online support resources and suggestions for the club's operation could act as a helpful means of starting dialogue amongst students and their educators about diversity attitudes, dialogue about bullying and even living one's faith in today's complex world. So, perhaps, a GSA is not necessarily a scary place. One of the catchwords that they use is safe space. GSAs are not sex clubs; they're not pride clubs; they're not gay promotion clubs. They are mutual support groups. And they reach out to parents and teachers. Just take a look online at the huge resources. It's amazing.

It was interesting that one of the presenters tonight talked about the Mennonite history and how precious that is, the freedoms and the fairness that they have fought to preserve, and that is so important. And in my paper, and I've included this at the bottom of your handout, I quoted Edward Poling who wrote *In Brethren Life and Thought* in 1990, in an article called *Youth Suicide and the Bible*, he quoted I Philippians 2:3,4: Do nothing out of selfish ambition or vain conceit. Rather, in humility, value others above yourselves, not looking to your own

interests, but each of you to the interests of the others. And Poling says: The church is not a hierarchical institution where some are more honoured than others, but a community where each person, regardless of background, is equal in the sight of God. This makes for the ability to care not only for like-minded friends, but strangers as well. Selfishness has no place in the church. This extends, as well, beyond the faith community to those in need.

* (20:50)

And I postulate that those in need are the youth in our province, many who are not calling out, crying out or reaching out, who may be bullied at home, at school, in between home and school, or wherever. And I would encourage all of us to think of them, and that's why I read those names at the beginning.

Thank you.

Madam Chairperson: Thank you so much, Ms. Pearse.

Are there questions from the committee?

Ms. Allan: Thank you very much, Catherine, for your presentation. I appreciate you being here this evening, and particularly when you're not feeling as well as you could be, and this certainly isn't a pleasant room to be in if you're not feeling well. So thank you so much for being here with us.

Thank you, as well, for honouring and mentioning the young people whose lives have been lost because of bullying. It's a reminder of us—to us, I believe, how important it is that we all continue to work to keep our young people safe.

And thank you so much, as well, for mentioning that you know for some students school is the only safe place they have to go. And many students spend longer at school than they do in any other place, particularly if they're going to school or they—and they have a job and they have other things that they're trying to do in their lives, school really needs to be a safe place for them.

Thank you so much for your presentation and all the best. Thank you.

Mr. Ewasko: Thank you, Ms. Pearse, for sharing, and sharing some pieces of your own background as well as, again, as the minister had mentioned, in having us remember a lot of these kids, youth, who have passed on at their own—by their own hands. And here in Manitoba, I mean, we have—there's quite

an extensive list that can be, if you did some research into—a little bit further research, this list would be quite long. And it is interesting that you cite quite a few of them from as recent as, you know, four years ago.

Question, though—or an addition to—what part in the bill, specifically, do you see, as far as tools, if this so does pass within the next few weeks, what tools do you see in the bill that would have helped you as a youth and would have helped, maybe, some of these as well?

Ms. Pearse: I think, for myself, that something that would have helped me would be just the fact that there would be a respect for human diversity policy to accommodate pupils. I might not have fallen under the gender equity, anti-racism, disabled by barriers or sexual orientation group, but I would have somehow lumped myself in with them because I would have felt that identity, and had there been an antibullying or a diversity group or a gay-straight alliance, whatever it was called, I would probably gravitate to that group and I would be looking for a safe extracurricular activity, and I think that would have been a place where I could have met others who sort of understood what I was going through, even if it wasn't matching exactly.

Madam Chairperson: Thank you.

Seeing no further questions, I'd just like to thank you once again for coming out.

And our next presenter is Cameron Funk, private citizen.

And do you have materials, Mr. Funk? We could help him with that. And just go ahead whenever you're ready.

Mr. Cameron Funk (Private Citizen): Good evening. My name is Cameron Funk. I'm a husband and a father of three, and I want to thank you for allowing me to speak tonight.

I'm going to start off with a story. When I was in junior high, I was bullied. Teachers did very little, if anything, to stop what was happening, and if you did tell the teacher, it was often just brushed off. Looking at the schools now, it doesn't look like much has changed, and I don't believe Bill 18 as written will help this either.

I am fortunate in that I was not harmed or scarred physically in any way during the times I was bullied. My heart goes out to anyone who has been bullied and their wounds have not healed. My heart

also goes out to the bullies as well. I actually still know some of the bullies I went to school with, and looking back now I can actually see the bigger picture. I can see that bully was hurting inside for whatever reason, maybe their mom and dad are divorced, maybe their dad is an alcoholic or possibly a workaholic, maybe a family member is really sick or dying.

I believe if we focus on the broken families, bullying would decline dramatically and the taking-effective approach in helping the bully bullied and the bullies. I don't believe you can ever remove the bullying behaviour without the core reason for the behaviour. Bill 18 does not address that at all. For this reason I don't believe it would be effective in stopping bullies. A bully will always find another way or another victim. If this bill is about protecting our kids, then let's stop the bullying before it happens.

I'm asking you to carefully consider Bill 18 and the wording that is used. I'm asking you to bring an end to bullying in our schools with an adequate plan of attack with a well-defined definition of bullying and well-defined consequences for the bullying behaviour. I'm asking you to rewrite it, so it includes every demographic within our schools. Thank you.

Madam Chairperson: Thank you, Mr. Funk, for coming out tonight.

Questions from the committee members?

Ms. Allan: Thank you very much for your heart-felt presentation. We appreciate your reflections that you have presented to us tonight and thank you very much for being here.

Mr. Goertzen: Cameron, thank you for your presentation. I appreciated it. I, you know, I was struck by something that you said about broken homes and I remember—it was actually former premier, Gary Doer, who I didn't always agree with on everything, but he was speaking about violence and what we could do to prevent violence and bullying as a form of violence in many cases. And he said the biggest thing we could do is change what happens in the home. He was absolutely right and I think that's a philosophy maybe that maybe isn't adhered to as strongly in this version of the government, but I certainly think that that is absolutely something that you touched on and I appreciate you bringing that up. Thank you.

Madam Chairperson: Seeing no further questions, thank you once again for coming out and waiting so long.

Our next presenter is Char Kenemy, private citizen—and if I pronounced that wrong please correct me—and do you have materials?

Ms. Char Kenemy (Private Citizen): Yes.

Madam Chairperson: And is it Kenemy?

Ms. Kenemy: Yes.

Madam Chairperson: Okay, great, thank you.

Ms. Kenemy: I just want to encourage everybody just to stand up for 10 seconds because I found that really refreshing before. So if everybody would just stand up and take whatever time you want—*[interjection]* Yes, my many years of university classes, it was like every time we had a break I'd go up and down the stairs. I was quite a dork, but I think I got a lot more out of my classes because of it. So it just helps your—the blood flow to your brain.

So good evening—*[interjection]* No, not a problem. Good evening, my name is Charlene Kenemy, otherwise known as Char, and I want to thank you for taking the time to listen to all of us presenting here today. I consider this opportunity an honour and privilege, and I want to extend my appreciation to each of you. As a mother, a friend and a concerned citizen of this province, I want to begin by thanking the government for taking the time and energy to address the issue of bullying. It is a very serious issue and worthy of attention and I'm grateful that the Province is now addressing it.

I'm absolutely opposed to bullying of any form for any purpose. I believe that it is unacceptable and is causing tremendous emotional, mental and sometimes physical pain to many students in this province, nationally and internationally. I am in total agreement that all students should be able to attend school in an environment that is safe and respectful, however, I do not feel Bill 18 as it is currently worded will have the effect that it apparently is intended to and I believe it infringes upon religious freedom.

My concerns are as follows. I am gravely concerned with the fact that, as far as I understand it, Bill 18 as it is currently worded in particular discriminates against children of certain faith groups. I believe it does this in two ways. Firstly, by leaving them out of the respect for human diversity policy. Bill 18 states that a respect for human diversity

policy must accommodate pupils 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 sexual orientations and gender-identities.

* (21:00)

Research, as has been mentioned previously, indicates that the most significant characteristics that actually put children at risk for bullying are body shape, cultural background, language, income, school grades and religion. However, these children are not mentioned in Bill 18. This does not make sense to me and I believe the bill should be revised to include these characteristics.

The purpose of the bill is to make schools safe and inclusive, however, I feel that Bill 18, as it is currently worded, will not make schools safe and inclusive for individuals who, for example, believe that homosexuality is not moral, such as Muslims, Christians and Jews. I believe it is each person's right to have an opinion and belief about morality, and that includes children. It has been said that it is hate to believe that an individual who practises a homosexual lifestyle is leading a lifestyle that is sinful. I do not see how this is hate.

Consider this: some people believe it is immoral or perhaps even sinful for humans to eat meat. They are free to express that belief and it does not offend those who believe otherwise and consume meat, nor is it considered hate. One person believes it's wrong to eat meat, so they don't. Simultaneously, people all around them go on eating meat and everyone lives in peace. Similarly, some people believe it is immoral for men to cut their hair or for women to have their faces exposed in public. These individuals are all free to express and share—to have and express those beliefs even though they are beliefs that most people in our province do not share.

I personally believe practising a homosexual lifestyle is immoral and I intend to raise my son with the same values. With that said, I do not demand or expect anyone else to agree with me, nor will I teach my children to demand this of others. We can live in perfect peace, harmony and friendship with individuals who believe otherwise and practise a homosexual lifestyle and/or other lifestyles that we do not agree with. I believe individuals of all sexual orientations and gender identities should absolutely be able to attend school feeling safe and free from any form of bullying. However, I also believe it's

important to protect all children, not just those listed in the respect for human diversity policy, from bullying. The respect for human diversity policy ought to also promote the awareness and understanding of and respect for individuals of all body shapes, cultural backgrounds, languages, incomes, school grades, religions. To exclude these individuals is to discriminate, in my opinion.

The second way I believe Bill 18, as it is currently worded, discriminates against some faith groups is by legally forcing schools to allow and promote gay-straight alliance clubs, despite the fact that the mission of these clubs stand in direct contradiction to many private schools' moral principles. This violates Canada's Charter of Rights and Freedoms. If the point of Bill 18 is to stop bullying, I believe schools should not be mandated to accommodate gay-straight alliance clubs, but rather should have to accommodate antibullying clubs. There are many reasons children are bullied and an antibullying club would effect—could effectively address all reasons children are bullied and also operate within the moral boundaries of private schools. An antibullying club is a solution that works for everyone and accomplishes the purpose of promoting a learning environment that is safe and inclusive for all children.

Once again, I want to reiterate the point that I am firmly opposed to bullying and I believe it is commendable that the Province is seeking to take action to address this serious issue. However, I believe some amendments to Bill 18 are in order. I would appreciate if you would take the concerns I have presented today into consideration.

Thank you.

Madam Chairperson: Thank you so much for your presentation.

Questions from the committee members?

Ms. Allan: Thank you very much for your presentation. It's obvious you've put a lot of thought into it, and thank you for the suggestions that you have made in it and thank you for being here this evening.

Mr. Goertzen: Charlene, thank you for your presentation.

You mention you're a mother; I'm going to assume your kids are fairly young. Will you—you talked a lot about the conflict of freedom and the ability to teach your kids in a free way, and that's

been a theme of a lot of the presentations that we've heard. And often, when people—when they're—when they feel that their freedom is challenged, they do something about it. So sometimes people will leave the place that they're at or they'll just do something else.

I asked a previous presenter who was—I think was probably around your age, also a mother of young—or hoped to be a mother of kids sometime soon, and if that would cause her and maybe some of her friends to look at home-schooling. Do you think that's a possibility that more people will look at home-schooling if they feel that their own personal freedoms are being violated by government within the school system?

Ms. Kenemy: I do believe so. Home-schooling is an option that I hadn't considered in the past but it is one that I feel compelled to have to consider more as I see, sort of, the Province taking the steps that it is, that seem to be infringing upon religious freedoms. However, it's not a possibility for me to home-school my children, as I am a professional occupational therapist and I do have to continue to work in order to maintain my licence, which is very important to me. So I will not be able to home-school my children, so it is of utmost importance that my child can still attend the public school environment because we also would not be able to afford a private school. So I want my son to be able to attend the public school but to be able to do so in a way that does not infringe upon his religious freedoms.

Mr. Ewasko: Thank you, Mrs. Kenemy, for your presentation, your openness, your honesty and your directness as well. I know that you started off thanking us for giving you the time to listen to what you have to say, and I'm truly hoping that the minister and her department and the rest of the government side is listening to a lot of the presentations that are going on today. I know that you mentioned, in regards to gay-straight alliance clubs, but rather should have to accommodate antibullying clubs. As you may or may not know, there are schools that have gay-straight alliance clubs throughout the province that have been operating for more than eight years, some as much as 13 years. Do you see this as a top-down sort of approach?

Ms. Kenemy: Can you explain that a little bit further?

Mr. Ewasko: As far as the government itself imposing its wishes onto various schools and, you

know, not just faith-based; this is going province-wide. So, if you could comment, please.

Ms. Kenemy: I understand what you're saying. Yes, I do believe so. I believe that it is top-down, and I do believe, as one presenter previously mentioned, it is moving in a direction of a totalitarian government. That's extreme, but it—that seems to be far more—it doesn't seem democratic to me.

Madam Chairperson: Seeing no further questions, thank you so much for coming out tonight. We appreciate it.

And our next presenter is Corinna Klassen, private citizen. And do you have any materials with you? No.

All right, just start as soon as you're ready.

Ms. Corinna Klassen (Private Citizen): First, I would like to say thank you for the jobs that you do. As somebody said before, I know I couldn't do it either. Thank you for taking the issue of bullying seriously. It is commendable that you are looking for ways to combat it; however, I do feel there are some concerns regarding Bill 18 as written.

The definition of the term bullying used in this bill seems to be a very broad term. It appears to be based on feelings and those, as we've all experienced, can be hurt unintentionally. This could potentially make a situation into more than it needs to be, where possibly just an explanation and an I'm sorry would suffice. I was—I also believe this will put more strain on teachers and administration. I think bullies need to be dealt with, but I am not sure this definition as written will help.

I feel that schools need to come up with their own policies regarding bullying as they are aware of the situations that require intervention in their own schools better than a lot of us would know because we are not teachers. I am concerned with the fact that numerous groups, if you will, are mentioned as being protected and others excluded. Would it not make more sense to include everyone? Are you not, in fact, leaving someone out?

Whether we believe in the same things or not, we must respect each other as people. I will not push my belief or faith down your throat, and I hope I will receive that same respect in return. I do not hate those who I don't agree with. Let us not put one group above another. I believe that no one deserves to be bullied. Whether you are overweight or skinny, whether you stutter, whether you are a Christian,

what your sexuality is, and the list can go on, bullying should not be tolerated.

I am just not convinced that Bill 18 as written will solve this issue. I believe it needs to be revisited. At the least, it needs to be amended to include all who attend our schools. I laud you for recognizing that bullying occurs too often. Please listen to and consider the concerns brought forth.

Again, I want to thank you for the hard work that you do, and I realize you've had a long summer, so I appreciate this opportunity to share my concerns. May God bless you. You are continually in my prayers. Thank you.

Madam Chairperson: Thank you for coming out to present.

Questions from the committee?

* (21:10)

Ms. Allan: Thank you very much, Ms. Klassen, for being here this evening. We appreciate the comments and your suggestions in regards to Bill 18, and we—I can't think of a—anyplace I'd rather be than in this committee room listening to presentations on Bill 18.

Thank you.

Mr. Goertzen: [*inaudible*] if I believe the minister, but I—Corinna, thank you for your comments and thank you for—thanks for offering your prayers. That was very nice of you to do that.

I—you made a really nice point about how maybe there should have been more involvement with the individual schools, and we've heard from some schools, some faith-based and some not who really had some really good programs on antibullying. And it seems to me that the government has missed an opportunity that had they gone to the schools either individually or collectively by divisions and said, here's a problem we have. We have bullying in general or even specifically bullying with same sex issues, what are your solutions? I think there would have been some really remarkable solutions come forward from schools and divisions. Do you agree? Do you think the government's maybe missed an opportunity to come up with better solutions in terms of dealing with bullyings by going to these schools and divisions and asking their ideas?

Ms. Klassen: I think it's a great idea to check with everybody. I mean, I had a sister who was bullied and I know that it was a misunderstanding in the end and it was something that they were able to deal with

together with the administration. It was my dad and my sister and the bullies, and they actually came to a fairly good conclusion and the bullying basically stopped. So I just think if everyone can be in communication properly, we could get further.

Madam Chairperson: Thank you. Minister Chomiak? No? Okay. Seeing no further questions, thank you so much for coming out. Appreciate it.

And our next presenter is Ernie Plett, private citizen. And do you have any materials, Mr. Plett? Yes, you do. They will hand them out for you and then please go ahead whenever you're ready.

Mr. Ernie Plett (Private Citizen): I, too, want to say thank you for the privilege of being here this evening. I appreciate your taking all this time, the long hours in the sweltering heat and sitting to listen, for I sit one evening and listen to this and you sit evening after evening. Thank you so much for taking that time and trust that this will not be wasted time.

I appreciate so much, and many of the concerns that have been shared already and my presentation will go in a slightly different line. So perhaps it'll be a refresher and think a little differently about this whole situation.

I entitled my talk Bill 18 "The Trojan Horse of Antibullying." Let me just state very clearly at the outset that I am against bullying. Bullying is not okay.

Now the Bible says in Matthew 5:44: But I say to you, love your enemies. Bless those that curse you. Do good to those who hate you and pray for those who spitefully use you and persecute you.

I think that's pretty much antibullying right there. If we just treat our enemies that way it would stop it right there.

Bill 18 is mostly concerned, the way I see it, promoting a sexual diversity agenda. The bill clearly states that, and I quote the bill. The bill also requires each school board to establish a respect for human diversity policy. This policy is to promote the acceptance and respect for others in a safe, caring and inclusive school environment. The policy must accommodate student activities that promotes the school environment as being inclusive of all students, including student activities and organization that use the name gay-straight alliance.

And, again, from the bill, 1.2: Bullying characteristically takes place in the context of a real or perceived power imbalance between the people

involved and is typical, but need not be a repeated behaviour.

In Bill 18, the government is promoting bullying by its own definition. Let me explain. A real or perceived power imbalance between the people involved, with the school and the government dealing this type of threat and ruling they are creating a serious imbalance of power in the student body and the school. If anyone dares to in any way express concern or a negative inflection on the activities or promotions of the gay and straight alliance they'll be in trouble. This is serious bullying. Punishment will not be determined—but is not determined, it is left open ended. This again will be a real threat to any student who has any moral convictions on this matter.

Bill 18 clearly states its agenda, namely, to promote acceptance and respect for diversity and awareness and understanding of and respect for people of all sexual orientations and gender identities. This matter of sexual orientation is a moral matter. This means it's not a matter of personal choice, but rather of right and wrong. In the same way that stealing is a moral matter, so is sexual orientation. Just because I'm born a thief doesn't mean that the school needs to respect and accept my desire to steal or to actually have groups promoting different types of theft. It is a matter of right and wrong.

This government believes in right and wrong. That's why they put Bill 18 forward; they felt it was wrong to bully. So I'm talking to people that have moral—a moral conscience. So the question is what is right and what is wrong? Who decides what is right or what is wrong? Now if there is no absolute truth then anyone with the majority can decide what is right or wrong just like Hitler decided to kill six million Jews.

The God who created this universe and the world and all life has by right as the Creator to make the rules for His creatures. By the simple principle of ownership; he who makes the paddle owns the paddle. God is the Creator, owner of this world and the sovereign ruler of it. Genesis 1:1 simply states: In the beginning, God created the heavens and the earth. He is the rightful owner since He is the Creator.

What has God said about the matter of human sexuality? Genesis 1:27 we read: So God created man in His own image; in the image of God He created him; male and female He created them.

Hebrews 13:4 we read: Marriage is honourable among all, and the bed undefiled; but fornicators and adulterers God will judge. And then the Ten Commandments, Exodus 20:14: You shall not commit adultery.

Leviticus 18:22 spells out this one: You shall not lie with a male as with a woman. It is an abomination. Jude verse 7 says as Sodom and Gomorrah and the cities around them in a similar manner, these having given themselves over to sexual immorality and gone after strange flesh are set forth as an example suffering the vengeance of eternal fire. Genesis 13:13 tells us simply this: But the men of Sodom were exceedingly wicked and sinful against the Lord.

Revelation 21:8 says: But the cowardly, the unbelieving, the abominable, the murderers, the sexually immoral, sorcerers, idolaters and all liars shall have their part in the lake which burns with fire and brimstone which is the second death.

These are but a few of the verses from God's Word that show us God's view of sexual immorality. You may not choose to believe them but they are still true. God is greater than his creation and we do well to fear him.

But there is help, there is good news. The Prince of Peace, the Prince of Peace indeed gave us hope and the Prince of Peace is none other than the Lord Jesus Christ.

I Corinthians 6:9 it says: Do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived, neither fornicators, nor idolaters, nor adulterers, nor homosexuals, nor sodomites, nor thieves, nor coveters, nor drunkards, nor revilers or extortioners will inherit the kingdom of God. And such were some of you. But you were washed, but you were sanctified, but you were justified in the name of the Lord Jesus and by the Spirit of our God.

It causes me great sorrow and sleeplessness at night to think that this government should implement Bill 18 which encourages and enforces sexual immorality. The reason must be because we've forgotten God and do not fear his name.

Bill 18 promotes all types of sexual orientation which necessarily includes pedophilias as well—pedophiles as well. Who will protect our children? Indeed, now that the pedophiles have full government support to promote their wicked and evil agenda in schools, who will protect our children now? You as the government of this province are

responsible for the protection of these children. Will you in the name of antibullying put our young children at risk to be bullied into sexual immorality?

Psalm 9:7–9:17 says: The wicked shall be turned into hell and all the nations that forget God. Psalm 7:11, verse 12: God is just judge and He is angry with the wicked every day. If he does not turn He will sharpen his sword; He bends his bow and makes it ready.

God has already warned us in the—in history past what his action is against unrepentant sinners. He sent the flood in Noah's day and destroyed Sodom and Gomorrah with fire and brimstone. We should listen up and fear God and turn from our sinful ways.

* (21:20)

Romans 13:1–4—speaking about the government's responsibility—says let every soul be subject to the governing authorities, for there is no authority except from God and the authorities that exist are appointed by God. Therefore, whoever resists the authority resists the ordinance of God. And those who resist will bring judgment on themselves, for rulers are not a terror to good works but evil.

Do you want to be unafraid of authority? Do what is good and you will have praise from the same. For He is God's minister for good—to you for good. But, if you do evil, be afraid, for He does not bear the sword in vain, for He is God's minister, an avenger to execute wrath on him who practises evil.

I plead with this government not to promote sexual immorality in the schools of this province. Do you not know that families are the backbone of this province? The results of promoting sexual immorality will not only bring on you, on us, God's wrath, but it will be the undoing of the province of Manitoba. There will be no taxpayers left in the absence of the future generation, as, blushing, I must say, we all know where children come from. I love this province of Manitoba. I care about its well-being and I believe Bill 18 is not in the best interests of this province. Please, for the welfare of the province, do not pass Bill 18. I pray for this province and this government. May God Almighty grant you the wisdom to govern this great province with His true wisdom and integrity. Sincerely, Pastor Ernie Plett.

Madam Chairperson: Thank you, Mr. Plett, for coming out tonight.

Do we have any questions from the committee?

Ms. Allan: Thank you very much, Mr. Plett, for being here this evening. And thank you for your presentation. We appreciate you being here this evening.

Mr. Goertzen: Yes, thank you, Pastor Plett. You spoke with passion and you waited a long time, I know, to get your presentation to the floor, and we appreciate you being part of this process. Thank you.

Madam Chairperson: Thank you. Seeing no more questions, thank you once again for waiting and coming up to present.

And our next presenter is Charis Penner, private citizen. Now, I probably said your first name completely wrong.

Ms. Charis Penner (Private Citizen): Totally wrong, that's okay.

Madam Chairperson: And how do you say it?

Ms. Charis Penner: You say it Charis.

Madam Chairperson: Charis. Thank you, that's beautiful. Do you have any materials to hand out?

Ms. Charis Penner: I do not.

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

Ms. Charis Penner: Well, like you said, my name is Charis Penner, and I want to start by thanking you for all your work that you do for the province of Manitoba and for coming on your Friday night. This is my date night; my husband's in the back. So we're here on our hot date. And so, thank you for this opportunity. I'm a stay-at-home mom but, just to give you a bit of background, before that I was an educational assistant and I worked with—supported adults with disabilities. And I just want to share a couple of experiences in my life that have taught me lessons about bullying. And I think one story in particular holds something that we can all agree on, every single person in this room.

When I was in 8th grade, there was a boy in my class who got on everyone's nerves. He was often an antagonist. He was loud, and he just had that special way of getting under people's skin, adults and children alike. I think we all kind of know some who are like that. And he was bullied mercilessly. He was teased, he was beaten and harassed. I stayed out of it. I didn't bully him because I knew it was wrong—oh, I might get emotional—but I also didn't stand up for him because our school environment was chock full of bullying, more than most schools. And I didn't

know it at the time, but as an adult I can see it was higher level bullying than most schools. And I didn't want to open myself up to ridicule in an already unstable environment. And if I'm really honest, as a kid, I kind of thought he was asking for it. Didn't he bring it on himself, the way he was acting? And today I'm deeply sorry for this attitude and for my lack of action.

So one Saturday, I was at—I was with my family at the local arena. That boy from my grade happened to be there too. He was standing in the entrance looking nervous and afraid. There were some older high school boys there and they had been threatening him. And they had just moved outside the arena. They were waiting for him outside. They were waiting for him to leave, so they could beat him. My mom sized up the situation and she went and stood quietly with the boy in the entrance. Well, this took the wind out of the big boys' sails. They tried to wait her out, but my mom is a lover of justice and they saw that she would not budge. They gave up and they left. The boy then turned to my mother and gave a heartfelt thank you, and he was able to make his way home in one piece.

When my mom rejoined our family, I leaned over and I said to her, with all the wisdom of a 13-year-old, I said, Mom, you know he totally asks to be picked on. He kind of deserves it. It's not like he's innocent. He's—not like he's sitting by himself and then they're just coming to bug him, he's asking for it. And then she turned to me and very firmly and seriously told me, Charis, I don't care how he acts, no one deserves to be beaten and bullied—no one.

And I think that is the sentiment that we can all agree on. We actually all want the same thing here. We want to protect kids from bullying. Every single kid deserves that protection, whether we think they deserve it or not.

Bill 18 is not an accurate reflection of this sentiment. This bill lists the protection of certain kids to the exclusion of others. If we really believe the sentiment that all kids deserve protection no matter what, then Bill 18 needs to be more inclusive. This is not about excluding one group over another but giving equal protection to all.

I think all of us need to reflect and see if we think that all kids deserve protection. Maybe we are biased without even realizing it. Maybe, in our heart, we believe that some kids don't deserve it. That conversation with my mom was just the awakening that I needed, and it changed me forever, giving me a

deep sense of justice for all, whether I agreed with them or not.

I also want to share another very personal experience with you. Now, I practised without crying, but I can't make any promises. From grades K to 9 I went to public school. While I was never significantly bullied—some, not significantly, or picked on, I did go to school in very real fear every single day. Like I mentioned before, my school environment was a very rough and tough one, and no one ever knew when it could turn on them. I spent my K to 9 years trying to fly under the radar, trying not to stand out too much in anything, making sure I didn't do well in things, because that would draw attention to myself, but then also making sure I wasn't terrible at anything, because that would draw attention to myself. As you can imagine, that has had long-term effects in my life. I could trust no one, and I felt very alone.

In grade 10, my family moved, and my parents ended up sending me to a private Christian school. I was like a scared little mouse that first year. I was so fearful of my peers. I didn't know I could trust anyone. I had a deep desire—a deep desire to connect with people my own age, my peers, but my past experiences had taught me that that was not an option. I couldn't trust anyone with who I was, with my thoughts, with anything.

However, in that environment, I saw very little bullying, and I started to learn to trust my peers. Was it perfection? No, we did not have our own little spot of euphoria—not at all. But it was here that I learned to just try to spread my wings, just try. I would never have attempted to spread my wings in my former schools. And I noticed it was okay to be different. It was okay to fail at something; it was okay to be good at something. There were all kinds of kids at my school, kids who had suffered from being bullied in the public system and found solace at this faith-based school. This is because there were firm and clear guidelines and consequences for bullying. And yet there was room for kids to make mistakes and learn from them. It played a part in changing me from a frightened kid into a confident grade 12 graduate.

I will close with these two thoughts: First, as a citizen of this province, I'm asking you to reconsider the wording in this bill. Please make allowances for those different than yourselves no matter what side you're on. Both sides need to make allowances for each other. Please consider using all-inclusive languages—language like adding—either by adding

faith groups, ethnicity, body image—list them all, or remove the specification so that all are protected.

Second, I'm concerned at the effects that this bill will have on faith-based schools. The values that they have and keep actually protect children from bullying. Please allow them to keep practising their values so that more kids like myself will grow in confidence in a safe and loving environment.

I know that your job is not an easy one, and I thank you for your time and consideration.

Madam Chairperson: Thank you for coming to present. We appreciate it.

Members of the committee have questions?

Ms. Allan: Thank you, Charis, very much for your very personal and emotional presentation. Since I started working on this legislation almost a year ago, it is amazing the amount of memories I have had from my upbringing and my school experience. And I appreciate you sharing yours this evening in our committee, and I thank you very much for being here this evening. All the best, and I hope you've got, you know, something better to do after this on date night.

Floor Comment: We're going to go out and have some supper after this.

Ms. Allan: Good. Enjoy.

* (21:30)

Mr. Ewasko: Thank you, Charis, for coming, and on your date night on such a warm evening and presenting to committee tonight. As a fellow educational assistant and then educator, I do see the many, many people that struggle with the exact same stories that you had, and I thank you very much for sharing your story, but it is amazing on how many people share that same story.

And looking at the legislation—and I know I mentioned a few presenters ago, about the listening factor of the government, and hoping and pleading with them, that taking the both sides and strengthening the bill, making amendments, changing a few words.

In your educational-assistant experience, did you see many antibullying programs within your—I know you dealt with physically disabled adults. Is—
[interjection]

Madam Chairperson: Mrs. Penner.

Ms. Charis Penner: I'm sorry. As an educational assistant, I had one student that was severely

cognitively and physically disabled, but my other student had Asperger's. With people with disabilities, I generally work with adults.

Mr. Goertzen: Charis, thank you for being here tonight on your date night. You know, I don't usually use my BlackBerry when people are presenting, but I wanted to check into—there's movies that are going to be playing, like, at 10:15 at SilverCity. The Butler, my wife wants to see that. She might—you know, I might see that yet. There's still hope.

I—you know, your presentation was very moving. And I've talked to teachers, and some of them who are actually concerned themselves about this kind of legislation, and in faith-based schools, in particular, they might get caught up in it. And that the things that they might be teaching as a part of the faith-based schools, whether that's a Muslim school or a Sikh school or a Christian school or a Jewish school, they themselves might get caught up in such a broad-based definition.

Is that something that you would fear as well?

Ms. Charis Penner: Yes, absolutely, yes.

Madam Chairperson: Seeing no further questions—you might also check out the festival across the street. Right across the street. Walk out the door, across the street.

Ms. Charis Penner: Where are you? I need you every date night with all your ideas.

Madam Chairperson: You need us. Thank you so much for coming.

Our next presenter is Brock Peters, private citizen. Do you have materials?

Mr. Brock Peters (Private Citizen): Yes.

Madam Chairperson: Perfect, thank you. We'll just get those handed out and you can go ahead whenever you're ready.

Mr. Brock Peters: All right. Good evening, committee members. If you have any focus left in you, I'll give you my presentation here.

My name is Brock Peters and I'm a citizen concerned with Bill 18. I would like to thank you for giving me and many others the opportunity to share with you our concern. Thank you to each one of you for taking your job seriously as a leader in government, and, finally, thank you for your shared concern on the issue of bullying.

The shared concern that we all have is the issue of bullying. It is the elephant in the classroom—whether it's seen or unseen—that affects all school-aged kids to some degree and has the potential to do significant damage. In fact, many people's past hurts and experiences in their growing-up years can do significant—can become a dreadful hindrance of pain and remorse as an adult, if not properly dealt with. And we've heard some of those testimonies here tonight.

So the pressing matter of dealing with bullying in schools is of utmost importance. My concern lies in the wording of the bill and how it is unpackaged. I agree that safe and inclusive schools are something worthy to be legislated, as it is probably desired by most parents and students, but how that is brought about needs to ensure that it holds true to definition.

Safe, by definition, means free from danger of any kind. Inclusive, by definition, means to include or to be all encompassing. To attach bullying to such a wide variety of scenarios and possibility is apt to bring much confusion and chaos.

So follow this train of thought with me. If the definition of bullying is up to the victim's feelings and interpretation, any number of incidents may occur. Little Jimmy might come home from school one day and explain that his teacher bullied him by telling him he had to go outside for recess or he would receive a red slip. Or teenager Jessica might come home one day bawling because she had been bullied by her boyfriend who dumped her.

And how will this definition of bullying be upheld? Teachers would have no ground to stand on and enforce such a bill because the determining factor is feelings and interpretation of the individual student. If there's no concrete definition, there can be no concrete solution or way to deal with the matter. This, in turn, does not create a safe school environment but a danger of many unclaimed bullying situations left unresolved.

Rather, define bullying along the lines of an unresolved conflict between two or more people, a trait as aggressive and repeated behaviour, or hostile words or actions that are reported or observed or discovered, and then allow the teachers and the school to provide the necessary and appropriate discipline. This allows the school staff to have a definitive safety net to catch the perpetrators and rescue the victims, based on a consistent definition and an adaptable form of consequences based on the individual assisted—situation and school.

I agree with the goals of the respect for human diversity policy stated in the bill. To promote acceptance and respect in a safe, positive school environment is a noble goal. But the way the goal is targeted in the bill is very exclusive.

It specifically gives protection from bullying to four things: gender, race, disabilities and sexual orientation. I am happy to agree that all children should be protected and no child should ever be bullied for any of these things. The problem is, however, that religious beliefs are explicitly left out. That means that students in faith-based schools who desire to uphold religious values are no longer given the protection of acceptance in practice within Manitoba schools. This defeats the intended purpose of the bill to be safe and inclusive by plainly excluding the spiritual aspect of a student's life or school-stated values.

Rather, I suggest to rewrite the bill to include and accept all aspects of life and expression that a student may choose and allow schools to have rules of conduct in place to protect students from being exposed to and affected by their peers' choices. Simply put, acceptance should mean students are respected and allowed to go to school of their choice, but not given approval or allowance to behave or express themselves outside the school's rules of conduct.

The danger of Bill 18 is—the danger of Bill 18, as it now stands, is that the loose definition of bullying, combined with the fact that it excludes protection of students expressing and upholding their faith in school, may cause more bullying than it will prevent.

I believe that if the teachers and principals and parents of our province are empowered to creatively tackle bullying in our schools, that there are many solutions to be found on this issue which don't need to infringe on the freedom of religion in the public and faith-based schools of our province, whether Muslim, Jewish, Christian, Hindu or whatever.

Thank you for your time and letting me share my concern regarding Bill 18.

Madam Chairperson: Thank you, Mr. Peters. Questions?

Mr. Chomiak: Yes, thank you for the presentation. I think it was well articulated, and I appreciate the fact that you offered alternatives in terms of suggestions for definition of bullying and some

alternatives. And that's helpful to us in the committee because it's useful to hear other definitions.

Based on that, I'd like to ask you, how do you see this bill affecting faith?

Mr. Brock Peters: Well, the faith part, there—now, like many people have stated earlier this evening, there's different aspects to schools and what they allow, right? So there's different groups that may be created or not. But when it's a blanket over all school systems, then the area of faith—like, a faith-based school has certain values they want to uphold. They are now compromising those by promoting groups that don't align with those values, right? So now they are—and a compromise in their, like, decisions. And to be a faith-based school, they now have to promote something that would go against their originally stated values.

Mr. Goertzen: Well, I thank you for your presentation. And your alternative definition of bullying, is that something that you've created on your own or is that something that you saw working in another jurisdiction somewhere?

Mr. Brock Peters: Sorry. Just thinking about it, spending some time, like, thinking through what, like, if I was a teacher, what would I want? I'd want to be able to do something. Like, with a problem situation that students can't resolve on their own or it's been discovered, then you want to have, like, some kind concrete thing that you can do to kind of help the students in their area of learning, right? So.

Madam Chairperson: Thank you. Seeing no other questions, again, thank you very much for coming down.

And our next presenter is Stuart Penner, private citizen.

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

Mr. Stuart Penner (Private Citizen): No, I don't.

Madam Chairperson: All right. Just go ahead as soon as you're ready.

Mr. Penner: Hi, name is Stuart Penner, and I just want to thank you for the opportunity to speak here tonight. I'm not a very vocal person about my opinions and I generally don't say a lot, but I thought that it was necessary to come and say something tonight.

As an aside, as an electrician myself, I take some offence to being called a caveman by Ms. Allan. And

I guess, according to her, the bill that you're presenting, if this was a school ground we could label her as a bully then, because she could've hurt my feelings. But luckily I don't hurt—get hurt feelings that easily, but.

Like many people have stated here tonight, I feel that in order to properly combat bullying we need better guidelines as to what bullying is and what are the consequences for bullying. Again, by specifying certain groups for protection and not others, even though surveys such as the one done by the Toronto school board show that other groups such as people—kids who get bullied for other things such as their grades or their body image are even more—they're not even on this list that's in the bill. It just—it's doesn't seem like it's inclusive enough to protect all the kids.

* (21:40)

I believe the heart and the purpose of the bill is awesome. I just don't think that the way it's worded will accomplish what you want it to, and I just ask that you please change it to protect all groups.

Thank you.

Madam Chairperson: Thank you very much for coming out to present, and do the members of the committee have any questions for the presenter?

Mr. Chomiak: Well, thank you. I feel I have to defend Minister Allan on two fronts. Firstly, the bill says you have to intend to cause and I'm sure she didn't intend to cause and, secondly, I think she—the valid point—I think she was making the point that there are certain professions in certain areas where us of the particular gender have predominated and women haven't had the same opportunities.

Having said that, thank you for making your presentation. I think it's important that you come and make your viewpoints known.

Mr. Goertzen: There's an old saying that sometimes when you're in a hole the best way to get out of it is to stop digging, and I think that the minister kept digging that hole just a little bit further. But I also appreciate you coming out and taking this time on an evening—I know for you and for a lot of others this probably was an uncomfortable thing to do and not something that you would have ever thought that you would see yourself doing, so it takes a lot of courage and it's kind of like a Renaissance man. So thanks very much for coming out and doing this.

Madam Chairperson: You did it very well. Thank you very much.

Our next presenter is Alisa Penner. And is Alisa Penner with us? She's not. Okay. If she's not then her name will be dropped to the bottom of tonight's meeting list and then we'll call the next presenter.

Doctor Seantel Anais. And I'm going to get you to present—to give me the proper—

Ms. Seantel Anais (Private Citizen): My name is Seantel Anais.

Madam Chairperson: Seantel.

Ms. Anais: Yes, but I didn't think tonight would be the first time that someone pronounced my name right, so that's okay.

Madam Chairperson: Please, do you have any—you don't have any materials?

Ms. Anais: I have only my personal notes.

Madam Chairperson: Okay, that's just fine. Go ahead whenever you're ready.

Ms. Anais: I'd like to use my time tonight to address what I think the controversy over this bill is really about, which is the perceived incompatibility between the constitutionally protected freedom from discrimination and the constitutionally protected freedom of religion. And I'm sure I won't be the first to speak to this issue and, at the risk of doubling other people's efforts, I want to add my voice by placing the debate in a kind of historical context.

A good deal of controversy over this legislation stems from claims by Christian groups who've said that the bill infringes upon their right to support schools that reflect their religious values. A notable case of this reported in the media involves a pastor who has warned his parishioners that if Bill 18 passes, I'll quote: we are going to lose our religious freedom. This pastor and many who framed the debate over Bill 18 as an issue of religion claims that the existence of gay-straight alliances would constitute nothing less than an attack on religious freedom. And, of course, this pastor is not alone. We've heard a good deal of testimony to that effect in this room and as far away as the Fraser Valley, British Columbia, people are getting together to pray Bill 18 out of existence.

And here's what I have to say about that line of argumentation: There is a long, long history of framing heterosexism as a matter of religious freedom rather than as one of bigotry. And the thing is, we did a lot of things, decades ago, that seemed to us to be unimaginable today, and so a valuable

thought experiment is to ask what we're doing today that will seem to us to be unconscionable in just a few decades.

Less than this many decades ago, Ephesians 6:10-17, were used to justify racial segregation in the American South, and you wouldn't believe how many chapters of the Bible have been used to support slavery historically. And so isn't it possible, isn't it just a little, little bit possible that we'll view the use of the Bible in support of discrimination of the kind that we've seen this week in this room with just as much shock and just as much shame as we view these darker moments of our past?

This bill is not about introducing children to sexuality. This bill is not about recruiting children to a gay lifestyle. This bill is one step in the direction of combatting the institutionalized and often unconscious system of privilege that contributes to the alienation, the violence, the assaults upon dignity routinely endured by those who identify as gay, lesbian or transgendered. Those of you who would use religion as an excuse for your bigotry also use it as a means to bless discrimination against LGBT people. The same arguments that follow this line of reasoning have historically been made to excuse institutionalized forms of gender inequality, racism, segregation and slavery.

What Bill 18 could do is entrench in our shared heritage a sincere valuation of the essential equality, worthiness and dignity of all people, all of our young students, and to do that takes courage, and, in my experience, matters that take a lot of courage to change are never, ever trivial.

Anti-gay slurs, rhetoric of the kind that we've heard here tonight and other forms, subtler forms of violence targetting children and teenagers who identify as or who are perceived to be gay, lesbian and transgendered are so common that they appear to us to be unremarkable. They appear to us to be commonplace and pedestrian. These kinds of violence begin as insults, they begin as threats, as harassment, as putdowns and as bullying, and we fail as a community when we fail to consider the subtler forms of violence that this bill attempts to address.

And so those who have made submissions to the committee to the effect that Bill 18 is an assault upon religious freedom, to those members of the committee who might share that view and to the members of the Legislature who could not be here tonight who might represent such views, I would say

this. I would say that when you claim the right to discriminate against, to fail to protect young people in the community that identify as gay and lesbian, when you claim that that right is sanctioned by your freedom of religion, then you claim bigotry as a core value of your religion.

* (21:50)

And, on behalf of those who represent other views, I would like to welcome you ever so warmly to the year 2013. Finally, one of the great, great things about our system of governance and the process that's unfolding here tonight is that we are provided the opportunity continuously to communicate to ourselves, to communicate to each other, to communicate to other provinces and, indeed, the world, who we are and what we value.

We all know someone who didn't get to live the life they deserved because they were gay, lesbian or transgendered. We all know someone who didn't get to live and love and labour openly because of the fear that they would be harassed, shamed, excluded—not because of what they do, not because of the choices that they've made and not because of the lifestyle that they've chosen, but because of who they are.

Legislation is an act of government. But I think that—I think it's an act of world making and I think that it's an act of imagination. And I think that this bill provides an opportunity to imagine and to forge together an alternative future for our young students. And that is why I support the bill.

Thank you for the time.

Madam Chairperson: Thank you, Doctor, for coming down and presenting. We really appreciate it.

Questions from the committee?

Ms. Allan: Well, Dr. Anais, is that—have I said it properly?

Ms. Anais: It's Anais.

Ms. Allan: Ah, sorry. Anais. Thank you so much. I'm sorry, I was down the hall and running down to get back here.

Thank you so much for this incredibly thoughtful presentation and for a different perspective that you have expressed to the committee members tonight, and I just want to say thank you so much for being here tonight.

Thank you.

Mr. Ewasko: Thank you, Dr. Anais.

Floor Comment: Perfect. I'll take it.

Mr. Ewasko: Okay, okay, good—I apologize.

I, too, thank you for coming on such a warm evening, again. And you mentioned process and I'd like—I'd just like to say thanks again for coming tonight to be part of this democratic process. Because this is a process, right? And we get the chance to come on an evening like this—and many evenings, I know, the minister's been here every evening for this bill—and I'm hoping part of that democratic process is not, you know, how you mentioned, we've come such a long way in just, you know, five decades—which we have—and, in some cases, I know that there's many people that do stand up and say, oh, you know, how far did we come in certain avenues? But you're right; we have come a long way.

Do you see there being—and I understand that you're in favour of the bill, which is totally great and, I mean, it's part of your democratic process and your right—is there any wiggle room or not—or wiggle room for the lack of a better term, is—did you get a chance to read the bill end to end and did you see anywhere in there where there would be room for some amendments? Or do you feel, you know what, it's good as it is, and the democratic process as far as creating bills and having those consultations with various other people—or do you think it's good enough?

Ms. Anais: And so, if I'm clear, your question is what amendments would I make to the bill. *[interjection]*

Madam Chairperson: Sorry—Mr. Ewasko.

Mr. Ewasko: If you see any at all.

Ms. Anais: So first I'll say you—in response to your question about whether I read the bill, generally, I don't come and make submissions on bills that I haven't read. And so that is an answer to the first part of your question.

The question about amendments—I mean, frankly, I can't be a part of that process. It's your job to make amendments, right? And so I wouldn't presume to be able to tell you exactly what amendments should be made. I will say that rare is the thing in this world that is perfect. And I would say that there is a difference between the spirit of legislation and the letter of legislation. And, in my view, the spirit of this legislation is long overdue,

and I fully support the spirit of this legislation unamended.

Mr. Ewasko: Just quickly, and just so that we—just so I can clarify something: I wasn't meaning or intended to question whether you had read the bill or not. I just—*[interjection]* Okay. But I appreciate you coming tonight and sharing that with us. Thank you.

Madam Chairperson: Thank you so much for coming. We appreciate it—and the wait.

All right. Our next presenter, who's also waited very long, is Bernie Bilecki, private citizen. And do you have any materials, Mr. Bilecki? All right, and we'll help you get those out. And you can just go ahead as soon as you're ready, sir.

Mr. Bernie Bilecki (Private Citizen): Okay. After I make my presentation, I'll tell you why I made this presentation and then—okay, just to the committee, I thank you for the opportunity to address you.

To all MLAs: the Bible teaches mankind how they should live, but we have refused to accept these terms. As a Christian, you are telling me what I think doesn't matter. God gave men and women the right to choose from right from wrong. Because of this, we are here today. God set the agenda on how man should live. He made laws, but man has never lived up to them. Instead, laws are now made to suit the world, so that they can dwell in their worldly desires.

Our education system has become a joke. Today, there is a lack of real education being taught. Students coming out of school today have trouble reading, writing and social skills because the education system has broken down. From the teachers coming out of university and teaching colleges, from my own experience in grade 10—a teacher telling—teaching us to put the screws to others before they put the screws to you. What you should do is revamp the whole system instead of bringing in a bill that seems to attack Christian principles.

Today I'm telling you children deserve better than what they are getting from the education system. The no-fail policy gives the teacher an easy way out, instead of making sure that the younger generations are educated properly. We must come to our senses, because the education system has become like a basket of eggs; some are cracked, some are spoiled and others are okay. There are children like those eggs. Their learning abilities are not the same, but are put in some—but are put in the same basket. Now is time to start making the right decisions and

giving children the proper skills with the right moral values instead of suiting some worldly image.

The Manitoba education system has many dropouts and poorly educated students who are lost when they become parents. The government has put very little in family values anymore. Instead, they spend more time on homosexual agendas, which has destroyed the society we live in today. A proper education not being provided today—all we have to do is look at the crime rate in our city. Many children have lost the meaning of respect and pride because of the education instilled them. The education policies we have today have destroyed their sense of values, where anything goes. The minister might feel she is doing the right thing with this bill, but it is flawed. To deal with bullying, you have to start in the home, school and society. To do this, you have to teach proper moral values.

* (22:00)

In Christian schools, this type of education is taught: what is right and what is wrong. Laws have been drawn up where children seem to think they don't have to listen to their parents, teachers or the law. From personal experience I have seen parents accused and charged before—because a child told a lie because the parents didn't give the child what he wanted.

To make this law work, society as a whole has to be educated on how to live with each other. To add different cultural backgrounds, different religious backgrounds—what should have been done was to study this topic, put points together and form—to form this law. It's not based on some special interest group.

We recently have had two inquiries into the conduct of professional misconduct. A lot of this could have been remedied by proper education. Education on how to live and work among people is severely lacking. This is shown in the inquiries. If the minister feels she should not make changes like some of the people involved in the inquiry, they seem to think that they knew it all, but, in fact, two people lost their lives.

Become a government that puts the needs of children first. This falls on the shoulders of all MLAs. Start putting your minds to work and draft a bill that makes sense, real sense. Stop pussyfooting around with party politics. It's time government starts doing what is right instead of drafting useless bills.

Get all religious leaders and cultural leaders together. Ask them to work with you in drafting a bill that society, as a whole, can accept and appreciate. This is what will change the society we live in.

As a Christian, we are taught there are moral issues we must live by. We are instructed we must love others, show compassion, and care for one another, which is lacking in society today. How we live among each other today has come about from poorly drafted laws.

Here is an example of how a Christian is taught about living in society. It is not express hatred towards others, but the actions that is exhibited. In Ephesians 5:1-13, it says: Therefore be imitators of God, as beloved children and walk in love, just as Christ also loved you and gave Himself up for us. An offering and a sacrifice to God is a fragrant aroma, but do not let immorality or impurity or greed even be named among you, as is proper among the saints. And there must be no filthiness and silly talk or coarse jesting, which are not fitting, but rather giving thanks, for this, you know, was certainly the no moral—no immoral, nor impure person or covetous man, who is an idolater has an inheritance in the kingdom of God.

Let no one deceive you with empty words for because of these things, the wrath of God comes upon the sons of disobedience. Therefore, do not be partakers with them, for the fruit of the light consists in all goodness and righteousness and truth. Trying to learn what is pleasing to the Lord and to not participate in the unfruitful deeds of darkness, but instead even expose them. For it is disgraceful even to speak of things which are done by them in secret, for all things become visible when they are exposed to the light, for anything that becomes visible is light.

This type of instruction in Christian schools makes more sense than the bill presented. Giving students a proper moral education instead of hating Christians that is now in place you'll eliminate bullying.

Government has failed in the last 30 years to be a leader and should be when it comes to moral issues. Instead, it has given in to moral issues that is destroying society.

The family setting has lost its focus because of policies set out by government leaders who jump at whatever idea the wind blows in. This society is now

paying the price for that action with crime, murder, moral decay, and insubordination.

Now, if you want to continue this theme, it's a choice you will pay for a price in the future.

Madam Chairperson: Thank you very much, Mr. Bilecki, for presenting, and do we have any questions?

Ms. Allan: Mr. Bilecki, thank you very much for being here this evening. I have to be really honest with you. Your presentation makes me very sad. I have been Minister of Education in this province for almost four years, and I have travelled across this country and I have visited schools all across—or, sorry; I've travelled all across the province and I have visited schools all across this province, and I have just seen some absolutely wonderful education facilities in this province and really terrific things happening.

I respect your opinion. I'm not saying that you're wrong. I'm just telling you that your presentation saddens me, but I just wanted to express that to you but—and I also want to say thank you so much for being here this evening and waiting so long to make your presentation, and we appreciate you being here this evening. Thank you.

Mr. Ewasko: Thank you, Mr. Bilecki, for coming in and taking part of, again, as I said for the last presenter, your democratic process. Thank you.

Madam Chairperson: Seeing no further questions, thank you again, sir, for coming down.

Our next speaker is Phillis Penner, private citizen. And do you have any materials to hand out? No, okay. Just whenever you're ready.

Ms. Phillis Penner (Private Citizen): Okay, well, I too want to thank you for allowing me this time, and I want to address each of you here with kindness and respect. As the evening has progressed, I've had some flashbacks of when our boys were teenagers, and I would speak to them and I would say so much good stuff, but there was a point where I knew they weren't listening to me anymore. Their eyes would glaze over and I knew they were clued out. I feel a little bit like maybe that's where I'm at, like maybe you've clued out by now, but—

An Honourable Member: We're here for you.

Ms. Phillis Penner: Good. But I'm asking you to not just hear the words that I'm saying but to listen and to listen to my heart in this.

I won't spend time today arguing or debating the different aspects of Bill 18. There are many who have and still will do a much better job of that than I could. I came here today to stand before you and be counted as one person among many who are asking you to revise Bill 18 as it is written. I'm asking you to revise it to truly and honestly speak against bullying for all children, for all students. I'm asking you to make it a bill that is inclusive and not exclusive. Include in it the rights and protection of all students as you say you want to.

I came here today also as a grandma. I have six young grandchildren and they are in the school system, and I want them to be protected from bullying regardless of who they are and what their orientations are. I want them to be protected. I urge you to not let pride get in the way of admitting that the way Bill 18 is written could be flawed.

I'm a woman of a strong faith in God, and it is because of that that I even have the courage to stand before you today. And I believe that my faith has helped me to be a hard-working and responsible and caring member of society. Because of my faith, I volunteer and give to others, both with time and money. Because of my faith, my heart goes out to the weak and vulnerable, and I want them protected regardless of why they are weak and vulnerable.

Because of my faith, I am able to love and walk alongside, without discrimination, those members of society who don't hold to the same beliefs I do. I want for my grandchildren to grow into young men and women of strong faith without having to fear that they will be bullied for their beliefs, but I also want them to not be afraid to be bullied for anything else, whether—and all children, whether they fall in the heavy-set group or the thin group or the you-need-to-wear-glasses group, like I did, or any other—anything else that children get bullied for.

And so, in closing, I would like to respectfully remind you that you are the government for all Manitobans, for all students, and I urge you again to please consider revising the wording of Bill 18. Please be willing to stand up for all students. Please.

Thank you for your time.

Madam Chairperson: Thank you for coming down. We appreciate it.

And members of the committee have questions for the presenter?

Ms. Allan: Thank you very much, Phillis. I hope I can call you Phillis. That was a beautiful presentation, and I know you have been sitting there all night waiting to make it, and I'm so glad that you did because it was a lovely presentation and very heartfelt, and I'm very pleased that you were here this evening to make it. So thank you very much.

* (22:10)

Mr. Goertzen: Phillis, thank you for being here, for having the courage to come and speak before a committee, which I know probably wasn't the most comfortable thing for you to do and for a lot of people who have spoken tonight.

You added something unique because I've heard now—over the last few nights I've heard from many, many young people who feel that they're excluded from the bill in terms of their bullying experience. We've heard from lots of adults who relayed their bullying experiences and feel they're excluded from the bill. We've heard from parents who've said that they feel their kids and the experience that they've had being bullied and—that they're excluded from the bill. And now we've heard from a grandparent who was concerned that her grandkids might not have equal protection.

And I think that that's very, very important that the government knows that the antibullying bill is seemingly excluding the vast majority of kids who are being bullied, and that's a concern.

So you've expressed it better than I could, and I appreciate you doing that. Thank you.

Madam Chairperson: Thank you.

Seeing no further questions, thanks once again for making the trip and the wait.

Ms. Phillis Penner: Thank you. Well we will wait for the rest 'til they're done and then we're going for ice cream.

Madam Chairperson: All right. Sounds like a good idea.

And our next presenter, getting to that, is Sonya Braun, private citizen.

And do you have materials? Yes? All right. We'll get those handed out and then as soon as you're ready.

Ms. Sonya Braun (Private Citizen): Good evening. I think you all will either be incredibly healthy after

this summer or you're going to be incredibly unhealthy, because I don't know whether you're going to be so detoxified from all the sweating or whether you're going to suffer this new disease they've come up with called sitting disease. Congratulations. I hope you have feeling in your bottom later.

An Honourable Member: We'll let you know about that.

Ms. Braun: Oh, I hope not.

Thank you for allowing us all to share our views with you today on this very important topic. It's really quite a privilege and an honour to stand here. Bullying is a social problem with far-reaching consequences. I'm sure all of us have either experienced bullying ourselves or we know someone who has. It changes you.

This year, for the first time, my kids and I participated in Pink Shirt Day, spending close to \$50 on T-shirts and fabric paint. I felt it was important to stand with those who have lost loved ones due to bullying and stand up for a better way.

I see the many ways our society is trying to stop bullying. Besides days like I just mentioned, there are antibullying campaigns, school policies, organizations and even now a proposed antibullying law here in Manitoba which we are discussing today. I applaud every person and group that is taking action.

But I fear we're missing the boat. I got a wake-up call this spring. It happened while we were discussing school options for my 10-year-old son. He hadn't been thriving after Christmas, losing interest in completing homework and not coping with stress well. I chalked it up to an extra-long winter and a couple of other factors. I was shocked to discover two months before school was out that he had been dealing with bullying from two boys for much of the year.

I have a fairly strong relationship with my kids. I'm a stay-at-home mom, we have family dinners, we have long bedtimes—I—how could I not know this was happening? That's when I realized afresh that I can't stop my kids from being bullied, the schools can't really seem to control it and I can wear all the pink shirts I want, but if I'm not fostering the kind of conversation that keeps me from being oblivious to the bullying going on in my kid's life, I am missing the boat.

Today I want to share with you what I believe is more important than any antibullying legislation or campaign, as well as some practical steps the government can take to make a real difference in preventing tragic outcomes from bullying and even bullying itself.

First, let's look at the issue of bullying. The way we talk about it these days, one might think it's a new thing but it's been around for a very long time. It is more prevalent these days? Perhaps. Are the results more devastating? Sometimes. Can we hope to legislate it out of existence? It's highly unlikely given its long history. So what should we, as parents, schools and government, focus on? How can we best help the next generation thrive?

Let me tell you two stories. My sister was bullied. For years she faced a daily lunch-hour routine of having her desk moved, being physically moved by boys in her class into garbage cans, onto high shelves and being shunned by several of the girls for no apparent reason, yet she was not crushed. Why? A colleague of mine was endlessly bullied over his size and his interests and, yet, his story did not end in despair, but rather culminated in career paths that require empathy and determination. Why? And why are they not joining an antibullying campaign? The key to their ability to weather the storms of bullying was a strong relationship with trusted adults like parents and teachers, people they could talk to, people who encouraged and accepted them, people who stuck by them and supported them.

Strong relationship, I believe, is more important than legislation, not only does it equip kids to face bullying, it also helps prevent bullying and makes kids less of a target for it. The idea that kids need strong relationship with their adult caregivers is not a random viewpoint. It has been studied for years and proven by experts, including Canadian psychologist Gordon Neufeld. It is referred to as attachment theory. In his book, *Hold On to Your Kids*, he takes a good portion of that book discussing bullying and how cultural values of work and money, together with the breakdown of families and the rise of pop culture's influence, has created the perfect storm for sending kids adrift of their parents.

The result is that kids are becoming more peer oriented earlier in life. We live in an age where play dates, daycare, TV and Internet, and after-school activities every night are the norm, while family meals and activities, a parent at home and the passing on of family values from generation to

generation, and as well as a familiar, consistent village of adults around a child is considered rather strange. Parents, more than ever, make friends and fitting in a priority for their kids, even in early childhood, and the stress of work, financial pressures and packed schedules leave families too tired and too busy to connect. Parents and teachers alike worry that dependence on them will interfere with the development of independence, and independence is important, so kids turn to each other with their needs for physical closeness, sameness, belonging, loyalty, significance and being known that can't possibly be met by their peers.

The natural roles of strong and weak, which belong to the parent-child relationship to allow for caregiving and care receiving, are divided up between children creating the conditions for bully and victim or leader and follower depending on the degree of toughness or vulnerability that their unmet needs create. It's a grim world when kids' lives revolve around other kids. This is the world we, as society, are creating for them, and this is the world they need to be equipped to deal with. As I talk about this, are you feeling uncomfortable? It's painful for us to look at our role in the problem. I don't like to admit when I'm wrong, truth is I'm often too distracted, self-absorbed, stressed or tired to truly be present or to initiate time with my family.

As Canadians, we'd rather be tolerant than tell others they need to change. As sympathetic humans, we certainly don't want to heap guilt on the families of those who've committed suicide because being bullied was too much to bear. We don't want to point fingers, and so instead we look for an enemy to fight: the bully, stop the bully, control the bully, punish the bully. I say let's work on stopping the root cause of bullying. Let's give our kids what they need to become less of a target and more supported. Let's not fool ourselves into thinking that a new law is what we need, especially one that is at the same time too broad and too narrow.

* (22:20)

Zero tolerance policies at school are difficult to enforce and only seem to punish the victims who have no recourse if they want to follow the rules. More rules I don't think are going to solve the problem. Education and awareness are good, but they're not going to solve the problem, either. They haven't worked for drugs or sex; they won't work for bullying either, in my opinion. To me, it's all about relationship.

So what can the government do? You've clearly demonstrated you want to do something.

Bear with me, as I have 10 points here.

Number 1—

Madam Chairperson: One minute.

Ms. Braun: Oh, one minute. Okay, I'll be very fast.

Focus on family. Find ways to ease financial pressures and make living on one income easier. Your Manitoba Child Benefit is a great start.

Make—No. 2, make a attachment theory a main building block of education for teachers and doctors and add or expand its use in the training of early childhood educators and social workers. Smaller classroom sizes for grades 1 to 3 are a good start.

Value the home daycare providers more and make it simpler for them to get certified. You will help moms who are looking for a way to stay at home and earn income as well as provide a more stable family atmosphere for those who need child care. My husband's mom did that for over 30 years and even ended up being the sole income earner for much of that time.

Number 4, restructure large daycare centres to provide more stability, consistency and bonding with care providers and create the kind of work environment and benefits that decrease staff turnover so that a village of attachment can be formed.

Strengthen—No. 5—the message that parents are the best early childhood educators and stop the message that only trained experts—

Madam Chairperson: Excuse me for just a moment. Can I just ask leave for her to be able to finish? Would that be all right with everyone? *[Agreed]* All right, thank you.

Then you don't have to rush as much.

Ms. Braun: Okay, appreciate that. *[interjection]* Oh, yes, by the way, thanks for staying.

Okay, where was I? Right, okay.

Six, create resources and programs that educate parents about the need and value of strong attachments, as well as practical ways to build stronger bonds.

Seven—and I know you have this all here, but I'm trying to do it for the benefit of everybody hearing—find the counsellors and psychologists in the province who specialize in, and understand,

attachment and promote their work. And bring them in to provide workshops to schools and daycare centres as examples.

Number 8, don't believe me. Research attachment theory for yourself until you're convinced or you'll never do anything I've just suggested.

And, No. 9, if you still want to go ahead with legislation, (a) make sure it is broad enough to include all forms and reasons for bullying and narrow enough that it doesn't become a lawyer's dream and a teacher's nightmare; (b) don't force schools into accepting specifics that go against their own constitutions—that's just messy and wrong; (c) focus on an area that needs more legislation, like cyberbullying.

And, No. 10, practise kindness in your everyday life. We need to be the change.

These are just a few ideas that can help solve a complex problem. Moving an entire province toward stronger family relationships against a cultural current of conflicting values is no easy task. It's not a quick fix, but neither is a piece of legislation. We're fooling ourselves if we think it is. I challenge the government to take a step back and see the big picture, work at the ground level of the family unit and take action one step at a time. It won't be glamorous, but it will be effective in the long term. It's the best hope of saving the next generation.

Madam Chairperson: Thank you. Thank you very much for coming out to present and to waiting so long to the end to get there as well.

So do we have members of the committee with questions?

Ms. Allan: Well, thank you very much, Sonya. This was a presentation that was absolutely terrific. We have a Healthy Child Committee of Cabinet, and we talk a lot at our Healthy Child Committee of Cabinet about early intervention and connectedness and families. And, actually, we just had a meeting yesterday, and we know how important that connection is and we know how important family is.

I just also want to say to you that I'm going to give you an F for this presentation: fabulous. Thank you.

Mr. Goertzen: Outstanding, Sonya. It was wonderful suggestions, very well presented and you really distilled, I think, the heart of the matter and really—and you made a really good point about it's not going to be glamorous, that kind of approach.

And I think sometimes the failing of government, all governments, is that they try to look for the ribbon cutting, the—something where the cameras can come out and distill it in 30 seconds.

But what you're talking about is a longer term challenge with a longer term result. And I appreciate that perspective because I do think that, as government, we fail, sometimes by looking for something that seems like a very quick solution, so that people can believe that now things are taken care of.

And that I think that is part of the problem with the legislation, is I think that there is a marketing ability to say, well, look, we've got antibullying bill, now you should feel safe, and that's not going to happen. I think you really distilled the point that we need to look at the families, and look within the homes, and look at broader solutions.

The point about engaging parents with their kids is one of the things that I've seen in successful antibullying pieces of legislation. And I take that to heart, and I'm going to act on that suggestion. Thank you.

Mr. Ewasko: Wow, is what I can say. Thank you very much for your presentation. Ten fantastic ideas here.

I had the pleasure, when I was teaching—and this is more of a comment than a question—I apologize for that. But when I was teaching in Sunrise School Division, and was a counsellor, we were invited by Hanover School Division, the member for Steinbach's constituency, to come and listen and see Dr. Gordon Neufeld. And as a counsellor—and I can't remember if all our staff got a chance to go there.

But, you know, that No. 2—your No. 2 suggestion here, as far as making that a compulsory building block for education for teachers, I think is a fantastic idea. Because, over the years, I've seen many, many, many, many antibullying programs—it's tons of money goes into those. And they are—a lot of them—most of them are fantastic programs.

But the one I think that I've taken the most—and I'm sorry for going over time, Madam Chair, a little bit—is that Hold On to Your Kids. And I shared it with my wife and we've done the videos, and we share the little tricks with our kids. And sometimes it's with my ex-staff co-workers as well. But it works. It's good stuff. And I appreciate your—I feel like I'm on American Idol—but I really appreciate

your presentation and your ten suggestions, and I hope the government's listening.

Mr. Chomiak: Thank you for those comments.

I find them very useful as well. My wife's a psychologist and I hear this very often.

On the legislative side though, I have to admit, I've known and seen too many people who've taken their own lives. And I feel, as a government, that we have a responsibility to bring in not only education, but legislation that would help. And if it saves one or two children from taking their own lives, I think it's worth it. So I think a balance between your suggestions and legislation is the appropriate remedy.

Madam Chairperson: Thank you. And seeing no more questions, thank you again so much for coming out and for waiting, and for doing such a great presentation. Thank you.

And I'm sorry, I didn't get to Mr. Goertzen's point of order. I wanted to let her finish.

An Honourable Member: He was going to ask for leave.

Mr. Goertzen: I was going to let her continue to speak. She could come back and speak again, I enjoyed it so much.

Madam Chairperson: Excellent. Okay. Good. All right. Excellent. We're all on the same page there then.

Our next presenter is Kimber Munford.

Ms. Kimber Munford (Private Citizen): I don't have anything to hand out, so, sorry.

Madam Chairperson: Thank you. Just go ahead whenever you're ready then.

Ms. Munford: Awesome. First of all, I'd like to thank everyone for, you know, staying ridiculously late tonight here to hear everyone speak, and for being so respectful. Yes, I guess I'll just get right into it. Okay.

So, firstly, I stand before you representing myself. I'm a member of many clubs and organizations, but today I'm speaking for me. I am Kimber Munford, a 19-year-old university student from Morris, Manitoba. Yes, Morris. And I'm sure you've heard, you know—at the time when I wrote this, which was around July, there—you know, some of the negative things happening in Morris were still

kind of hanging in the air. So I made sure to specify that I'm from Morris.

* (22:30)

I'm here with two main objectives: to show the committee that not all small-town residents are intolerant bigots, and to bring to its attention the positive effects of GSAs in schools. I'm aware that Bill 18 is not entirely about GSAs; it's about bullying in general. But, as a resident of a town now—unjustly, in my opinion—known as homophobic, I want to clear some things up.

Firstly, it astounds me that we even need to include GSAs in this bill. This implies that there are principals or other school officials who have been saying no to the creation of GSAs in the past. I understand that in some schools establishing an entire room devoted to that is just not possible space-wise. However, what's wrong with using a classroom at lunch or a section in a library, et cetera? I know many people are thinking, why should people get their own special club just because they have different ideas. I agree with those people, though not for the reasons you may think I do.

It's so, so heartbreaking to me that some schools may feel the need to establish a room just for people to feel safe. Schools should be a safe space for everyone: LGBT youth, youth with disabilities, girls, people with self-esteem issues, visible minorities, people with trouble at home, people who just went through a breakup—everyone has their own story and everyone has troubles. Everyone deserves a place where they feel loved, safe and included.

A study by Mark L. Hatzenbuehler of the Mailman School of Public Health at Columbia University surveyed 31,852 11th graders and found that LGBT youth were 17.3 per cent more likely to commit suicide than heterosexual youth. This number increased significantly if the school had little or no support programs for the—or policies for the LGBT youth. In fact, the study concluded that support programs so significantly affect the youth involved, that the positive effects can, in many cases, outweigh the negative effects of other factors, such as negative home environments and clinical depression.

LGBT youth are not the only people who are affected by the presence of a GSA. I myself do not identify as LGBT, but I have spent many, many hours at our university LGBT centre. Do you know how great it feels to be in there? It feels wonderful to

know I'm surrounded by people who are accepting and loving. And I can only imagine how it feels for someone who is questioning their gender or sexuality to know that they could confide in any single person in that room and receive genuine, helpful, loving advice and comfort. Everyone deserves to feel that way. And sometimes it just doesn't do to talk to a guidance counsellor who may have never been through that. Sometimes you just need to talk to someone who understands. And sometimes you just need to know that you're not alone.

The past few months, and especially in the past few days, I've read a lot of people's opinions about Bill 18. I've read a lot of talk of sin and morals, and that disappoints me. Doesn't every major religion teach you to hate the sin and not the sinner? Just because you do not agree with something someone does, doesn't mean they don't deserve to be happy or feel safe. Every person lives their lives differently, and what is considered wrong or sinful to you may not be to them. And that's okay. Religious texts 'taught' us to love people, to accept them regardless of what they may do or may have done.

I support Bill 18 because it promotes safety and acceptance. I've lived in a small town my whole life, and I know how easy it is to be treated poorly for being different. I've seen it happen time and time again. People don't feel like they would be accepted if they came out of the closet, so they just leave their town the moment they can and they never, ever look back.

Statistically speaking, most of the people here today have people in their communities or in their lives who identify as LGBT. And for the opponents—who I thought would still be here, but I didn't know I'd be last, pretty much, but that's okay—how do you think it makes those people feel? What if those people are your mailman, your friend, your niece or your nephew or even your child? Seeing you speak out openly against who they are as a person reveals to them that you are just one more person in a sea of other people who will not support them. What if that person is Christian, or they do go to a religious school? Chances are they're struggling with their beliefs, as well, and could use a support system or a GSA, maybe a lot more than a kid in a public school.

Canadians are known throughout the world for being friendly and loving, so I find it very, very upsetting that we are making our fellow Canadians, real human beings, feel unwelcome and unsafe in their own communities. To be honest, I think that the

fact that there's a debate about this is embarrassing. It's embarrassing that there are people who feel so sad and so unsafe that they need a special room in their school just to feel happy and accepted. And it's even more embarrassing that there are people in this country who don't want people to have even that as an option.

How could someone possibly feel like they have the right to prevent someone from seeking safety and comfort? Nobody anywhere should have the right to stop someone from feeling safe and the fact that there are people in this world, in fact, people in this room, who feel like some human beings do not deserve to be safe and happy, that is what is most embarrassing.

And I hope in what I've said today that, even if I haven't changed people's minds, I've at least touched them in some way because—sorry—because when I was writing this, my entire intention was just for people to think about it. I don't care if anyone changes their opinion completely because that's not likely to happen but it would be really nice if, you know, some of you went home and thought, yes, what that girl said was okay. And I would really appreciate that.

And in conclusion, Bill 18 is about love and respect and unfortunately a lot of people are making it about hate. Thank you.

Madam Chairperson: Thank you so much for waiting and staying until the end to make your presentation.

Questions for the presenter?

Ms. Allan: Well, Kimber, thank you so much for that presentation. That was definitely, without question, something that I can tell that was a very personal presentation for you and very heartfelt and I want to thank you for hanging in there tonight to make it. Thank you so much.

Mr. Goertzen: Echo that, Kimber. Thank you for being here so late and in a warm room and I know people were paying attention as well.

You know, you raised a good point about making sure kids feel safe and making sure that kids are happy and we've heard lots of presenters, both tonight but also in the previous days, that—maybe you read some, I don't know—kids who aren't dealing with issues of sexual orientation but who feel excluded from the bill, feel that they're not going to be made safe by this.

Now, others might disagree. They might feel that the bill does that, but it's their reality. They're living in the reality that they're being bullied and they don't feel this bill is going to help them. And I know from your presentation that you're saying that you want everybody to feel safe and happy and yet, kind of, 98 per cent of the kids who've come and presented or adults who've told their stories as kids don't feel that this is going to help them.

Do you have some suggestions for us, in terms of how we can make the bill more inclusive, so that all these kids who are coming and saying they're not feeling safe and not feeling happy might, as a result of the bill?

Ms. Mumford: I feel as if—when you look at existing policies that are in place, everyone of any sort of background is covered and I don't think that, you know, there is anyone that hasn't been touched by this bill in some way, even if they're not directly mentioned in the text.

Bullying and it's defined right there, it's, you know, essentially you're just making someone feel horrible and that's—no one wants to do that, I don't think. No one intentionally does that, but I think that no matter what your background is, if someone's making you, you know, go home and cry, then you deserve to be supported.

And I'm not a hundred per cent sure what kind of things you could add to the bill. I'm not very good with wording and stuff like that but I know that the inclusion of allowing people to create antibullying clubs and specifically antibullying clubs with the name gay-straight alliance, I think, is a really big step in the right direction because in—they're—I—this astounds me but apparently there are school officials that have been—that have said no to that in the past and that is really disappointing and I think that those people deserve support.

Mr. Chomiak: Just quickly, thank you. That was very okay and I wish when I was 19 I would have had the kind of courage to come before a committee like this and make a presentation that is probably beyond, certainly, what was my wisdom at age 19. So, thank you.

Mr. Ewasko: I wish I could do it now. Thank you, Kimber, for coming and presenting and, you know what, you're speaking from the heart and that's what it's all about. So, thank you, again.

* (22:40)

Madam Chairperson: Thank you. You said you weren't good with words but that's not what we saw.

Thank you so much again for coming.

Our next speaker, presenter, is Tony Falk, private citizen.

And do you have any materials to hand out, Mr. Falk?

Mr. Tony Falk (Private Citizen): Yes.

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

Mr. Falk: I'd also like to thank you for the opportunity to present, and I appreciate the length of time that you guys are sitting here evening after evening.

I would like to start off and say I'm opposed to Bill 18 the way it is currently written. In Bill 18, bullying is defined as a behaviour that is intended to cause, or should be known to cause, harm to a person's feelings. Just like to share a little bit of what I went through when I was in school.

When I was in school, I was not an athletic person. However, we often played sports where we chose teams and we'd all take turns choosing teams. And, in most cases, I was almost the last person chosen and, through that, my feelings were hurt, but whoever was choosing the team was choosing classmates who they thought would help them win at whatever sports we were playing at that time.

When it was my turn to choose a team for sports, I didn't change anything. I chose the most athletic classmates first as well because I also wanted to win. By doing this, I probably also have hurt some of my classmates' feelings, and with this current definition in Bill 18, would this not mean that all the people in my class, including myself, would be considered bullies?

In Bill 18 I would also like to talk about the religious freedom. There's been a lot of mentions of there's different GSA alliances to be set up in all the schools, and there's also a mention where there's religious schools where this would take away their religious freedom since this is against their religious beliefs. I believe Manitoba's a great place to live and we've got many freedoms, and one of those freedoms that I consider very, very high on the list, in fact, top on the list, is religious freedom.

In summary, I agree that bullying should not be allowed in school or anywhere for that matter.

However, I strongly disagree with Bill 18 on the way it is worded. Bill 18 is not clear in what action is considered bullying. Bill 18 is worded so it's taking away the religious freedom from people who have enjoyed this freedom for many, many years.

We need a bill that addresses bullying, has consequences for bullying, that does not persecute people with religious beliefs in order to achieve this goal.

I've had the benefit this evening of sitting here and listening to a lot of people, and I've heard a lot of different viewpoints. I've heard people with strong Christian values. I've heard people that are supporting Bill 18 the way it is, but I've seen one thing stand out clearly, and that is I have not seen one presenter that supported bullying, not one. And I think sometimes, you know, looking around the room, I've heard, you know, different words like bigots and different things come up and maybe against certain communities, against Christians, against non-Christians, whoever it is.

I think we do have one goal here, and we need to let all people not be bullied. And I would just ask that you don't just look at what I'm saying but look at what everybody's saying. And I think there was a lot of good viewpoints brought up tonight. I don't know, I was last on the list, but there may have been somebody that dropped below me, so you might be hearing some more presentations yet. But the fact that all people need to be protected from bullying, and with the wording the way it currently is, I cannot see that happening. In fact, with some of these different alliances, I have heard where when—in a certain school when GSA was put into place, unfortunately, those students that were involved in that were bullied more than they ever had been before. I don't have proof of that; I've just heard that, so—

Madam Chairperson: Thank you very much, Mr. Falk. You win the prize for making it to the end, I think, ahead of almost everyone else. Unless our dropped person shows up, it's you.

So we'll move now to questions, if there's any questions from the presenters.

Ms. Allan: Thank you very much, Mr. Falk, for your presentation and for hanging in and bringing it home, so to speak.

Thank you for your comments, and I agree with you. I think this bill is absolutely about bullying, and I agree with you that there was a lot of presenters this

evening that all feel the same way, that we don't want to see bullying anymore in our society. Thank you very much for your comments.

Mr. Goertzen: Tony, you know you did have the—both the benefit, and I suppose others might not see the benefit, but being here all night and hearing every—every presenter has benefited me, and I think you sort of had that same sort of thought process as you listened to people about how everybody is saying the same thing. They want to find something that's going to be effective against bullying, and what has struck me over the last several days, and we'll see if it's the same over the next few days, is that we're getting about 95 per cent of the presenters who have an experience with bullying, who are saying the bill wouldn't help them, and they feel abandoned by the bill. And that's a problem.

When you have an antibullying bill and 95 per cent of the kids who are getting bullied or have experiences being bullied, and now they're in their adult life, feel that it wouldn't help them, that's not a very good bill. And I think you sort of came to that summation at the end, and I appreciate that because passing an antibullying bill and then having 95 per cent of the kids still getting bullied a year from now is not going to shine glory on any of us.

So I appreciate your comments and I look forward to hearing more over the days ahead. Thanks very much.

Madam Chairperson: Thank you so much.

I don't see any further questions, right? So thank you so much for coming down, Mr. Falk. We appreciate it, and we will do our final call of that. First, we'll see if you're last or not.

Alisa Penner—is she here? All right. If Alisa Penner is not here, then she will go down to the bottom of the global list, and so she will be called one more time as well another day.

All right. The hour being—what is the hour being—10:47, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Before we rise, it would be appreciated if members would leave behind the copies of the bill so that they can be collected and we can reuse them tomorrow morning.

Thank you all who are still here for staying to the very end.

Committee rise.

COMMITTEE ROSE AT: 10:48 p.m.

WRITTEN SUBMISSIONS

Dear Honourable Members of the Standing Committee,

Re: Bill 18, The Public Schools Amendment Act (Safe & Inclusive Schools)

I registered to speak to you about Bill 18, but due to health issues (kidney stones) I am unable to present in person. I therefore submit to you in written form my concerns about Bill 18. Thanks for reading this.

Please know that I strongly favour anti-bullying legislation, but I also think that Bill 18 is deeply problematic—and needs revision. I have three major concerns with Bill 18.

Concern 1: Bill 18 threatens to increase divisiveness and bullying. As presently worded, Bill 18 explicitly addresses only a few groups that together constitute a small minority of bullied students. Of course, students specifically mentioned in Bill 18, such as LGBTQ students, are precious and need protection from bullying. But, oddly, Bill 18 weakly attends to the huge majority of at-risk children who have the characteristics actually targeted by bullies. Consider this summary of reasons for being bullied from Yau & O'Reilly's 2006 study of 105,000 Toronto students:

1. Body image: 38% (Grades 7-8); 27% (Grades 9-12)
2. Grades/marks: 17% (Gr 7-8); 12% (Gr 9-12)
3. Cultural/racial background 11% (Gr 7-8); 14% (Gr 9-12)
4. Language: 7% (Gr 7-8); 7% (Gr 9-12)
5. Gender: 6% (Gr 7-8); 4% (Gr 9-12)
6. Religion: 5% (Gr 7-8); 5% (Gr 9-12)
7. Income: 5% (Gr 7-8); 5% (Gr 9-12)

(Source: Maria Yau and Janet O'Reilly, "2006 Student Census, Grades 7-12," p. 21; available online.)

Most bullying, then, has to do with body image, school grades, cultural/racial background, language, religion, and income. In view of Bill 18's limited emphasis, I must ask: Aren't the other at-risk children important, too?

At this juncture, one might object that LGBTQ youth are, say, 5 times more likely to suicide than non-LGBTQ youth. In reply, we should note that, as serious as this statistic is, an at-least-as-serious question remains: What about the fact that the number of students who are not LGBTQ is much, much larger than 5 times the number of LGBTQ students? Aren't the many, many more non-LGBTQ youth who are prone to suicide important, too?

In other words, I agree with Don Hutchinson (a lawyer with the Evangelical Fellowship of Canada), who writes the following: "In singling out some groups of students for special status, Bill 18 inherently creates a second class of students—those who are bullied for reasons other than the categories identified in the legislation. These measures are divisive rather than inclusive. The clubs mandated by Bill 18 do not reflect the needs of the substantial number of students who are most often bullied. This approach may in fact increase the frequency of bullying by isolating and segregating students—sending them to separate corners, as it were." (Source: "EFC Releases Analysis Critical of Manitoba's Bullying Bill," May 1, 2013; available online.)

Concern 2: Bill 18 threatens freedom of speech. We should ask: What about those youth whose religious or moral views are of a more traditional, conservative sort (whether they are Christian, Jewish, Muslim, Sikh, etc.)? Bill 18 threatens to mistreat these youth just for expressing a view critical of, say, 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 vague wording, bullying occurs when someone's comments cause "distress" to another's "feelings" or "self-esteem." But this wording threatens to shut down serious moral dialogue. If a student respectfully argues that gay sex is morally wrong or sin or unwise or unhealthy—and makes a strong case via public reason and evidence—then this will undoubtedly distress the feelings of those who deeply disagree. The result is that Bill 18 turns our student into a bully, when in fact he/she isn't a bully. Surely, this is

unfair. Surely, too, this will distress the feelings and self-esteem of our student. But this means that Bill 18 becomes guilty of bullying!

And what about parents who express a conservative moral view? Do they become bullies—and get bullied—too? Would Bill 18 make them a bad influence on their children?

Concern 3: Bill 18 threatens freedom of religion. 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 statement of moral or religious principles—threatens to undermine the exercise of religious freedom of those schools. In other words, via Bill 18 religious schools will be legally forced by the state to allow on the school's campus the flourishing of an organization that may promote what the school believes should not be promoted. Isn't this is an encroachment by the state onto the religious freedom of its citizens, i.e., a violation of Canada's Charter of Rights and Freedoms?

In a pluralistic society we must be careful to respect religious differences while also respecting human diversity. May I suggest a way forward? Instead of using Bill 18 to grant legal favour to a gay-straight alliance club, which impinges on religious freedom (and which may cause divisiveness and further bullying within our schools), perhaps we should assign legal-requirement status to a more general, more inclusive anti-bullying 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? Anti-bullying clubs—ABCs—surely every school, whether religious or not, could promote these.

By the way, the Canadian Red Cross has a general anti-bullying program readily available for school use—why not ask the Red Cross for aid?

Conclusion. I am 100% against bullying and I am 100% in favour of good anti-bullying legislation—that's why I think Bill 18 needs revision. As written, Bill 18 threatens to increase divisiveness and bullying, Bill 18 threatens freedom of speech, and Bill 18 threatens freedom of religion.

All forms of bullying are wrong. Therefore, I call on the Manitoba government to craft anti-bullying legislation that clearly protects not just some victims

of bullying but all victims of bullying, without creating new victims. Please revise Bill 18.

Respectfully,

Hendrik van der Breggen

* * *

Thank you for giving us the opportunity to submit our presentation to you, the committee, regarding our thoughts on Bill 18.

Our purpose is to formally express our objection to this Bill, as it's currently written, and would like to give you our rationale for our position.

First of all, we would like to state that we are fully in favor of reducing bullying in schools. An environment that would be safe for all regardless of physical size, attributes, gender, nationality, social or economic status, intelligence, clothing, neighborhood, race, etc.

We believe firmly that no student should be bullied in school. They should not be made fun of or demeaned because of any personal attributes or beliefs and should be allowed to voice their thoughts in an environment free from pressure or intimidation. But, we also think that the public school should not be seen to promoting one world view over another as this may well lead to the bullying of some of its students who may not agree with that world view.

This bill appears to single out one group that is at risk of being bullied, namely the self-identified homosexual student. As we dig back through the archives of our memory to our days in school ... there were many other much more common reasons for bullying which are not addressed by this Bill.

Although the bullying of any student who has identified him or herself as homosexual is not acceptable, Bill 18 goes further by aligning itself with a particular world view of homosexuality. The promotion of a gay-straight alliance carries with it the implication that any dissenting opinion that does not fully accept, endorse or promote such a world view will be considered to be promoting bullying of the homosexual student and would thus not be allowed to be expressed. In fact, recent behavior in a US school (Missouri) has resulted in exactly this situation where a student was suspended for stating a personal opinion that he didn't agree that homosexuality was right. This was later found to be in violation of the right to free speech.

Adopting Bill 18 may result in inappropriate accusations of bullying as well as be instrumental in promoting bullying.

How any human decides to live out their sexual lives is a voluntary, personal and moral decision. The public school has no place in promoting one moral view over another. The public school should recognize that it serves all students of every possible religion & race, and that it should be respectful of this plurality of thought. Yet this is not what Bill 18 is attempting to do. It will legislate that one can only express and endorse a liberal sexual ethic in school. All other views will be labeled outdated, bigoted, hateful, intolerant and wrong and subject to censorship, and any expression of these views, no matter how respectfully and compassionately done, would be subject to accusation of bullying.

We find it interesting that while public schools should be inclusive and accepting of all schools of thought, the very basis for faith-based schools is exactly for the reason of teaching and instructing students in a particular doctrine and world view. That is the reason faith-based schools exist. To then require these schools to accept and promote world views that contradict the belief of this school is wrong. Our concern that a student may not be allowed to express their beliefs or convictions for fear of being accused of bullying is based on Bill 18's broad definition of bullying. Someone may be accused of bullying if their opinion results in "distress to another person's feelings or self-esteem" (Sec 1.2(1)). By this definition any opinion expressed no matter how respectfully may still be considered bullying. There should be tolerance shown to all students who may have differing opinions. Bill 18 may in fact promote bullying of any student who verbalizes a commitment to a conservative sexual ethic, whether this stems from personal or religious convictions. It is not unusual for someone to be labeled and called intolerant, ignorant, homophobic, bigoted, and hateful, (amongst many other derogatory terms) just because he holds to a conviction that does not fully endorse the Pro-Gay world view. There are many reasons for bullying but we know the incidents of students being bullied for their religious beliefs is as statistically significant as the incidents for students being bullied for their sexual orientation. Unfortunately only one of these groups will be protected by this bill.

Our suggestion to the Education Minister is to reword the definition of bullying and remove section 41 (1.8) 'Respect for Human Diversity Policy'.

Our rationale for this is that Section 41(1.8) privileges some students and excludes others. This is a section 15 Canadian Charter of Rights and Freedoms violation to equal treatment. To protect or grant special privileges to a few types of groups of students at the exclusion of other students cannot be justified. This is the inherent problem with listing groups that deserve protection as it results in some being left out. Fundamentally, every student should receive equal protection and equal opportunity.

Bill 18 is not a neutral anti-bullying bill and will not eliminate all forms of bullying for all students. It seems to single out certain students groups at the expense of others. The adoption of this bill may result in dramatic ramifications for both students and teachers, resulting in the limitation of freedom of expression as well as the greater likelihood that those holding a differing opinion will themselves be bullied.

In summary, while we believe that no individual should be bullied, Bill 18 unfortunately falls very short of providing an environment that will ensure that all students would be free from bullying, therefore Bill 18 as it stands should not be adopted.

Thank you,
Eric Klippenstein
Angela Klippenstein

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Dear Committee of Legislature,

I don't see how Bill 18 will protect the students in General, to me it seems it just promotes gay relationships, which is wrong, then we should have a Bill that promotes stealing, lying, Murder and adultery to, which is equally wrong. I'm against Bullying, I got bullied in School and even after School. And it never came to my mind that the Government should protect me from it, even though it hurt being bullied, I believe it's part of life and it shapes us in a way to become a better Person. My middle School teacher once told me, that we are like trees in a way... If trees grow up protected from any storm or wind, they can't grow strong.. So if they grow up protected, and a storm comes, which will eventually happen, they will break right away, since they never grew any resistance...

+ Bill 18 limits the right for Freedom of speech and belief, that makes it anti Canadian...

Thank You..!
Pedro Wolf

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As a citizen of Southeast Manitoba, often referred to as "the Bible Belt", I find myself increasingly feeling the need to speak out on behalf of those of us who are Not homophobic (and many of us do exist!- even in this geographic area). I love living rurally and my community, St. Malo, is generally very friendly and peaceful. However, it is a community closely involved with others nearby and it is an embarrassment to be associated with communities that chase away gay restaurant owners, publish horrendously racist statements in local papers, and openly believe in homosexual agendas that are intended to convert their straight children and are, therefore, seen as infringements on religious freedom. The adults who perpetrate these incidents, were once children in our schools. This is one reason that I strongly support Bill 18, in hopes that correction of bullying behaviour in the school years might result in the next adult generation being able to keep open-minds and be respectful of all others.

I am the parent of a teenaged boy who was bullied throughout his early education. Because he was academically-oriented rather than an athlete, because he was not allowed to date in grade school, because he would get frustrated easily with belligerent peers, my son was often tormented. When the torment was verbal (often homophobic slurs), teachers usually encouraged him to 'suck it up' and don't tattle. When it was physical torment, I heard lines like "There's no sense calling that boy's parents- they won't do anything anyway". Often my son was made to face his tormenters so they could fake an apology and walk away while his self-esteem was ravaged. Even when my child came home from school sporting bruises from physical attacks, the offenders were not punished, or otherwise taught to behave differently. Educators and administrators need very broad definitions of bullying and training on how to spot it and stop it. And the protection of children from bullying needs to be uniform, eliminating the ability to pick and choose which children they wish to defend, and which they feel need to toughen up. That is the other reason I whole-heartedly support this Bill.

Conservative MLA Kevin Goertzen has written an anti-bullying bill that some of his constituents might believe is better. However, it refers only to cyber-bullying, not to school-yard, change room, classroom and walk-home bullying. While cyber-bullying is one aspect of the problem, there are many others.

I have heard the criticisms of Bill 18 that generally sound like "hurt feelings is not bullying" and

"gay-straight alliances are infringing on my religious freedom". I have read over Bill 18 several times, and I cannot find anything that states all students must join a gay-straight alliance. Nor have I discovered a passage revealing that unintentionally hurting someone's feelings is bullying.

Here's what I did read:

In this Act, "bullying" is behaviour that

- (a) is intended to cause, or should be known to cause, fear, intimidation, humiliation, distress or other forms of harm to another person's body, feelings, self-esteem, reputation or property; or
- (b) is intended to create, or should be known to create, a negative school environment for another person.

When does a person participate in bullying?

1.2(3) A person participates in bullying if he or she directly carries out the bullying behaviour or intentionally assists or encourages the bullying behaviour in any way.

Student activities and organizations

41(1.8) A respect from human diversity policy must accommodate pupils who want to establish and lead activities and organizations that

- (a) promote
 - (i) gender equity,
 - (ii) antiracism,
 - (iii) the awareness and understanding of, and respect for, people who are disabled by barriers, or

- (iv) the awareness and understanding of, and respect for, people of all sexual orientations and gender identities; and
- (b) use the name "gay-straight alliance" or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils.

If you feel that homosexuality is sinful, then it your right to not engage in a homosexual relationship. If you do not agree with gay-straight alliances, don't join one. And if your children believe as you do, they won't join the GSA either. But don't deny others a place to feel safe and welcome. And don't deny a generation of youth the opportunity to grow into caring and respectful adults who are able to accept differences in others without feeling threatened themselves. Bill 18 is not asking anyone to change their beliefs, only to change the way they relate to others.

My teenager has become a wonderful young man despite his early school years, and I am extremely grateful to know he attends a high school that accepts and encourages individuality and respect. But I now have a toddler who will start kindergarten in a couple years. I feel scared for him, if our schools continue to endorse bullying as they have for years. I sincerely hope Bill 18 will be passed regardless of the opinions of outspoken fundamentalists and bigots. I would like to think my small son can experience a joyful school experience and feel free to be himself, whoever that may be...

Thank you,

Karen Price
St. Malo MB

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>