



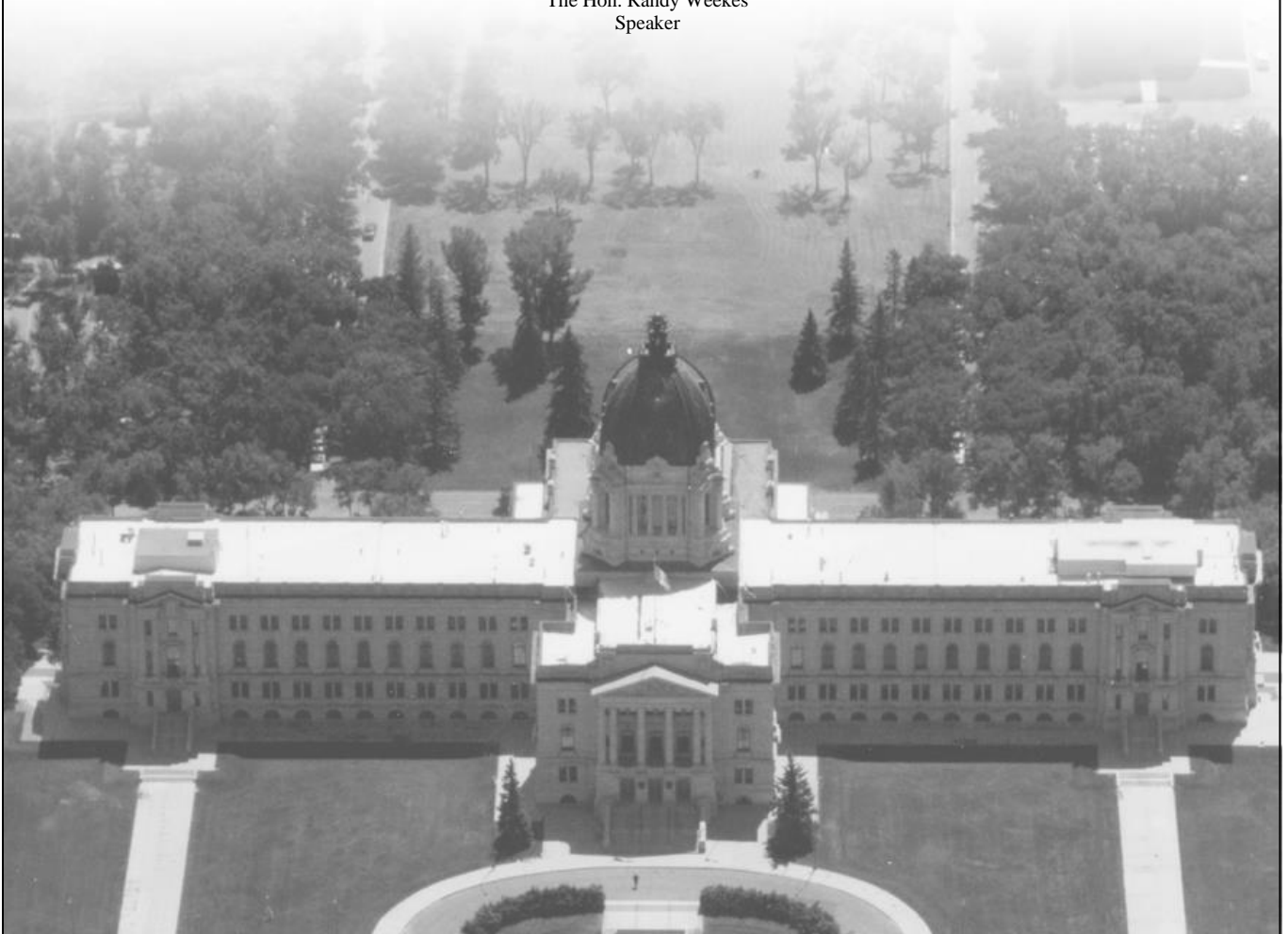
THIRD SESSION — TWENTY-NINTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
AND
PROCEEDINGS**

(HANSARD)
Published under the
authority of
The Hon. Randy Weekes
Speaker



LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
3rd Session — 29th Legislature

Lieutenant Governor — His Honour the Honourable Russ Mirasty, S.O.M., M.S.M.

Speaker — Hon. Randy Weekes
Premier — Hon. Scott Moe
Leader of the Opposition — Carla Beck

Beck, Carla — Regina Lakeview (NDP)	Lemaigre, Jim — Athabasca (SP)
Bonk, Steven — Moosomin (SP)	Love, Matt — Saskatoon Eastview (NDP)
Bowes, Jennifer — Saskatoon University (NDP)	Makowsky, Hon. Gene — Regina Gardiner Park (SP)
Bradshaw, Fred — Carrot River Valley (SP)	Marit, Hon. David — Wood River (SP)
Buckingham, David — Saskatoon Westview (SP)	McLeod, Blaine — Lumsden-Morse (SP)
Burki, Noor — Regina Coronation Park (NDP)	McLeod, Hon. Tim — Moose Jaw North (SP)
Carr, Hon. Lori — Estevan (SP)	McMorris, Hon. Don — Indian Head-Milestone (SP)
Cheveldayoff, Ken — Saskatoon Willowgrove (SP)	Merriman, Hon. Paul — Saskatoon Silverspring-Sutherland (SP)
Clarke, Jared — Regina Walsh Acres (NDP)	Moe, Hon. Scott — Rosthern-Shellbrook (SP)
Cockrill, Hon. Jeremy — The Battlefords (SP)	Morgan, Hon. Don — Saskatoon Southeast (SP)
Conway, Meara — Regina Elphinstone-Centre (NDP)	Mowat, Vicki — Saskatoon Fairview (NDP)
Dennis, Terry — Canora-Pelly (SP)	Nerlien, Hugh — Kelvington-Wadena (SP)
Domotor, Ryan — Cut Knife-Turtleford (SP)	Nippi-Albright, Betty — Saskatoon Centre (NDP)
Duncan, Hon. Dustin — Weyburn-Big Muddy (SP)	Ottenbreit, Greg — Yorkton (SP)
Eyre, Hon. Bronwyn — Saskatoon Stonebridge-Dakota (SP)	Reiter, Hon. Jim — Rosetown-Elrose (SP)
Fiaz, Muhammad — Regina Pasqua (SP)	Ritchie, Erika — Saskatoon Nutana (NDP)
Francis, Ken — Kindersley (SP)	Ross, Alana — Prince Albert Northcote (SP)
Friesen, Marv — Saskatoon Riversdale (SP)	Ross, Hon. Laura — Regina Rochdale (SP)
Goudy, Todd — Melfort (SP)	Sarauer, Nicole — Regina Douglas Park (NDP)
Grewal, Gary — Regina Northeast (SP)	Skoropad, Dana — Arm River (SP)
Hargrave, Hon. Joe — Prince Albert Carlton (SP)	Steele, Doug — Cypress Hills (SP)
Harpauer, Hon. Donna — Humboldt-Watrous (SP)	Teed, Nathaniel — Saskatoon Meewasin (NDP)
Harrison, Daryl — Cannington (SP)	Tell, Hon. Christine — Regina Wascana Plains (SP)
Harrison, Hon. Jeremy — Meadow Lake (SP)	Vermette, Doyle — Cumberland (NDP)
Hindley, Hon. Everett — Swift Current (SP)	Weekes, Hon. Randy — Biggar-Sask Valley (SP)
Jenson, Terry — Martensville-Warman (SP)	Wilson, Nadine — Saskatchewan Rivers (Ind.)
Kaeding, Warren — Melville-Saltcoats (SP)	Wotherspoon, Trent — Regina Rosemont (NDP)
Keisig, Travis — Last Mountain-Touchwood (SP)	Wyant, Hon. Gordon — Saskatoon Northwest (SP)
Kirsch, Delbert — Batoche (SP)	Young, Aleana — Regina University (NDP)
Lambert, Lisa — Saskatoon Churchill-Wildwood (SP)	Young, Colleen — Lloydminster (SP)
Lawrence, Greg — Moose Jaw Wakamow (SP)	

Standings

Government Caucus: Saskatchewan Party (SP) — 46; Opposition Caucus: New Democratic Party (NDP) — 14;
Independent: Saskatchewan United Party (Ind.) — 1

Clerks-at-the-Table

Clerk — Iris Lang
Law Clerk & Parliamentary Counsel — Kenneth S. Ring, K.C.
Deputy Clerk — Kathy Burianyak
Principal Clerk — Robert Park

Sergeant-at-Arms — Lyall Frederiksen

Hansard on the internet
Hansard and other documents of the
Legislative Assembly are available
within hours after each sitting.

<https://www.legassembly.sk.ca/Calendar>

CONTENTS

ROUTINE PROCEEDINGS

STATEMENTS BY MEMBERS

Hunger Strike Draws Attention to Health Care Struggles	
Mowat	4287
Persons Day	
Morgan	4287
Waterlilies Portrait Project Highlights Afghani Girls and Women	
Teed	4287
Annual Pilger Pumpkin Festival	
Kirsch	4287
Keeyow Cowboys Rodeo Association Crowns Champions	
Keisig	4288
Porcupine Plain Students Showcase Industrial Arts Skills	
Nerlien	4288
Economic Indicators Show Saskatchewan Growth	
Cheveldayoff	4288

INTRODUCTION OF GUESTS

Nippi-Albright	4289
Beck	4289

QUESTION PERIOD

Response to Education Policy	
Beck	4289
Moe	4289
Nippi-Albright	4290
Cockrill	4290
Health Care Staffing and Provision of Emergency Care	
Beck	4290
McLeod, T.	4290
Hindley	4291
Love	4291
Parental Engagement in Education	
Love	4291
Cockrill	4292
Fuel Tax in Saskatchewan	
Wilson	4292
Harpauer	4292
Crime Rates and Policing Services	
Wilson	4293
Merriman	4293

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 137 — <i>The Education (Parents' Bill of Rights) Amendment Act, 2023</i>	
<i>Loi modificative de 2023 sur l'éducation (Déclaration des droits des parents)</i>	
Wotherspoon	4294
Nippi-Albright	4298
Young, A.	4312
Recorded Division	4316
Harrison, J. (referral to Committee of the Whole on Bills)	4316

COMMITTEE OF THE WHOLE ON BILLS

Bill No. 137 — <i>The Education (Parents' Bill of Rights) Amendment Act, 2023</i>	
<i>Loi modificative de 2023 sur l'éducation (Déclaration des droits des parents)</i>	
Cockrill	4316
Eyre	4316
Love	4320
Recorded Divisions	4336, 4337, 4338, 4349, 4350

[The Assembly met at 09:00.]

[Prayers]

ROUTINE PROCEEDINGS

STATEMENTS BY MEMBERS

The Speaker: — I recognize the member from Saskatoon Fairview.

Hunger Strike Draws Attention to Health Care Struggles

Ms. Mowat: — Good morning, Mr. Speaker, Michael Sorowski, a resilient man originally from Moose Jaw, has joined us today in a courageous yet desperate plea for help. After enduring a seven-year battle with a benign tumour attached to his right eye nerve, he embarked on a hunger strike outside the legislature.

His ordeal began in 2016 with surgeries that led to complications and made him epileptic. Michael's life, once filled with promise in Grenfell, was derailed, leaving him unable to work. Frustrated by a flawed health care system and unresponsive officials, he's made the ultimate sacrifice, refusing meals for 24 days now to draw attention to his plight. Despite his attempts to reach out to the Premier and ministers, his calls have fallen on deaf ears.

His hunger strike stands as a powerful testament to the injustices he and many others face. It highlights the dire consequences when care doesn't go as planned in an over-capacity system. His unwavering determination underscores the urgent need for reforms, compassion, and accountability within our health care system, and how impossible it is for folks who are trying to live off of inadequate SAID [Saskatchewan assured income for disability] rates.

We stand in solidarity with Michael Sorowski, rallying behind his plea for a fair resolution. And we call on the government to meet with Michael, listen to and understand his struggle, and look for ways to help with empathy.

The Speaker: — I recognize the member from Saskatoon Southeast.

Persons Day

Hon. Mr. Morgan: — Thank you, Mr. Speaker. October 18th is celebrated and internationally known as Persons Day. In 1927 five women, now known as the Famous Five — Emily Murphy, Nellie McClung, Louise McKinney, Irene Parlby, and Henrietta Muir Edwards — asked the following question: does the word “person” in section 24 of the *British North America Act* include female persons?

The Supreme Court had ruled that the word “person” did not include women. The Famous Five took their case to the judicial committee of the Privy Council of Great Britain in London, Canada's highest court of appeal at the time. On October 18th, 1929, the courts ruled that the word “person” should include females.

On Persons Day we recognize the Famous Five's bravery and

trail-blazing efforts 96 years ago. Their determination paved the way to legally recognize women as persons under British common law. The women of the Famous Five were instrumental in changing public perception of women's roles and rights and the increased gender equality we experience today.

Ruth Bader Ginsburg famously said, “Women belong in all places where decisions are being made. It shouldn't be that women are the exception.”

Mr. Speaker, I ask all members of this Assembly to join me in recognizing the fearless efforts of the Famous Five, and thank them for lending their voices to improve our society.

The Speaker: — I recognize the member for Saskatoon Meewasin.

Waterlilies Portrait Project Highlights Afghani Girls and Women

Mr. Teed: — Thank you very much, Mr. Speaker. This summer I had the opportunity to join artists and project participants of the waterlilies project in Saskatoon at the 330G gallery space for a powerful exhibition opening. The *Waterlilies Portrait Project* brought together 19 local women artists with 19 Afghani women forced to flee the Taliban in 2021. They painted portraits of the Afghani women to highlight the especially devastating reality for young women and girls who can no longer receive an education, work, or meet in public spaces in Afghanistan.

The project emerged following the storytelling of three women over several months in a mentorship program called The Shoe Project, founded by Toronto author Katherine Govier. The stories were compiled into a book, *Waterlilies* — a metaphor for a generation born and raised during a democratic government.

While many of the artists are painters, the artworks in the exhibition represent different interpretations of what constitutes a portrait. They have in common a desire to support these young women in their struggle for human rights. I was proud to join them for this auspicious exhibition opening.

I'd ask all members to join me in congratulating these amazing female artists on a deeply powerful exhibition.

The Speaker: — I recognize the member from Batoche.

Annual Pilger Pumpkin Festival

Mr. Kirsch: — Thank you, Mr. Speaker. Mr. Speaker, Pilger, Saskatchewan is a small hamlet 45 kilometres north of Humboldt on Highway No. 20. Population is 65 people.

The whole community came together on September 30th for the 17th annual Pilger Pumpkin Festival. The population increased into the hundreds. I was privileged to be the MC [master of ceremonies].

Your entire ticket covered all your food for the day. There were hamburgers, hot dogs, and endless amounts of homemade pies. For the fun, there was horse-drawn wagon rides, an assortment of bouncy castles, kids' fishing holes, and it was all closed out

with the giant fireworks.

Of course the highlight of the event was the actual weigh-in of the pumpkins. The weights came in starting at 30 pounds, even 60 pounds and up. But the winner, with a gentleman from Drake, Saskatchewan, was a monstrous nine hundred and one-half pounds.

Mr. Speaker, I would like this House to congratulate the management committee of the Pilger Pumpkin Festival. And, Mr. Speaker, this entire House is invited to the 18th annual Pilger Pumpkin Festival, and yes, you can bring your pumpkins.

The Speaker: — I recognize the member from Last Mountain-Touchwood.

Kekeyow Cowboys Rodeo Association Crowns Champions

Mr. Keisig: — Thank you, Mr. Speaker. The Kekeyow Cowboys Rodeo Association recently crowned their 2023 champions over a three-day final in Saskatoon. “kekeyow” means “all together,” and this organization allows families to remain all together by offering age groups from peewee to adulthood.

This year’s winners in the youth division are as follows. In the peewee division, barrel racing season leader and finals champion was Jude Martin; team roping season leader, Denym McPhee, and finals champion, Cheyenne Christman; steer riding season leader, Dawson Danberg, and finals champion, Reid Steeg. Aislyn Hedin won both the high-point season leader and finals championships.

In the junior division Blake Hedin was the season leader in barrel racing and breakaway, while Allee Kapeller won the finals barrel racing, and Anna McCuaig won the finals breakaway. Team roping season leader was Jhett Cross, and Charlee Kapeller won the finals. Steer riding finals champion was Jayce Rieger, and Molly Maynard won season leader titles in steer riding and high-point. The finals high-point champion was Allee Kapeller.

Mr. Speaker, these athletes are all under the age of 16 and represent the future of rodeo here in Saskatchewan. I have to recognize our own Shelby Lockie in winning the ladies’ breakaway roping championship as well, Mr. Speaker. I invite all members to join me in congratulating each one of these on their championship victory. Thank you, Mr. Speaker.

The Speaker: — I recognize the member from Kelvington-Wadena.

Porcupine Plain Students Showcase Industrial Arts Skills

Mr. Nerlien: — Mr. Speaker, I’d like to highlight and congratulate the industrial arts program of Porcupine Plain Comprehensive School. This year the students of Porcupine Plain competed for the first time in a provincial go-cart challenge alongside 12 other high schools in the province. This opportunity provided an atypical extracurricular option for students interested in technology and engineering.

Mr. Speaker, each competing school was tasked with designing and outfitting a go-cart chassis with a braking system and electric drive train and a professional automotive paint job. These

students gained hands-on skills in engineering, fabricating, and problem solving, in addition to the experiences already received in class.

Mr. Speaker, in this year alone the welding class fabricated an outdoor hockey rink that is now enjoyed by all community members. They constructed an energy-efficient RTM [ready-to-move] cabin in their construction class. In their mechanics class they travelled to Saskatoon for a day of dyno tuning and drag racing after they had learned how to fix and maintain the vehicles that were raced.

And those who joined the go-cart team were able to engineer an award-winning go-cart. At the end of the season, their team received awards for the fastest lap time, fastest pit stop, and most sportsmanlike.

Mr. Speaker, I would like to highlight the amazing opportunities that are provided by all high school industrial arts programs around the province, and especially that of Porcupine Plain. I thank IA [industrial arts] teacher Brockston Riley for his leadership and guidance. Thank you.

The Speaker: — I recognize the member from Saskatoon Willowgrove.

Economic Indicators Show Saskatchewan Growth

Mr. Cheveldayoff: — Well, Mr. Speaker, Saskatchewan is once again leading the nation in multiple economic indicators. To name a few, we are seeing growth in wholesale trade, housing starts, and building permits. Wholesale trade saw a growth of 57 per cent year over year. That’s a total value of \$6.8 billion. Housing starts are at 14.8 per cent increase compared to September 2022. Mr. Speaker, that is well above the national average of negative 7.9 per cent. And, Mr. Speaker, we saw the highest building-permit growth in Canada, with a 59 per cent increase year over year.

Mr. Speaker, I know those members opposite like to try to run down our economy. But on this side of the House, we are incredibly proud of our record. Mr. Speaker, this September we have seen full-time employment growth by 20,400 jobs, with an unemployment rate of 4.9 per cent. That is well below the national average of 5.5 per cent.

Under this government Saskatchewan will continue to be one of the most attractive jurisdictions to live, work, and raise a family. Quite the contrast to the days under the NDP [New Democratic Party] government where luggage sales were up and people were fleeing the province.

Our economy along with the significant private sector investment is leading to more jobs. Our economy is building opportunities for citizens and protecting communities across the province. And, Mr. Speaker, on this side of the House we will always be proud of that record.

The Speaker: — Why is the member on her feet?

Ms. Nippi-Albright: — Request leave for introductions.

The Speaker: — The member has asked leave for introductions.

Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

INTRODUCTION OF GUESTS

Ms. Nippi-Albright: — Mr. Speaker, it is a pleasure to say welcome to some representatives here in the gallery from the First Nation community. Tyler George is an elected leader for Ochapowace First Nation. Tyler is also a council member for the Assembly of First Nations as the Saskatchewan two-spirit representative.

AFN [Assembly of First Nations] is an advocacy body that represents all First Nation communities within Canada.

Other chief and council members here from Ochapowace First Nation is Headwoman Lynn Bear. Another council member on the 2 Spirit Alliance Saskatchewan is acâhkos dubois. It's important for them to be here as the Saskatchewan Party continues to not only disrespect human rights, it continues to violate the inherent rights of Indigenous two-spirit LGBTQIA+ [lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, plus] youth. miigwech.

The Speaker: — Why is the member on her feet?

Ms. Beck: — Request leave for introduction.

The Speaker: — Leave has been requested for introduction. Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Ms. Beck: — Mr. Speaker, I would like to join with the member from Saskatoon Centre in welcoming these leaders to their Legislative Assembly. It's so important to see you here and your leadership to witness the debate on the floor of this Assembly.

[09:15]

I want to thank you for the leadership roles you've taken on and for all of the good work that you do in your communities, and I want to thank you for your continued advocacy and leadership for some of the most vulnerable folks in our province. Thank you very much.

QUESTION PERIOD

The Speaker: — I recognize the Leader of the Opposition.

Response to Education Policy

Ms. Beck: — Mr. Speaker, earlier this morning, news broke that the Saskatchewan Human Rights Commission is calling on this government to reconsider this pronoun bill because it infringes on the rights of students. The question to the Premier: will he listen? Will he finally stop with this divisive and damaging legislation?

The Speaker: — I recognize the Premier.

Hon. Mr. Moe: — Thank you, Mr. Speaker. As always, we thank the Human Rights Commission for all of the good work that they do here in the province. To my understanding, they have made some comments this morning. It's also my understanding that they're taking a closer look at this bill as well, officially, as the Human Rights Commission, Mr. Speaker.

If you go back over the last number of months, Mr. Speaker, to the time that the Education minister had introduced this as a policy in the province, a policy that was largely reflective of what was already in place by policy or practice in our schoolrooms and our school divisions across the province, Mr. Speaker, I think it's fair to say that you saw a government that was committed to implementing that policy if it was not, at any point in time, in place. That we would use the tools that the government has to ensure that is the case.

That is a commitment. That is a commitment to the parents of this province, to ensure that their parental right to be included in their child's decision, whether they be at school or in the community, Mr. Speaker, is most certainly evident. The fact of the matter is this, Mr. Speaker, the fact of the matter is this: governments are not parents. Teachers are not parents. Courts are not parents. And the Human Rights Commissioner also is not a parent. This is a government that has made a commitment to the parents of this province, Mr. Speaker. This is a government that is doing what it said it would do.

The Speaker: — I recognize the Leader of the Opposition.

Ms. Beck: — You know who is a parent, Mr. Speaker? The Human Rights Commissioner that quit because of this bill. Mr. Speaker, this tired and out-of-touch government has clearly, clearly lost sight of what matters, and it's all because they're more focused on sowing division than actually helping families in this province with the things that matter.

Now a few days ago they also went on to blame Regina Public Schools for the fact that we're here debating pronouns instead of the real issues that are facing Saskatchewan people. But apparently, Mr. Speaker, the Education minister or the Premier didn't even bother to pick up the phone to share their concerns.

The question is, why did the Premier not even bother to pick up the phone to let that public school board know of his concerns that brought us here?

The Speaker: — I recognize the Premier.

Hon. Mr. Moe: — Members on this side of the House have been on the phone with parents from across this province, Mr. Speaker. That's why this policy is moving forward.

There are a number of reasons as to why parents have been reaching out to their elected members, Mr. Speaker. One, yes, a policy that was changed — changed from what largely has been in place across the province — in one school division. We saw other occurrences that had happened over the course of the last months, some of the inappropriate material that was made present in a classroom in this province, I believe a grade 9 classroom, Mr. Speaker.

All of those have added to parents reaching out to their elected members. What you are seeing in response to that is a government most certainly that is representative of the people of this province, a government that is acting on a commitment that it had made to parents, Mr. Speaker, to ensure that they have the right, they have the right to be involved and support their children in very significant decisions that their child might be making in our classrooms.

The Speaker: — I recognize the Leader of the Opposition.

Ms. Beck: — Mr. Speaker, parents can pick up the phone, but apparently the Premier doesn't know that those calls can also go out from his phone. But it's clear that this tired and out-of-touch government isn't consulting anyone. And they didn't consult with First Nations leaders about this policy either.

Today with us, Mr. Speaker, Headperson Tyler George, who is a leader in the two-spirit community with the AFN, Headwoman Lynn Bear from Ochapowace, and many Indigenous youth who are all here to have their voices heard. Mr. Speaker, they're here because they oppose this bill.

The question to the Premier: when will he start listening to the Indigenous voices who are also opposed to this bill?

The Speaker: — I recognize the Premier.

Hon. Mr. Moe: — Mr. Speaker, we've most certainly been listening to all voices that have been reaching out to the Government of Saskatchewan. And that, I would say, has increased over the last number of months with various occurrences that have happened in this province, whether it be a policy change by a school division, whether it be inappropriate materials that were present in a children's classroom, Mr. Speaker.

And most certainly through that process we came forward with a policy, indicated that that policy was going to be in effect and we would utilize the tools that the Government of Saskatchewan has to ensure that is the case. But continue to listen, Mr. Speaker, and where there are opportunities to add to existing supports, like expanding our rapid access counselling services to youth in 13 communities across this province.

We're going to ensure that the government is moving in that to support that child, to support collectively our children across the province. When the government has the opportunity to work with school divisions on ensuring that every school has a mental health first aid individual in that school, Mr. Speaker, we most certainly are going to work with the school divisions, make that a policy in schools across the province.

This is about supporting our children across the province, Mr. Speaker. This is about a commitment that this government has made to parents to ensure that they also have the right to support their child.

The Speaker: — I recognize the member from Saskatoon Centre.

Ms. Nippi-Albright: — For those watching and for those in the gallery, this is how this government responds to questions that

pertain to Indigenous issues. Mr. Speaker, this tired, out-of-touch, and paternalistic government pays lip service to consultation.

The FSIN [Federation of Sovereign Indigenous Nations] and the AFN have both raised concerns with this government's policy that a judge said will cause irreparable harm to young people. They know that a government that tramples on the rights of vulnerable kids won't think twice about trampling on treaty and inherent rights.

When will the government listen to the First Nation and Métis people and scrap this bill and start taking the duty-to-consult seriously?

The Speaker: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Speaker. Mr. Speaker, as the Premier has indicated today and the Premier has indicated previous days, as have I, we have been listening to people all across this province in communities large and small, in communities from different cultures, Mr. Speaker.

We've heard loud and clear from everybody on both sides of this issue that people want to be more involved in their child's education. People believe that there is a right, there is a right for parents to be involved in important decisions around their child's education and important decisions that their child may or may not be making at the school, Mr. Speaker.

Mr. Speaker, again this legislation, this is an inclusionary policy and in large part, as I have indicated previously, what is in this policy, what is in this piece of legislation, whether by policy or practice has already been in place in school divisions all across the province. What we're doing with this legislation, we're making things consistent across all 27 school divisions and giving clarity to families and students. Thank you.

The Speaker: — I recognize the Leader of the Opposition.

Health Care Staffing and Provision of Emergency Care

Ms. Beck: — Mr. Speaker, it is so clear that this tired and out-of-touch government has stopped listening. They're not listening to school boards, they're not listening to First Nations, and they're not listening to people in rural Saskatchewan who are worried about keeping their ERs [emergency room] open.

Last night I attended a packed town hall in Radville where local people are worried about keeping their ER open. This, Mr. Speaker, this is what keeps Saskatchewan people up at night, not pronouns. What's the Premier's plan to ensure that the ER in Radville remains open?

The Speaker: — I recognize the Minister of Rural and Remote Health.

Hon. Mr. T. McLeod: — Thank you, Mr. Speaker, and of course our government recognizes the challenges that we have with human resources in the health care sector. This is not unique to Saskatchewan, Mr. Speaker. This is a problem that exists right across the country and across North America.

And that's why our government has a four-point action plan to address this situation. We are recruiting, we are training, we are retaining, and we are incentivizing positions under that plan, Mr. Speaker, and that is exactly what we are doing to address this concern. Thank you.

The Speaker: — I recognize the Leader of the Opposition.

Ms. Beck: — Mr. Speaker, he acknowledges the problem, and yet here we are in an emergency session to strip rights away from children. We should be in an emergency session to ensure that health care is available for Saskatchewan people in all communities. People in Radville are worried that they can't get emergency care when they need it. When will this Premier find us effective action on rural ERs with the same urgency that he's applying to this notwithstanding clause?

The Speaker: — I recognize the Minister of Rural and Remote Health.

Hon. Mr. T. McLeod: — Thank you, Mr. Speaker, and as I said in my previous answer, we are currently addressing this situation with an aggressive action plan to recruit, to train, to incentivize, and to retain health care professionals right across the system.

Mr. Speaker, I would just highlight some of the investments that we have made in this area to satisfy the member that, in fact, we are making investments. Over \$22 million allocated for the continued implementation of 250 new full-time positions, to enhance part-time positions to full-time in rural and remote areas around the province; \$11.9 million invested to continue supporting the work under way to recruit internationally trained health care workers, including regulatory assessment, navigator services, and settlement supports; \$3.1 million to create a new registered nurse travel pool to help mitigate rural and remote health care concerns; \$2 million invested to continue the provision of incentives between 30,000 and 50,000.

The Speaker: — I recognize the Leader of the Opposition.

Ms. Beck: — In case the minister wasn't listening, Mr. Speaker, his investments and his plans are not working. The people that I met with in Radville last night are worried about health care. They want this Premier, this tired and out-of-touch government, to take action.

There's a shortage of doctors, a shortage of staff that has led to ER closures three times, Mr. Speaker, in the last month alone. But all across this province, emergency rooms are over capacity and they're under-resourced. We're having an emergency session for the notwithstanding clause when we should be having an emergency session for our emergency rooms.

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Hindley: — Thank you, Mr. Speaker. As my colleague, the Minister for Rural and Remote Health, had indicated previously, this government does take this issue very seriously. We are working very hard as a government to work closely with our very valuable health care providers — doctors, nurses, specialists, all health care teams — right across this province, Mr. Speaker, to do everything we can to help bolster those workforces, to make sure that we're working with our

paramedics, with the people that respond to these calls, to make sure that we're creating capacity for people in our emergency rooms.

We do understand and recognize that there are some capacity challenges that we are facing. We are taking a number of steps to help improve patient flow through our hospitals right across Saskatchewan, whether it's in Regina or in Saskatoon or in Prince Albert or in communities like Radville and rural communities right across this province. This government's committed to meeting with people, with local health care leaders right across Saskatchewan, to make sure that we're working together to solve these challenges, Mr. Speaker.

The Speaker: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Speaker, I was in Radville last night too, and they were not holding a celebration of this government's efforts in health care. The people I spoke with in Radville were worried that they don't have enough access to doctors and care. Their ER has been closed three times just in the last month.

Local people said that they want to see a grow-your-own strategy to get local people working in health care. We've called for that repeatedly. Instead of focusing on the notwithstanding clause, when will the Sask Party government focus on working with communities on a grow-your-own strategy in health care?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Hindley: — Thank you, Mr. Speaker. And again, as I said previously, I want to thank all of the health care providers across this province who support our health care system, and that includes our doctors.

[09:30]

Just some numbers, Mr. Speaker, and we've mentioned some of these before in question period: more than 1,000 doctors working in Saskatchewan, in this province, compared to 2007. And some more current numbers for the members opposite: just in the past couple of years alone, 86 family physicians, 139 specialists have been recruited to Saskatchewan for over 225 physicians. And, Mr. Speaker, we're increasing more training seats, more residency seats here in our post-secondary education institutions — working with the universities, working with Sask Poly, working with our regional colleges across all health care designations — this fall adding 550 more training seats across 18 different health care designations to build health care in this province, Mr. Speaker.

The Speaker: — I recognize the member from Saskatoon Eastview.

Parental Engagement in Education

Mr. Love: — Mr. Speaker, this tired and out-of-touch government has shown through their actions that they have no interest in engaging with real Saskatchewan people. We see that in health care and we see that in education. Maybe they're too busy watching Netflix on the other side to listen to the real concerns of Saskatchewan people that we've been bringing to

this building all week.

They've cooked up a policy based on a handful of letters in a matter of days, without any consultation with parents, teachers, students, or school divisions. We need a real plan for parental engagement in Saskatchewan. Does the minister agree that we need that plan?

The Speaker: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Speaker. Mr. Speaker, I absolutely agree that we need to have parents more involved in education. That's why repeatedly over the last number of months, as we've heard from parents all across the province, Mr. Speaker, the Premier and I and the members on this side of the House, we've been encouraging parents: get involved in your school community council; speak with your child's teacher; get engaged with your child's school; contact your local school board.

Mr. Speaker, when it comes to school boards, again I'll remind the members opposite that whether in policy or in practice, what we have introduced in this legislation was already in place in several school divisions around the province. So are the members opposite saying that what was already in place wasn't working, Mr. Speaker?

Again, Mr. Speaker, parents . . . the government, school divisions, Mr. Speaker, we want to include parents. The only people that want to keep parents in the dark are those members opposite.

The Speaker: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Speaker, we absolutely agree that parents want to be involved in our education system. In Saskatchewan what we need is a parental engagement strategy to make that a reality. We don't have that under this government.

Alberta and Manitoba both have models that include parents. But any strategy should be developed right from the start through consultation, consultation with parents, school community councils, and school divisions. That's what we're committed to as New Democrats, a real parental engagement strategy, not something cooked up in the minister's office in a matter of days. Why won't this tired and out-of-touch government get on board and get behind a real parental engagement strategy for Saskatchewan?

The Speaker: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — News flash, Mr. Speaker, for the members opposite. What they're asking for is Bill 137. We look forward to their support on Bill 137 this week, Mr. Speaker.

Mr. Speaker, it's really interesting how members opposite, you know, through the . . . you know, a couple of weeks ago, Mr. Speaker. Now they're saying they want parents more involved. That's totally opposite to what we've heard over the last week or so, where members opposite have demonized parents, have basically indicated that parents cannot be trusted in this province, Mr. Speaker.

Mr. Speaker, I'll tell you one thing: we've heard from many parents, many people all across this province. We are doing what we said we would do with Bill 137. We've introduced a policy that protects the right of parents to be involved in their child's education, and we're following through with that with Bill 137.

The Speaker: — I recognize the member from Saskatoon Eastview.

Mr. Love: — I'll remind the minister that Justice Megaw found that in the process of creating this policy, there was no consultation with parents, teachers, youth, or school divisions. He should know that. They haven't done any of that work that needs to be done. All that they've done is sow division.

We've said right from the start that we agree that kids do best when parents are involved. But ramming through policies that strip away Charter rights from kids is not how you do that. There is a better way forward. A real strategy for engagement with parents, teachers, and schools is what's desperately needed in this province. That's what New Democrats are committed to. Why doesn't the minister get behind that plan today?

The Speaker: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Speaker. Again, you know, what the NDP are now asking for, Mr. Speaker, is exactly what we presented in this policy and now in this piece of legislation, Bill 137.

Mr. Speaker, in Bill 137, we've outlined all the areas where parental consent is required. We believe that that is consistent with what was already in practice in school divisions all around the province, Mr. Speaker.

Again, Mr. Speaker, you know, the NDP for weeks now they say they want to keep parents in the dark. They can't trust parents. Again you know who does trust parents? This government. That's why we're bringing forward Bill 137, and we look forward to their support on that bill. Thank you.

The Speaker: — I recognize the member from Saskatchewan Rivers.

Fuel Tax in Saskatchewan

Ms. Wilson: — Thank you, Mr. Speaker. Last week I asked why this government continues to charge one of the highest provincial gas taxes in the country. I didn't get a straight answer. The Minister of Finance seems to be borrowing financial strategy from the Trudeau Liberals, burdening citizens with high taxes, giving them cents back on the dollar in the form of rebates. Mr. Speaker, common-sense fiscal policy is to keep that money in residents' pockets to reduce their financial burden, allowing them greater financial freedom.

Mr. Speaker, I ask the Minister of Finance again: why won't this government simply axe their own carbon tax on fuel to keep that money in the pockets of Saskatchewan residents? Thank you.

The Speaker: — I recognize the Minister of Finance.

Hon. Ms. Harpauer: — Mr. Speaker, as I told the member last

time — perhaps she didn't hear it — the fuel excise tax has been in place for literally decades, and has been at that level since 1993.

Through those years, I think she sat in government a couple of those years; at any rate, never raised this issue once. Not once. It was not a concern to her then.

You know, it's too cute by half that she wants to call it a carbon tax. That means every single province in Canada has a carbon tax, and the federal government has two then if we want to rename the fuel excise tax.

The fuel excise tax was put in place historically to pay for repairs to highways. And we not only designate all of the funds that go into the fuel excise tax to our highways, but we far exceed that amount of money.

So you know, I had talked about the no-plan opposition. Well the third party even has less of a plan. I would like to know where she's going to find the half a billion dollars to replace that revenue.

The Speaker: — I recognize the member from Saskatchewan Rivers.

Crime Rates and Policing Services

Ms. Wilson: — Just like the Trudeau Liberals, Mr. Speaker, they gouge you with the high taxes and give you back pennies on the dollar.

Mr. Speaker, one of the most . . . [inaudible] . . . failures of this government is a crime. According to the Stats Canada crime severity index, Saskatchewan has the worst crime rate out of all the provinces. Mr. Speaker, we are double the national average. The crime severity index for the province is at a 15-year high. Violent crime last year was the greatest ever recorded by this index, which started in 1998. Last year youth violent crime increased by 30 per cent.

Mr. Speaker, what in the world is going on in Saskatchewan? What does this government have to say to the people about its record?

The Speaker: — I recognize the Minister of Corrections, Policing and Public Safety.

Hon. Mr. Merriman: — Thank you, Mr. Speaker. And I am very proud of what this government has brought forward as far as dealing with the issues that are in our communities, in rural Saskatchewan, in urban Saskatchewan, and certainly in the North. That's exactly why we've created specialty teams to go in and deal with specific issues. That's why we have our crime reduction team. That's why we have invested over \$20 million in our Saskatchewan marshal services which the Leader of the Opposition actually said that she would completely dismiss, Mr. Speaker.

We would make . . . There they go, Mr. Speaker. Absolutely. Supporting less policing in our communities when we know we have some challenges out there. We need to make sure that our communities are safe, continue to be safe. That's why we're

working with municipalities. We're working with the RCMP [Royal Canadian Mounted Police]. And we're working with our special teams to make sure that our communities are safe. Thank you, Mr. Speaker.

The Speaker: — I recognize the member from Saskatchewan Rivers.

Ms. Wilson: — Mr. Speaker, this government continues to do the same thing. They make excuses for their record, then they puff out their chest saying they have a plan. It always is after catastrophe strikes. They are completely reactive and never proactive.

Mr. Speaker, I want to know, what are they doing while our crime rates are skyrocketing? How did we find ourselves in a position when we have the worst crime rate in the country? What is the reason for it, and how did they let it happen?

The Speaker: — I recognize the Minister of Corrections, Policing and Public Safety.

Hon. Mr. Merriman: — Thank you again, Mr. Speaker. And I'll provide that member with some statistical information. But again, Mr. Speaker, in my first answer I forgot to actually include our First Nation policing which we're very proud of here in Saskatchewan, which has been modelled across this country, to be able to show how First Nations can police within their own communities.

We've invested 76 additional million dollars since 2011, Mr. Speaker, to put 273 RCMP officers on the ground here in Saskatchewan. We've invested an additional \$230 million for 143 front-line municipalities.

Mr. Speaker, this is exactly what we're doing, is making sure that we have enough police out there. There are some challenging times, Mr. Speaker, within our communities and . . . within our crime. That's why we've created special teams to address these issues not just in their community, but to be mobile, to be able to move around the province to be able to suppress any of the crime that is out there in that specific area. These teams are working extremely well, and this government will continue to support them. Thank you, Mr. Speaker.

The Speaker: — Before orders of the day I would like to advise the members that pursuant to the sessional order, there is three hours and three minutes left to debate the second reading motion. The time remaining will be displayed on the Chamber clock.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 137

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cockrill that **Bill No. 137** — *The Education (Parents' Bill of Rights) Amendment Act, 2023/Loi*

modificative de 2023 sur l'éducation (Déclaration des droits des parents) be now read a second time.]

The Speaker: — I recognize the member from Regina Rosemont.

Mr. Wotherspoon: — Thank you, Mr. Speaker. I had the opportunity to speak last evening, talking out the clock till 11 o'clock when the government shut things down at that point, Mr. Speaker. And you know, I have to say I was sharing some of the testimonies, some of the submissions from constituents, Mr. Speaker, and people in this province. And it's gut-wrenching, heartbreaking to share some of the real accounts from those that have lived some of the challenges that many face in our province of the queer and trans community, Mr. Speaker.

And I just want to say once again, to the people of Saskatchewan who have looked at the actions of this government and have sized them up as all kinds of wrong, and have said that's not the way we operate in Saskatchewan, and have stood up and shared their stories courageously; that have come to the steps of the legislature; that have spoken out; who have looked out for their neighbours, their families, and their loved ones, from corner to corner to corner in Saskatchewan, Mr. Speaker, I just want to say to them, you make us all so proud.

At a time in Saskatchewan where we see a government walking away from our proud record as a beacon of human rights leadership, walking back leadership, Mr. Speaker, we see the people of Saskatchewan marching on, marching towards progress.

And I don't know what the outcome of this bill is, Mr. Speaker. I hope members opposite have come to their senses, have found it in their hearts, have spoken with loved ones, friends, and neighbours and decided that they're going to walk away from this regressive piece of legislation that's nothing more than a political stunt, Mr. Speaker, that sells out the rights of kids, that sells out human rights in Saskatchewan, Mr. Speaker. But I don't know if that's the conclusion members opposite are coming to. I hope that's the case.

But I can assure Saskatchewan people that I see something powerful happening in Saskatchewan. I see people saying, be damned with the actions of this government. If they're going to act like this, we're going to lead. And it might be a period of challenge. There might be a setback that's a significant one through this piece of legislation, Mr. Speaker, but I have hope. I have hope from what I see in communities and people all across Saskatchewan. I have hope from the parents that I've heard from all across this province. I have hope from the young people, Mr. Speaker. I have hope from the old ones, Mr. Speaker, who have shared accounts and stories of a time where matters of justice, you know, cost them dearly, Mr. Speaker.

[09:45]

Again, speaking back to those letters and testimony that were shared with me, Mr. Speaker, and that I was able to share yesterday in this Assembly, Mr. Speaker, it's hard to read that sort of testimony. It's hard to read that sort of anguish and hurt, Mr. Speaker. But if it's hard for me to read with all the privilege and safety and security that I have in this Assembly, can you only

imagine the circumstance for those that are vulnerable in our province right now, young people and other people, older people, that are having their very identity being debated and at times bashed in this province, Mr. Speaker.

And that's what happens, Mr. Speaker, when you have a government that signals to the people of Saskatchewan that it's safe to walk back some of what we had gained, Mr. Speaker. Saskatchewan was the first human rights code, the first human rights legislation in North America, 1947. We're leaders on these fronts. We're leaders in human rights. We're leaders in agriculture. We're leaders in potash and mining, Mr. Speaker.

We're leaders on so many fronts, and those are the international headlines that we should always be garnering, Mr. Speaker, holding our province up proudly. But no, Mr. Speaker, those aren't the headlines that we're garnering these days. And that comes at a cost to our province, Mr. Speaker. Because of the reckless, regressive actions of this Premier and that Sask Party government, the headlines right now internationally in *The Guardian* are that this is a government that's walking back human rights, Mr. Speaker, this Premier and this party bringing shame on the province that we all love.

The Economist, Mr. Speaker, an important international publication . . . I'm an avid reader, Mr. Speaker. I was pretty unhappy, as I'm sure many others would have been this week, to see our province showcased in *The Economist*, Mr. Speaker, not for all of our incredible leadership, not what we can bring to the world today and tomorrow, not what we can do in face of all of the challenges, not what we have with respect to agricultural leadership and mining and rare earth minerals, Mr. Speaker — all the stories and roles we could be playing, Mr. Speaker, in a very challenged world. No, the story in *The Economist* was that they have this regressive Premier walking back rights in the province with this notwithstanding clause on human rights, Mr. Speaker. This just is not on for Saskatchewan people.

And of course this put young people at risk, as Justice Megaw has said, places them at risk of irreparable harm, Mr. Speaker. But be damned, Mr. Speaker. They just keep steamrolling forward. Forget what the Justice says. Forget what Commissioner Kuttai says as she resigns and says, this is wrong, this is damaging, this isn't the Saskatchewan that I know, Mr. Speaker. And forget what the Human Rights Commission says here today. Forget what parents are saying on this front, Mr. Speaker. Forget what the community, the queer and trans community, are sharing on this front, Mr. Speaker. Be damned; they're going to steamroll ahead.

As we've said time and time again and as Saskatchewan people have said, this situation, this recall of the legislature and all the costs behind it is ridiculous. This is no emergency. If the government wants to advance changes on pronouns, we can debate them. Well we have a different view than the government on them, as do Saskatchewan people, but there's a course of business. They could have brought those forward.

If we wanted to look at emergencies in Saskatchewan, Mr. Speaker, we need to look no further than the cost-of-living reality and the pressures that families are facing across Saskatchewan and a government that has failed them so miserably by piling on more taxes, more costs, more bills time and time again, making

matters worse, not making things a little easier for the people of Saskatchewan.

If we wanted to talk about an emergency, it would be about fixing emergency care and health care in Saskatchewan in places like Radville and places right across this province, Mr. Speaker. But no, this government doesn't want any of that. They see that as a distraction. But what this government's doing is to distract from their failures with cost of living, with health care, with education, and so much more, Mr. Speaker.

But we need to look again at the harm this puts young, vulnerable people at, Mr. Speaker, and that should be enough. As a society we should be judged how we treat the most vulnerable, Mr. Speaker, and make no doubt, on this front this government is failing miserably as well. No action on housing, Mr. Speaker, no action on making sure we have the mental health and addictions supports that people deserve, and now a bill that they're going to ram forward that places people at harm. It's reprehensible, Mr. Speaker. It's not the Saskatchewan that people know and love.

People in this province are common sense. They're compassionate. They believe in one another. They punch well above their weight, Mr. Speaker. And they see through the tired, old politics of this Sask Party who are now importing the politics of somewhere in the Deep South US [United States], Mr. Speaker, the MAGA [Make America Great Again] movement, Trumpian acts, Mr. Speaker, that pits people against each other and sows division. That's not Saskatchewan, Mr. Speaker.

When we look at the fact that a trans kid in Saskatchewan is seven times more likely to act on suicide, Mr. Speaker — seven times more likely — that should be enough, Mr. Speaker. And then when we know that for 15- to 24-year-olds, the young adults, the leading cause of death is suicide, Mr. Speaker, that should be enough to back away from this policy.

Or, Mr. Speaker, we could look at the StatsCan results around police-reported hate crime, Mr. Speaker. And we could look at hate crime, and they break it out in different sections. And all of these areas should be something that are a worry to a government. A government should be doing everything they can to make the situation better, Mr. Speaker.

Hate crime by way of religion, sex or gender, race or ethnicity, sexual orientation, Mr. Speaker, is all broken out here. And if you look here, Mr. Speaker, the increases around sexual orientation are up 64 per cent, Mr. Speaker, of hate crime that's focused on those that we're debating here, Mr. Speaker, around the queer and trans community. An increase of 64 per cent. Stats Canada, Mr. Speaker. Hate crime. And we have a government that wants to dog whistle their way to making things worse, Mr. Speaker. It's just not on for Saskatchewan people, Mr. Speaker.

I want to share just a couple last accounts, Mr. Speaker, that have been shared with me here. And I want to thank those again. I shared yesterday some really powerful testimony from those that . . . I just, you know, admire their courage and the courage they've had their entire lives, Mr. Speaker.

And I guess that's the point. When you have these stories shared, you see the statistics . . . And we know the reality around vulnerability and risk. We see the heartache and loss in

communities, in rural and urban and First Nation and northern Saskatchewan, Mr. Speaker, corner to corner to corner. It should be the role of government to lighten the load, Mr. Speaker, not to make things heavier. And I can assure you, Mr. Speaker, that the queer and trans community suffer far more hardship and discrimination and abuse and hurt and attacks, Mr. Speaker, than anyone should ever be subjected to.

And for this government and for a Premier, in his safe and privileged position much like I have, Mr. Speaker, to not say, how can I help? You know, to take the time to listen and to say, you belong. You belong. We want you here. We want you living a long, productive life here. We want you living up to your full potential. We want you to thrive.

Mr. Speaker, those are the conversations that a Premier and a government should have, especially those of us that come from pretty safe and privileged positions, Mr. Speaker. But not this guy and not this government these days, Mr. Speaker. They're going to place the most vulnerable at greater risk, Mr. Speaker, without even taking the time to get an understanding of what many are facing.

I'll share an account from a family lawyer, Mr. Speaker, practising in Regina, one of my constituents:

I'm a family law lawyer practising in the city of Regina. On October 12th, 2023, I had the opportunity to review a summary of the parents' bill of rights on the Government of Saskatchewan website. From my understanding, the new legislation will create numerous new rights for parents when interacting with their child's education. In particular, it gives parents rights to access information, make decisions about a child's education, and also provide their consent before a child wants to go by a different name or use different pronouns.

As a family law practitioner, it appears that most or all rights expressed by the bill already exist. Decision-making power for a child's health and education is expressly considered by *The Children's Law Act*. I'm concerned that legislating new and explicit rights and decision-making powers when those rights and decision-making powers already exist will cause confusion and complicate the family law process.

For example, will the passing of this legislation make certain court orders or parenting agreements inoperative? If a parent has been granted exclusive decision-making power because the other parent is unsafe or unfit to be involved in decisions about a child's health or education, will that parent now have the ability to interfere in that child's school? What will the cost to a parent be to return to court to correct this issue? What will happen to that family and that child in the meantime?

This bill may have costly unintended consequences and in some cases may harm or otherwise risk the safety of children under the protection of an existing parenting order. I ask that the legislative do not proceed recklessly with this bill. Family law is costly and stressful for parents and children alike.

Please do not create uncertainty for parents. Please do not

complicate an already difficult process. Please allow this bill to proceed in the normal fashion during the normal legislative session so that parents, educators, and experts can also weigh in.

Mr. Speaker, I've got a submission here from some law students out at the University of Saskatchewan, Mr. Speaker, leaders out of the Indigenous Law Students' Association. They've written as a bit of a collective and shared through one voice. I'll share some excerpts. They have a very strong submission that they've made. I don't believe they've received any response as well from government, like, you know, all those others that we've been sharing, Mr. Speaker, into the record. I'll pull a couple points out.

The very fact that the government is recalling the legislature early to push legislation on this only a month before the already expedited constitutionality argument is truly disgusting. I'm honestly embarrassed to say that I'm from Saskatchewan, that government is insistent on pursuing this matter because of 18 letters.

We fully believe that this indicates that the current government will continue moving in a far-right direction and attempting to return society to how it was in the early 1900s. Some of the issues we think are next on the chopping block include abortion rights, feminist rights, and other Indigenous rights.

And I think that's one of the questions we keep hearing. It's been asked often and it's a good, important question. This is a pretty slippery slope. So government decides unilaterally, oh, this group over here, this minority of a minority, this vulnerable population, well we're just going to steamroll and trample your rights, Mr. Speaker. Because they have a lack of understanding or respect for that group, Mr. Speaker, which is awful.

But who's next? Is it workers? Is it Indigenous peoples? Is it newcomers, as my friend and colleague from Coronation Park identified yesterday, Mr. Speaker? Is it women in this province, Mr. Speaker? Who's next?

It goes on:

It's directly out of the MAGA Trump playbook in the USA. The current policy in government seems to completely disregard the fact that queer and trans kids are far more likely to be abused and unaccepted by their families and are far more likely to commit suicide.

As we've identified, seven times more likely for trans kids to act on suicide.

Forcing the schools to out children who clearly do not feel that level of comfort and safety at home is a direct contributing action towards abuse, the unhoused epidemic, addictions, and substance abuse. The government's motive to push this policy and legislation is further evident by saying that students will be encouraged to speak to a counsellor before talking to their parents, while at the same time cutting funding to public education and schools in the province. Schools are already overwhelmingly at capacity and beyond.

And they certainly are, Mr. Speaker. We know that reality. Cuts, class sizes that have gone through the roof. Twenty thousand more students in Saskatchewan over a decade but not a single new teacher in classrooms. Three thousand students to every one counsellor available, Mr. Speaker, and an out-of-touch minister that's failing students and parents and all in Saskatchewan, who now suggests he thinks there's ample mental health supports for young people and students in Saskatchewan. Talk about out of touch, Mr. Speaker.

[10:00]

Other legislation, Acts, international treaties this proposed legislation breaches include the *Canadian Human Rights Act*, *The Saskatchewan Human Rights Code, 2018*, the United Nations Convention on the Rights of the Child. Again I'm not a politician and I don't know how that world works. I do however know the law, and am deeply infuriated and disturbed by seeing people in authoritative positions, such as the Premier, implementing harmful policies and legislation because they are upset about losing a by-election and receiving 18 letters.

I want to thank the collective, the group of leaders at the U of S [University of Saskatchewan], the law school, Mr. Speaker, for making that submission, Mr. Speaker.

I want to share a letter here, Mr. Speaker, just a couple pieces of it, Mr. Speaker, from Reverend Russell Mitchell-Walker here in Regina, Mr. Speaker:

I'm writing to express my concerns about the current pronoun policy being implemented in Saskatchewan. While I understand and respect the government's intent to foster inclusivity, it is essential to consider the broader implications and potential unintended consequences of such decisions, including the fact that this policy does not foster inclusiveness.

As a minister in the United Church of Canada, I believe that God's love is inclusive, and we are all created in God's image. This includes those who find themselves in a body that does not fit their understanding of themselves and their gender. This love calls us to respect, honour, and welcome all, regardless of gender identity and sexual orientation.

I know that this policy has already created stress on students and teachers, increasing mental health risks for transgender and nonbinary teachers and students. Indeed, last week a transgender teacher that I know attempted suicide, and was only saved by an alarm that they set earlier in the day. They were in the hospital for a week, and are now off on medical leave, unable to teach until October 23rd.

This is a direct result of your policy. If this is what happens for a teacher with resources and support, what is it doing to children who are afraid to talk to anyone about who they are? Is this the kind of school system you want? One that makes the most vulnerable sick and at risk of death?

We have powerful stuff, Mr. Speaker. That's testimony coming in here. He closes here, and there's a whole bunch of other substantive entries. He shared this letter with the MLAs [Member

of the Legislative Assembly] in this Assembly, Mr. Speaker, so this isn't new information, I'd hope, for them.

I urge the Government of Saskatchewan to reconsider any plans to invoke the notwithstanding clause in this context. It is essential to ensure that our actions and decisions today align with the principles and values that have long defined and united our great nation.

To conclude, I implore the Government of Saskatchewan to re-evaluate the current pronoun policy in light of God's inclusive love, the recommendations from the Children's Advocate, and the legal injunction. Our children and teachers' mental, emotional, and spiritual well-being is paramount. Their experiences and futures depend on the decisions we make today.

Thank you for your time and consideration. I pray our government's commitment to upholding the values enshrined in the Charter and ensuring a balanced, inclusive, and rights-respecting approach to governance. I trust the government will act in the best interests of all Saskatchewan residents.

I want to thank Reverend Russell Mitchell-Walker, a minister here in Regina, for making that submission, Mr. Speaker.

And again I want to thank so many others. We've had far too many submissions shared with us, their testimony, to share in this Chamber. But they've been hugely impactful for all of us, Mr. Speaker.

One of the common pieces, Mr. Speaker, is that we hear that those that have reached out, Mr. Speaker, and expressed their concern in this case, those that we've received by the hundreds, Mr. Speaker — by the hundreds, Mr. Speaker — haven't been receiving responses back from members opposite, Mr. Speaker.

And again it gets to the heart of the broken argument of this government and, you know, their so-called emergency that they've called, Mr. Speaker, in the recall of the legislature all on this premise that there was widespread concern, Mr. Speaker, over pronouns that was an urgent matter, Mr. Speaker. And that's just simply not the case. And you know, certainly what we've seen is overwhelming strength in numbers for those saying this is the wrong direction to go.

We still don't have any answers from the government around what motivated these actions. They now are pointing at Regina Public Schools and a policy that they built out of a whole bunch of consultation, Mr. Speaker. And we understand that while they're pointing at it, Mr. Speaker, they haven't even had the integrity to pick up the phone and to talk with that division, Mr. Speaker. It was so much of a concern, Mr. Speaker, that they couldn't have even picked up the phone.

We understand that the policy they're pointing at has been in place for well over a year, Mr. Speaker, I understand built out of a whole bunch of consultation, Mr. Speaker. But you know, not even a phone call, not even a conversation. Just gaslighting, you know, Mr. Speaker, in this legislature, Mr. Speaker.

As well as the lived experiences of those out of this vulnerable

population, Mr. Speaker. And when we look at those classrooms, Mr. Speaker, and I, you know, can . . . I've been a teacher, Mr. Speaker. I know first-hand. My wife, Stephanie, serves as a teacher as you know, Mr. Speaker. Parental involvements in schools is what it's all about. That's what teachers strive for. That's what schools strive for. That's what parents desire. That's what you work towards building. That's what builds the kind of learning outcomes that we all desire. That's what will allow young people to overcome obstacles and challenges, to deal with some of the challenges they may face, and to live up to their full potential. That's what teachers are about. That's what parents are about, Mr. Speaker.

What we know, Mr. Speaker, is that the underfunding and the damage and the attacks on education and on teachers, Mr. Speaker, on students' education have really undermined our system, Mr. Speaker. And you know, it undermines it in many ways. It undermines the one-on-one attention that young people need and deserve. It undermines the supports and the assessments that a student may need.

We heard, you know, our member from Walsh Acres speaking yesterday, exceptional teacher as well, Mr. Speaker, talking about waiting over a year for assessments for students who needed assessments that are, of course, are so critical to their learning. I hear that from so many teachers and my wife, Stephanie, all the time as well, Mr. Speaker.

But they've taken those supports away from young people and from teachers. And class sizes of course that have gone through the roof, Mr. Speaker. And a government that's been top-down attacking the professional autonomy of teachers time and time again, and attacking them outright, Mr. Speaker, with you know, publicly funded ads, Mr. Speaker, instead of listening to them, working with them, and supporting learning.

But the reality is our classrooms are in a real stress situation. And I want say thank you to all the teachers, all the educators, all the education workers, all those additional supports that wrap around, all the administrators that are working so tirelessly to serve students and families each and every day, Mr. Speaker. I know the engagements roll into the evenings and with community and that's what it's all about, that parental involvement, that community involvement, Mr. Speaker. And they're doing all of this against a government that's been actively working against them for well over a decade, Mr. Speaker. The facts speak for themselves.

You know, a couple of the members over here, they called this so-called emergency and we've got the later nights and stuff we've been sitting here. And sure we've been debating from 9 in the morning until 11 at night, Mr. Speaker. That's a haul, Mr. Speaker. But I know for certain, Mr. Speaker, and I've heard some moaning and groaning over there about how late they're staying up, and you know, working, right. I don't see them working real hard over there, Mr. Speaker. I don't see them saying very much, Mr. Speaker. Just kind of sitting there, Mr. Speaker.

But I'll know this. I know this, and I only know this through the window of Stephanie. And rolling in after 11 o'clock, Mr. Speaker, there's still a teacher in our household that's doing work, Mr. Speaker, focusing on the next day. And those days are

busy, Mr. Speaker. They start early. And if we think we're talking a lot in this legislature, Mr. Speaker, think of what teachers are organizing every day to enrich the lives and the learning of their students, Mr. Speaker.

When that bell goes they're ready, they're prepped, and they're on. And it rolls right through the day, Mr. Speaker, at every turn. And then into the evening, Mr. Speaker, whether it's engagement with parents and families or whether it's with community, Mr. Speaker, or extracurricular. And then it's often working late. Sometimes after you've taken care of some of the other household things that you're dealing with as a family or sometimes after getting, you know, a child to hockey or other activities, Mr. Speaker, then they're still at it working and preparing for that next day, Mr. Speaker.

So I think the teachers of Saskatchewan would probably chuckle when they hear the moaning and groaning from a couple or a few or maybe a few more than that of members on the opposite side that find a week staying up and working till 11 o'clock just awfully hard, Mr. Speaker. Like, give me a break. And I haven't heard a single one of . . . Well I guess there was one of the members that got up and spoke for few short minutes, Mr. Speaker. Didn't make any more sense than the Education minister, Mr. Speaker. But there's a whole lot of people in this province working for a better future, Mr. Speaker, and it's pretty darned hard when you have a government that's working against you.

Mr. Speaker, I'll wrap my remarks at this point. I'll just say this: this government has ample time and a wonderful opportunity to realize that they've erred in their ways, Mr. Speaker. That this isn't how Saskatchewan people want to be treated, Mr. Speaker. That this isn't an emergency, Mr. Speaker. That this regressive sort of action is a setback for our province. That it puts young people, some of the very most vulnerable at risk, and for them to step away from this legislation. That's the right thing to do, Mr. Speaker.

And I look at members opposite, and I implore them to, you know, listen to those heart-wrenching stories, gut-wrenching stories that we've heard, the realities that many have lived, and the advice that they're offering us. And to stand up for parents and students, Mr. Speaker, by providing, you know, the best education system possible with proper funding, Mr. Speaker. To stand up for parents and for families with an affordable, high-quality life, Mr. Speaker. To stand up for parents and all people, Mr. Speaker, by fixing health care and so much more.

The point being there are so many urgent things this government could be doing to make a meaningful difference in the lives of people in this province — providing more safety, not less, Mr. Speaker; more care, not hurt, Mr. Speaker. And so I call on them to step away from this dangerous course of action, this regressive action, Mr. Speaker, this political stunt, to focus on the things that matter and to deliver for the people of the province in this province that we all love. Thank you, Mr. Speaker.

The Deputy Speaker: — I recognize the member from Saskatoon Centre.

Ms. Nippi-Albright: — miigwech, Mr. Deputy Speaker. I will start my remarks by sharing how saddened I feel that we are back

in this Chamber for this emergency debate on Bill 137, and on the use of the notwithstanding clause so that this government can ram through Bill 137.

Mr. Deputy Speaker, I became an MLA to serve the community and the citizens of this province, to be a servant for the common good for all people, to raise the profile on issues that often do not reach the public's radar let alone garner any attention, like the high-level issues such as honouring the treaties that were signed, safeguarding Crown land to exercise treaty and inherent rights, racism, social issues that impact all of us in this province. And, Mr. Speaker, I became an MLA to bring voice to those who often do not have a voice in these political spheres we operate within.

As a visible minority within this Chamber, it is not easy to be heard, to be respected for your knowledge and expertise and your lived experience. However, Mr. Speaker, I do this work because I came here to serve, to use my education and experience to be of service to the people of this province and not for my ego, not for self-serve, and certainly not to ram through Bill 137.

I came here to be of service for the common good for all people in this province, to give voice to issues that impact many in this province. And I am sure many also came here to serve, or at least I hope that other members came here to be a servant and serve all people in this province.

Mr. Speaker, it is my belief when one stops focusing on the good for all people and starts working only for their self-interest, like pushing through Bill 137, it becomes a dangerous slope. When one loses the focus on serving, ego sets in and erodes the work in what one was elected to do. And, Mr. Speaker, this is so very sad. Bill 137 is one example of this.

[10:15]

Not being people-focused becomes so ego-focused, and that, Mr. Speaker, is not good for anyone, let alone the children in this province. With the pushing through of this bill, Saskatchewan will no longer be the strong, safe Saskatchewan this government keeps going on about in this Chamber.

Mr. Speaker, when governments who have lost the pulse of the community, the citizens they serve all the while ignoring the better good for all, it's not being the servant they pledged to be when they became MLAs.

As a proud First Nation mother and grandmother, Mr. Speaker, it is appalling that any government will knowingly infringe on the Charter rights and freedoms of children for political gain, such as Bill 137. To trample on children's rights knowingly and uncaringly is not only appalling, it is disgraceful. And to use the notwithstanding clause to do so, this is shameful.

Mr. Speaker, this government is behaving like a bull in a china shop, ramming through legislation like Bill 137 and not doing its due diligence in meaningfully consulting potentially impacted citizens of this province. This government only heard from 18 people; seven of those 18 people were parents.

Mr. Speaker, the spin keeps changing. It went from 18 to over 10,000 were heard from. What's the story, Mr. Speaker? And no proof is provided of those thousands that the government

supposedly heard from. The story keeps changing during the scrum. The government is unable to keep its story straight.

A year or two ago, this government was patting itself on the back with its so-called back on track budget they introduced. Well, Mr. Speaker, not only did they veer off the tracks with this Bill 137, they actually rolled completely off the tracks. They completely drove off the tracks with this emergency bill while using the notwithstanding clause to infringe on the Charter rights and freedoms for vulnerable children.

Mr. Speaker, it is my understanding perhaps only three members from the opposite side actually studied and obtained either an undergrad degree or a master's degree in political studies that would enable them to understand the intent and utilization of the notwithstanding clause as it pertains to this Bill 137.

I will read from the *Canadian Press*, October 12 that explains what is the notwithstanding clause — what it is, its origins, its structure, its use, and the recent notable uses.

The Saskatchewan government has invoked the notwithstanding clause of the Constitution in tabling legislation that prevents children under 16 from changing their names or pronouns at school without parental consent.

The proposed legislation would enforce a policy announced in August. Lawyers for UR Pride and an organization representing LGBTQ people in Regina sought an injunction of the policy, arguing it could cause teachers to out and misgender children, violating the Charter of Rights and Freedoms. The Court of King's Bench Justice Michael Megaw ordered the injunction until a constitutional challenge can be heard in court later this year, a decision Premier Scott Moe called "judicial overreach."

Here's a look at the rarely used clause. What is it? The notwithstanding clause, or section 33 of the Charter, gives provincial legislatures or parliament the ability, through the passage of the law, to override certain portions of the Charter for a five-year term.

Its origins: the clause in its current form came about as a tool to bring provinces onside with then prime minister Pierre Trudeau's signature piece of legislation. With the Charter negotiations wrapping up in the 1980s Trudeau didn't see the need for the clause but provinces, including Alberta and Saskatchewan, wanted an out should they disagree with a decision of the courts. In the end, Trudeau reluctantly agreed.

Its structure: the clause only applies to certain sections of the Charter. For instance, it can't be used against provisions that protect the democratic process. That would create a pathway to dictatorship.

I repeat: that would create a pathway to dictatorship.

The clause also can't be used for more than five years at a time. This ensures that the public has the chance to challenge a government's decision to use the clause in a general election before it can be renewed.

Its use: the clause usually comes up whenever there is a controversial court ruling. For example, former prime minister Stephen Harper's Conservatives were asked about, but refused to use, the clause on the court decision involving assisted dying. While often debated, its use is much rarer. Quebec, as the only provincial government to oppose the Charter, passed legislation in 1982 to invoke a clause in every new law, but that stopped in 1985.

In 1986, Saskatchewan used the clause to protect back-to-work legislation, and Quebec used it again in 1988 to protect residents and businesses using French-only signs. Alberta tried to use the clause in a 2000 bill limiting marriage to a man and a woman, but that failed because marriage was ruled a federal jurisdiction.

Recent notable uses: last year the Ontario government invoked the notwithstanding clause to pass legislation imposing contracts on approximately 55,000 education workers in the province, including librarians, custodians, and early childhood educators, and ban them from going on strike. In 2021, Ontario's Progressive Conservative government used the clause to restore parts of the *Election Finances Act* that had been declared unconstitutional. It means third parties can only spend 600,000 in 12 months before an election is called.

Quebec proactively used the clause when it passed a major reform to its signature language law last year. The legislation reasserts the right of Quebecers to live and work in French and toughened signs laws and language requirements for businesses, governments, and schools. Quebec only pre-emptively used the clause in passing its religious symbols laws. Adopted in 2019, it prohibits public sector workers who are deemed to be in positions of authority, including teachers, police officers, and judges, from wearing religious symbols such as hijabs and turbans on the job.

The notwithstanding clause is not a tool to use to trample on people's Charter of Rights and Freedoms. It is not a tool to use when you're afraid your support is now going to the far left. This notwithstanding clause is not a tool to use for political gain. Nor is it a tool to use when the government of the day does not like the court's decision, who advised to pause on a proposed piece of policy that could bring irreparable harm to vulnerable folks, let alone children. Nor is the notwithstanding clause a tool to be used prematurely, like it is definitely going to be used in this Bill 137.

The notwithstanding clause was created not to be used lightly, yet our province is seeing how this tired, scared, and out-of-touch Sask Party government is so willing to use it, even though it would harm one of the most vulnerable citizens in this province, our children.

Let me read one of a four-part series by Marvin Zuker, a retired judge. He also wrote an open letter to the Premier, and I'll also read that too. So the title is, "Notwithstanding, Premier Moe: children's day or shredding day. Your choice."

Saskatchewan Premier . . . stated on September 29th that his school pronoun policy is based on multiple conversations

with parents, teachers, and others.

We know today, we've known this week it's 18 people. Seven of those 18 people were actually parents. That must be the multiple conversations.

The day before, Regina Court of King's Bench Justice Michael Megaw granted an injunction on the government's school pronouns policy, which would require parental consent of all students under the age of 16. Moe has pledged to reconvene the legislature. As of now, gender-diverse young people in Saskatchewan who have a trusted adult at school whom they want to respect them and recognize for their gender identity can have that trusted adult.

That's happening right now. They can:

Refer to them by their chosen name, their chosen pronouns, even if they haven't even come out to their parents so they don't have that parental consent.

Educating children works best with engaged parents and caring teachers who work together to create a safe space — sometimes the only safe space — for all children to learn. Outing transgender students can put this vulnerable, at-risk group at even greater risk. The notwithstanding clause, section 33 of the Charter, was never, ever intended to take away the voice of the child.

Arguably section 15 of the Charter may or may not be subject to Premier Moe's intention to shred the United Nations Convention on the Rights of the Child, if not historical precedent in Canada.

In concurring reasonings of a unanimous judgment, the Supreme Court of Canada recognized . . .

I'm just going to go here as . . .

Perhaps most importantly, Mr. Premier, if this is not . . . a nonbinary and transgender child you knew, you would want to keep that child alive as statistics indicate. Children are not chattel. One suicide, Mr. Premier, is it worth it?

There are no internal limits on Saskatchewan's ability to invoke the notwithstanding clause. Governments can invoke it at any circumstance so long as they comply with its formal requirements in section 33 of the Charter.

Is Premier Moe free and clear because arguably the notwithstanding clause overrides section 2 and 7 to 15 of the Charter? Both the majority and the dissent rejected the notion that the internal limits within the notwithstanding clause prevented the government from invoking the clause. Rather they concluded that the only requirement for invoking the notwithstanding clause are formal: the clause must be invoked expressly, and can only apply to section 2 and section 7 to 15 of the Charter. But is Premier Moe not required to provide a substantive justification invoking the clause, as this pertains to Bill 137?

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law

without discrimination, and in particular without discrimination based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability.

At its simplest, to discriminate is to treat someone differently than others.

So I'm just going to keep going here:

Does a law impose a burden or deny a benefit in a matter that has the effect of reinforcing, perpetuating, or exacerbating disadvantage?

The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The Supreme Court of Canada has created a two-step balancing test to determine whether a government can justify a law, which limits a Charter right as follows:

One, the government must establish that the law under review has the goal that is both pressing and substantial.

Pressing and substantial. Not to 18 people, not to 7 people, but all the citizens in this province.

[10:30]

Two, the court then conducts a proportionality analysis using three sub-tests:

(a) The government must first establish that the provision of the law which limits a Charter right is rationally connected to the law's purpose.

"Rationally connected to the law's purpose." I don't know about you guys, but I'm not daft, and this pushing of this bill is not rational.

Secondly, a provision must minimally impair the violated Charter right.

Charter rights for our children, for my grandchildren, for those that are yet to come.

Finally the court examines the law's proportionate effects. If the government can satisfy the above steps, the effect of the provision on Charter rights may be too high a price to pay for the advantage the provision would provide in advancing the law's purpose.

If you want to look at that, that's *R. v. Oakes*, 1986. You can have a look at that.

I will also read another letter from the Women's Legal Education and Action Fund, and they have . . . I'm sure others have read it, my colleagues here, but I'm just going to go straight to some of the parts here in particular about the notwithstanding clause.

And it's:

Dear members of the Legislative Assembly of Saskatchewan:

So we've all received this and we would have received it October 13th.

The effect of the policy that we're proposing [which is Bill 137] is also to out students to their families even when they're not ready or when it may cause them harm. Coming out to one's family about gender identity is one of the most significant decisions in a person's life. Taking that decision out of a young person's hands and putting it in the hands of the government [the government] robs children of the safety to develop their sense of identity on their own timeline. It may cause them real and irreparable harm in their own homes.

In granting an injunction to prohibit the implementation of the policy pending the hearing of a Charter challenge to it, the Saskatchewan Court of King's Bench wrote, "... I am satisfied that those individuals affected by this Policy, youth under the age of 16 who are unable to have their name, pronouns, gender diversity, or gender identity, observed, in the school will suffer irreparable harm."

The proposed use of the notwithstanding clause. "Even if you're" And this is to all members here.

Even if you're not prepared to vote against the proposed amendments requiring parental consent to respect the names and pronouns of youth, we urge you to reject the proposed invocation of the notwithstanding clause.

This clause would shield these amendments from Charter scrutiny, including Charter rights to equity, to freedoms of expression, and to life, liberty, and security of the person. While the parameters of the permissible use of the notwithstanding clause are a matter of ongoing adjudication and legal debate, its use should be exceedingly rare.

Former premier of Alberta, Peter Lougheed, once said it was to be used in instances when major matters of public policy were being determined by the court as a result of an interpretation of the Charter. This is not one of those instances.

Bill 137 is not one of those instances. No major matter of public policy has been determined by any court. What has happened at this time is that a trial court, not the Saskatchewan Court of Appeal, not the Supreme Court of Canada, has issued a one-time limited injunction against the enforcement of the government's policy pending the trial court's determination of the Charter challenge before it. There is no reasonable basis to legislate to override a trial court's time-limited injunction, let alone to pre-emptively override Charter rights.

Your constituents agree. 68 per cent of Saskatchewan would prefer that you allow the court to review the policy before rushing to overrule it. In this case, however even if the Supreme Court had issued a final decision finding the policy violated the Charter of Rights of trans, binary and gender-diverse youth, it would still be inappropriate to use the

notwithstanding clause to override that decision. The notwithstanding clause should not be used to effectively eradicate the rights of an already vulnerable population.

I'm just going to read a quote here by David ... I don't know how you say his ... Anyway, he was former executor of the Centre of Constitutional Studies at the University of Alberta.

It can fairly be said that by virtue of the aims, objectives, and structures of the Charter, it would not be appropriate for a legislature to invoke the override where legislation is designed to further disadvantage a disadvantaged group. In other words, the notwithstanding clause should not be used to single out members of a minority group who already are vulnerable to the economic or political power of the majority.

As a legislature, you can occupy a position of great privilege in Saskatchewan, and more broadly in Canada. We implore you not to use that privilege to override, especially pre-emptively, the rights of some of the most marginalized people in this province — trans, nonbinary, and gender-diverse youths.

Sincerely,
Kerry Lynn Okita
Hadiya Roderique
Pam Hrick

And they're with the Women's Legal Education and Action Fund.

Mr. Speaker, ramming through this bill clearly demonstrates how this government has failed to listen to its advisors, who perhaps have, or ought to have suggested a pause must occur and great thought must be given before any hasty decisions are being made, especially after a court decision has been made to pause this policy, Bill 137.

This government has failed to listen to logic, reason, and common good for all people in this province, pertaining to the Bill 137. It may be fair to say, Mr. Speaker, this government is only listening to and only interested in its party base.

It is sad for the citizens in this province to hear their Premier say, "Our government is extremely dismayed by the judicial overreach of the court." Mr. Speaker, this government is the one undermining judicial independence.

Let me read another article from the Saskatchewan lawyers calling out the Premier for the judicial overreach comments. This is "Sask lawyers call out Premier for judicial overreach comments."

The Saskatchewan Trial Lawyers Association is calling out the Premier for his comments in the wake of a court injunction over a controversial government policy.

Okay, and I'm just going to go here. And it says:

In a statement sent to media, Premier Scott Moe vowed to recall the legislature early to rush legislation that would enshrine the policy in law, invoking the notwithstanding

clause to skirt claims that it breaches Charter rights. “Our government is extremely dismayed by the judicial overreach of the court,” Moe said.

The STLA, which comprises over 300 lawyers across the province, says his statement was concerning. “While we respect the Premier and our government, we believe such remarks to be premature, with the potential to erode public trust in our judiciary,” the STLA said in a news release on Friday. “The pause directed by the court is particularly crucial, given the Charter arguments raised and the broader concern for our community, particularly our younger population.”

The judiciary plays a vital role in balancing the power of the legislative branch, and mutual respect between those institutions is “paramount for the effective functioning of our democracy. The legislature devises and implements policies reflecting the best interests of our populace, while the judiciary interprets these policies, ensuring they align with established legal frameworks and societal values,” the new release said.

In his decision to grant the injunction, Justice Michael Megaw noted a clear lack of planning and consultation on the policy.

Mr. Speaker, this lack of policy is like many issues where they fail to consult. And of course, in my critic area, duty-to-consult, education, consulting folks in the community that are impacted. So this, you know, this clearly . . . Lawyers are saying, you guys are not consulting. You do not plan right, nor do you consult.

And this article goes on to say:

He dismissed many of the Saskatchewan government’s arguments against the injunction, including a claim that, without the policy, a six-year-old child starting elementary school could ask to be called by a different name or pronoun or be identified by a different gender.

And this is a quote from Megaw:

I find this argument lacks persuasiveness and to be without foundation or basis on the materials that are before the court on this application.

There is no indication in the materials that any students as young as 6 years old are looking to engage in this discussion. Furthermore, there is no indication that teachers or any . . . educational professionals either have been asked, or will be asked, to engage in this discussion.

So I’m just going to go on here: “The STLA calls on Saskatchewan Party to not . . .” Let me start that again, Mr. Speaker:

The STLA calls on the Saskatchewan Party not to evade the scrutiny of the court. We urge the Government of Saskatchewan to respect the role of the judiciary and to allow the court to perform its constitutional role of doing its job.

You know, Mr. Speaker, this rush to pull Bill 137 through this emergency debate clearly shows the citizens of this province that this tired and out-of-touch government has clearly lost the pulse of the community it serves: the Saskatchewan people in this province.

Mr. Speaker, using the notwithstanding clause to violate the Charter of Rights and Freedoms of children intentionally and knowingly is wholly unconscionable, unconscionable for a government to do.

Mr. Speaker, where I come from as a First Nation woman and a cultural woman who is immersed in her Saulteaux and Cree cultural ceremonies and practices, I want to take this time to share a bit about how highly honoured two-spirit folks are and were. In the Indigenous community, two-spirit folks are highly regarded. Many were healers, medicine people, visionaries. They had a special role, and they do play a special role within our community, Mr. Speaker.

[10:45]

You see, Mr. Speaker, these folks were able to see the world through two lenses: the male and the female. And for that, they were highly regarded. They were able to see both sides through the lens of both female and the male.

Talking about the Indigenous community, and in particular the two-spirit community, is a great opportunity for members, all members, to hear. And it is really sad when you have government members on the other side chatting amongst themselves. This may be the only opportunity they get to hear about Indigenous people, in particular the two-spirit community. But no, you have ministers here talking to each other, making lunch plans perhaps.

Anyway, I’ll carry on. I just wanted to point that out. So for those watching on TV, watching this today, just know as we’re speaking here, talking about the most vulnerable, and in our community, in the Indigenous community, our two-spirit people, we have government ministers chatting, not paying attention, when this could be an opportunity to learn.

In the Indigenous community, two-spirit people were highly regarded. Many were healers, medicine people. They had a special role. I’m going to read this article by Isabella Thurston. She’s a 21-year-old young lady. Just a heads-up, this article also mentions residential school and the effects of colonialism.

The History of Two-Spirit Folks

With June being Pride Month as well as Indigenous History Month, it is imperative to discuss and bring attention to the history of two-spirit folks. Many individuals are unaware of the term “two-spirit,” where the term originated, and the power it carries.

The concept of two-spirit folks existed well before the arrival of European settlers on Turtle Island. Indigenous individuals who identified as two-spirit folks were seen as gifted and honoured in their community because they carried two spirits with them, both male and female. 2S folks were often the healers, medicine people, and visionaries within their given community, and they were

foundational members of their culture. Much of this can be attributed to the double vision 2S people are gifted with, being able to see both through the masculine and feminine lens.

Impacts of colonization

Two-spirit people, as well as all Indigenous peoples on Turtle Island, were deeply impacted and harmed by the effects of colonization.

By the way, colonization is still happening today. This could be viewed as the government doing its best in perpetuating colonization.

One major impact on 2S folks was the introduction of residential schools which forced extremely heteronormative roles onto Indigenous children. Colonization resulted in two-spirit folks losing their way of life and culture, and the effects of that are still very real today and should be brought to light.

Throughout the process of colonization and the devastating effects that came along with it, the respect and honour two-spirit folks had was lost and their roles diminished in society. The homophobic attitudes and the ideas that are present in society have eroded the way 2S folks are treated. However many 2S folks have worked to regain their power and place in the community and culture through education and healing. Through these acts of healing and the restoration of identity, two-spirit folks are being reclaimed as sacred.

Although the concept of two-spirit individuals has been around for a long time, the term was proposed only in 1990 during the third annual Intertribal Native American, First Nations, Gay and Lesbian American Conference which was held in Winnipeg. Elder Myra Laramée put forth the term. The term “two-spirit” is a translation of the anishinaabemowin term “niizh manidoowag,” which actually means “two spirits.”

It is important to remember that notions, ideas, and identities should not be generalized to all Indigenous peoples and culture. Due to the diverse and culturally specific nature of these traditions and understandings, it is crucial to recognize that the concept of 2S folks is not universal to all Indigenous world views. Additionally, when discussing the concept of two-spirit individuals, it is necessary to remember that this is not an identity that non-Indigenous people can adopt or claim.

Most importantly, always centre, listen to, and amplify the voices of 2S folks, not only during Pride and Indigenous History Month but every single day.

I’m going to read August 29th FSIN media release, and I’m just going to go straight to it.

“The Saskatchewan government has a history of failing to consult with the appropriate parties when developing policies. Before enacting a bad policy that harms many of our sacred people within the education system, FSIN calls

on the Ministry of Education to properly engage with two-spirit LGBTQ+ people, 2SLGBTQ+ advocacy groups, researchers, educators, and Indigenous people.”

Saskatchewan regional 2S representative with the Assembly of the First Nations Tyler George says, “This man-made policy infringes on the right of our people and their autonomy. Our nations always had two-spirit LGBTQ+ people; our nations have been sovereign. The youth need to be supported in schools, their preferred pronouns must be honoured, and their gender identity needs to be respected. We are responsible to the Creator to uphold the unwritten wāhkōhtowin law: to be one; to love, honour and respect all that reside on Turtle Island.

I ask all educators to protect our two-spirit LGBTQ+ youth and to make safe spaces within their classrooms. Our Indigenous youth already face challenges in schools within Saskatchewan. This policy is colonial violence that polices gender identity and makes it harder for Indigenous two-spirit LGBTQ+ youth to be supported and to succeed. The two-spirit LGBTQ+ community often has chosen family because families have disapproved of who they are. This policy developed by Minister Duncan and the Minister of Education is a policy that will continue to oppress and harm two-spirit LGBTQ+ youth, and it needs to be repealed immediately.”

From August 29th from FSIN. I’m going to read another article here from *The StarPhoenix*. This is the:

Two-spirit advocates speak out against the new Saskatchewan education policies.

“Our youth shouldn’t have to ask if it’s okay to be who they are.”

When two-spirit children are rejected and ostracized in their homes . . . and Kiera Munroe knows this far too well.

“Working front line with youth for the last three years, I’ve seen the effect it has when our society doesn’t stand with our youth and we’re not walking beside them,” Munroe said, who serves as the co-national post-secondary youth coordinator with the 2 Spirits in Motion Society and Co-Chair for the 2 Spirit Alliance of Saskatchewan.

“Many parents disown their children and turn them to the system because they are part of the 2SLGBTQ+ community. Children are returned to child welfare because their foster parents don’t accept them for who they are. Children are abused for being queer or trans.”

“I’ve attended a funeral for a two-spirit youth due to suicide because of policies and oppression in our society. Suicide among queer youth is rampant and it’s heartbreaking.”

Munroe was devastated to hear about the new education policies announced by the Saskatchewan government at the end of August. The policies require anyone under the age of 16 to get parental permission to change their name or pronouns at school, and ban outside groups from giving sex education presentations in class.

“This is really heavy,” said Munroe. “It feels like the Minister of Education doesn’t care about queer, trans, or two-spirit youth. These policies are not right. Youth have human rights too, and their voices matter.”

Some compounding intergenerational traumas.

Historically, many Indigenous communities honoured two-spirit people as healers, medicine people, and leaders.

“A long time ago, they had two-spirit people within our communities. They were very sacred,” explained Wanita Bird, proud mother of a two-spirit child, during the Ahtahkakoop Cree Nation’s first Pride Week in 2022. “They would carry the sacred items and have sacred roles within the community. And with colonization, a lot of that was lost.”

Munroe said the residential school system — which divided children and school into the boys’ side and a girls’ side and tried to erase anybody outside or in between the binary — created lasting intergenerational traumas that affect two-spirit children growing up today. Children in residential schools learned it was bad or wrong to be two-spirit or didn’t learn about two-spirit identity at all.

Two-spirit people say the lingering effects of this rejection and erasure continue to make it harder to reclaim two-spirit roles and teachings. Munroe fears the government’s new policies will compound these harms.

“Before colonization, two-spirit youth were free to be themselves. They didn’t have to ask for permission. They were just simply themselves. And they were loved for that. When you have to get permission to live as your identity, or when other students aren’t learning about this, it continues to harm our Indigenous youth, which adds another barrier for them in our society. Our youth shouldn’t have to ask if it’s okay to be who they are.”

I’m going to read a little bit from my constituent, Jordy Ironstar:

We’re taking that autonomy away from children.

Jordy [my constituent], one of the co-founders of the 2SAS and the national facilitator for the 2SIMS, said youth need to be free to embark on the learning journey of understanding who they are and who they might grow up to be, while being supported and uplifted — not silenced or restricted — by the adults around them.

He goes on to say:

As a two-spirit, Indigenous person, one of the most important teachings I carry with me that I’ve gained from the two-spirit community is the idea of allowing a child to show you who they are.

He adds:

The responsibility we have as adults, as educators, as parents is not to interfere with that. With policies like this, which say you need to consent, really what you’re saying is

you need permission to be able to play with that fluidity, with your gender or your gender expression or your pronouns. We’re taking away that autonomy from children, and we’re overstepping those boundaries and not allowing them to reveal themselves to us.

[11:00]

Another piece here I want to talk about, Ochapowace First Nation Headperson Tyler George, who was here in the gallery earlier, who serves as the Saskatchewan regional two-spirit representative to the AFN and said:

The policy is deeply alarming. We’re taking steps backwards. It scares me that other regions might try and follow suit. It’s a dangerous policy. Putting policy forward sets the tone for society. I don’t want it to normalize hate or put kids in danger.

As children heading back to school [and this was back in August], George wanted two-spirit youth to know that they’re not alone and they have support, even if they’re not able to explore their identity or come out and be acknowledged as their true self in the school this year. He says:

“Know there are people who are fighting for your protection. We’ll always fight for the protection of our children because our kids are going to be the ones who change our world, our future. So we need to protect them.”

I’m going to read another clip from the AFN and the AFN 2SLGBTQIA+ Council, which condemns the pronoun use policy in schools.

The AFN and the AFN 2SLGBTQIA+ Council members condemn the pronoun policies introduced by the ministries of Education, both in New Brunswick and of course in Saskatchewan. In Saskatchewan, students need parent consent. This policy will regulate the use of pronouns, violate human rights, and expose 2SLGBTQIA+ youth to the risk of being involuntarily outed at home and misgendered at school.

The interim national chief states: “These policies are not just discriminatory and a clear violation of basic human rights, but also are dangerously misguided. First Nations in Canada have a rich history of honouring two-spirit individuals. This policy conflicts with our cultural norms and does not align with the principles of self-determination and identity that are vital to the health and well-being of First Nations in Canada. Further, this puts two-spirit youth in danger of being outed in unsupportive environments or being misgendered at school, both of which can have harmful consequences.”

“This policy puts youth in danger,” said Tyler George, the Saskatchewan regional representative.

He goes on to say:

Many two-spirit and LGBTQIA youth grow up in homes that do not accept them. Youth often face alienation and lack

of support by their homes or their families. Considering the high suicide rates among First Nations, especially within the 2SLGBTQIA+ community, schools should be safe havens, not places where identities are subject to parental approval. This new policy undermines our inherent rights to be who the Creator made us to be and maintains the troubling legacy of colonial policies aimed at erasing our identities.

Okay. Mr. Speaker, it is so very sad when the Premier of this province calls an emergency debate to ram through Bill 137 when only 18 people reached out to him. And remember, 7 of those 18 people are parents.

Mr. Speaker, I'm going to take some time to read letters from my constituents and concerned citizens regarding this bill that we're debating, Bill 137. There is one from one of my constituents, Dr. Rachel Loewen Walker. And this was also sent to my colleague from Meewasin.

I write to you today as a queer woman who lives in Saskatoon Centre and has been a proud resident of Saskatchewan. I am devastated and embarrassed by the steps that Premier Scott Moe has taken in recent weeks to stage a direct attack on trans and gender-diverse youth in the name of promoting his own image as a conservative leader and in line with political pressure to secure votes.

In the first place, I find it extremely troubling that our province would implement an under-researched, unprompted, and dangerous *Use of Preferred First Name and Pronouns by Students* policy in the first place, but more importantly, that after clear public and legal intervention into the policy, including a full report from the Office of the Children's Advocate and legal proceedings on behalf of the local, national 2SLGBTQ+ organization and expert testimony, Premier Moe sought to invoke the notwithstanding clause in order to override a court injunction granted by Justice Michael Megaw on September 28th.

The notwithstanding clause enables governments to override the Charter of Rights and Freedoms. It is a hammer within a democracy intended for unprecedented events such as war or large-scale disasters. Instead of allowing a fair democratic process that has already begun in our courts, Scott Moe intends to use this hammer to remove the human rights of children.

This scares me but should scare everyone in this province. Premier Moe is effectively saying, never mind your rights, to our province's children and youth. A dangerous sentiment that both betrays the level of anxiety that gender diversity causes our government and demonstrates the lengths to which our province will go to alleviate their own gender trouble, or rather their criticism of any practices that go against strict definitions of what girls should and what boys should do.

Arguments about protecting the rights of parents is a further veil for government overreach.

I'll read that again:

Arguments about protecting the rights of parents is a further veil for government overreach. If they can override human rights protection for children, who is to say they wouldn't do that for the same, for adults in the future?

On the matter of the policy itself, first of all I want to thank the school divisions across the province that have long worked closely with the 2SLGBTQ+ organizations and individuals to ensure they are best supporting gender-diverse young people. As documented in the court proceedings and in Justice Megaw's decision, the Regina Public School Division documented a clear policy, effective June 2022, that provided processes named.

But I'm going to go straight to . . . Yeah, the printing is too small for me to read. Okay.

Just imagine what it looks like in our schools as trans and gender-diverse youth are already excluded from social and public life. Despite these backslides, I invite you to remember the incredible forward momentum around trans rights as Saskatchewan added gender identity to the human rights code in 2014 and Canada passed Bill C-16 in 2017, adding protections based on gender identity and expression to the Canadian human rights code and the Criminal Code. In 2018 people in Saskatchewan could remove their gender marker from their ID. And as of 2020, they can lose the X marker on their health cards.

These are all movements in the right direction. And it is sad but not surprising that during a period of human rights advances for trans and gender-diverse people of all ages, those in disagreement are amping up their efforts. It is precisely at times like these that we must take a long view of human rights in our province. We must stay the course in ensuring that Saskatchewan can be a safe space for trans and nonbinary children and adults, and demonstrate that standing up for our previous advancements is a key part of progress. When it comes to the proposed policy to require parental consent for name and pronoun changes in school, the reality is that this is a settled area of law.

As hundreds of parents, teachers, children, youth, and concerned members of Saskatchewan have already shared, and as Justice Megaw shared in his ruling, it is no question that this pronoun policy will cause irreparable harm, and further it will cause irreparable harm to some of the most vulnerable people in our society. It is not too late. Roll back that decision.

Sincerely,
Dr. Rachel Loewen Walker

Thank you, Rachel. I'll read another letter from my constituent, Lynn:

Dear Betty Nippi-Albright:

I am writing to you as a constituent of Saskatoon Centre to voice my strong opposition to the Sask Party's plan to invoke the notwithstanding clause. I am alarmed that they plan to push through their policy restricting youth from the freedom to use preferred pronouns and names at school.

I want to thank the NDP for standing against this policy and against this government's suppression of rights and calling for these letters. We do need a chance to speak out as Saskatchewan citizens before this government goes with this dangerous action. I am horrified that this is happening, and that we have a government in place that would invoke this clause in this way.

I object to the policy and am very concerned about the young people that it targets. I am concerned for teachers and for parents who want to be doing their best to support and nurture the lives of young people. The policy does not support them to be communicating honestly and well with young people.

I object to the policy itself and am also very concerned about this tactic of using the notwithstanding clause and what that will mean for life in Saskatchewan. This government is sowing seeds of fear in society by demonstrating that they will do what is in their own interest ahead of protecting the most vulnerable in our society, which is what the Charter of Rights and Freedoms helps us to do.

Thank you and your colleagues for standing against this tactic and standing up for Saskatchewan people.

Sincerely,
Lynn Caldwell

Thank you, Lynn. Another one of my constituents:

Dear Ms. Nippi-Albright:

I am a constituent in your riding and a lifelong NDP voter. I am also a lesbian and very concerned about the rights of everyone who is 2SLGBTQ+. I am writing over my dismay about the Sask Party's intention to invoke the notwithstanding clause to deny the rights of trans and gender-diverse kids in Saskatchewan schools. This will do irreparable harm to these children in adolescence.

I will start with my story. I was very fortunate to grow up in a wonderfully loving and supportive family, but I still came out to friends and my church youth group leader before I came out to my parents. This is typical for several reasons. One is related to adolescent development and the need to create an identity separate from one's parent. I felt the need to be sure that I was lesbian, and of what that meant for me before I shared it with my parents.

[11:15]

A second reason for coming out to friends first is that it is easier to predict their reactions. Particularly as a teen, one frequently has long, deep discussions with friends in which one can test the waters and learn about their thoughts and beliefs. One also can see them in action, so to speak, in their day-to-day interactions with others and other friends and students at school.

A third reason for coming out to people who aren't family first is that the stakes are lower. It hurts to lose a friend, but it is devastating and can change one's whole life if one is

rejected by one's family — particularly for children and teens, who depend on their families for everything.

Being a gay or lesbian teen is hard. But being a trans teen is even harder. Trans kids have the highest rates of suicide, 9 or 10 times higher than the average. These rates drop by half when a trans kid has just one supportive adult in their life. This parental rights policy risks kids' lives by making it unsafe for trans kids to confide in teachers. It is discriminatory because it only applies to children and teens who asked the school to use their cross-gender pronouns and names. Children who prefer a nickname, a shortened version of their name, an anglicized name, or their middle name will not have their parents informed, since both names are the same gender.

Under this policy, students will be outed without any of the support or protections that teachers have been offering until now. It will force teachers to break their code of ethics by treating trans kids in a way that actively harms them, and it cuts trans kids off from a substantial source of material support as teachers can serve as connectors to social services, health care, and other services they might need.

Trans kids deserve to be safe and happy at school. To be safe and happy, they need the teachers and other adults there are to use their . . . They need support to safely come out to their families to ensure that they are loved and accepted rather than rejected.

It is time the Sask Party supported the well-being of everyone in the province by promoting factual education and mutual acceptance rather than hateful rhetoric, or step aside to let the NDP do so.

Sincerely,
Stephanie Ardell

Thank you, Stephanie. Mr. Speaker, that was extremely hard. Very difficult for me to read through.

I have loved ones that are trans. I have loved ones that are gay. And I recall the challenge it was for my nephew transitioning and the fear and the anxiety and the depression he went through before he transitioned.

I think of my nieces who were afraid to lose the love of their parents. I remember when my niece came out to my brother and my sister-in-law. It was difficult. Her parents were the last to know. She told the rest of us because she trusted us. And we encouraged her: your mom and dad do love you.

I've read a lot of these letters and it was hard to get through them because, you know, as a First Nation woman I know the challenge it is to live in this world, to speak truth to power, to be okay, and to try to be part of mainstream. The challenge. I know what it's like. I understand the courage it takes. I understand the commitment it takes to know who I am as an Anishinabe woman.

I can't imagine the struggles, the hardships the two-plus community, two-spirit community, the rest of my non-Indigenous two-spirit community face on a day to day. And this government is going to be passing and ramming it through.

They're not passing and saying we'll vote on this. We're going to ram this through. Because you know what, we almost lost a seat in the by-election and we want to get that base back and we want to get the far-right wing back. We want that support back. Forget about the kids. Forget about trans children. Forget about nonbinary. Forget about two-spirit. Forget about them.

This is for political gain. This is. And this Bill 137 and this notwithstanding clause is being used to trample on their rights, to trample on their freedoms. And that's not right.

Mr. Deputy Speaker, I'm also going to read another letter from a very dear friend of mine who also is a constituent of mine and also worked in my office for a short term and is also trans. And he wrote a letter to the NDP caucus, so I'll read it on behalf of all, for us:

Dear NDP caucus:

I know this week might have been one of the toughest for you and I genuinely want to extend my appreciation for your resilience. If we haven't directly interacted, there's a chance I've reached out through one of your acquaintances. And if we're yet to meet, I eagerly await that moment.

Up until this moment, I thought I could keep myself out of the reconvening politicians support group. This has dragged me out of hiding.

I've been reflecting upon the histories and intricacies of how societies grapple with evolving understandings of identity, particularly in the realm of sexual orientation and gender identity. The recent introduction of Bill 137 has only amplified my concerns and the need for this dialogue. It might be a lengthy read, but I encourage you to go through this. And if you resonate, consider amplifying its message to the legislature.

And I have to say, anything Estefan writes is worth sharing. Estefan, for those that don't know, was an MLA in Edmonton.

I will cover the ways that the history of the recognition and the rights of gender-diverse individuals have been a contentious issue deeply rooted in societal norms and prejudices. The battle for acceptance and rights did not commence in a vacuum. It evolved against a backdrop of systemic discrimination, misunderstanding, and at times outright hostility. The unveiling of Bill 137 has only intensified these reflections, underscoring the urgency to address these concerns. As we stand at the crossroads of our shared narrative and an uncertain future, it is worth retracing the steps we've taken so far.

I think many people see two-spirit, lesbian, gay, bisexual, trans, nonbinary, and intersex people as all one person, and as one gains rights to do, so the other — and sometimes that's true — but that I have found that trans, two-spirit, nonbinary . . .

There must be something very important the members are discussing. This is from concerned citizens. This is about concerned citizens bringing forth their concerns about a bill, Bill 137, that they are ramming through.

So for those in the audience and those watching, there are members talking and just being rude and not respectful.

Canada's journey in . . .

Just for those that are watching TV, the ones that have watched TV, watched the session, probably not a whole lot, but anyway, those that have been watching with great interest about the debate, watch how the newly elected member from Lumsden is already behaving. This is a person that the constituents of Lumsden have elected, and is supposed to represent not only the constituents of Lumsden, but all of Saskatchewan.

And this all does come back to Bill 137.

Canada's journey in recognizing rights based on sexual orientation, while commendable, both has been marred with resistance and societal discourse. For instance, while the 1995 Supreme Court case *Egan v. Canada*'s decision was a beacon of recognition for sexual orientation, the very same court permitted the denial of pension benefits to same-sex couples. Events in Alberta further accentuated this dichotomy. The Alberta human rights legislation, which initially failed to recognize sexual orientation, was deemed unconstitutional in the landmark Vriend case.

I want to pause here because there are many similarities between what has happened then and what we are debating today in the very House today. So the minister for sports and recreation and Status of Women . . . [inaudible interjection] . . . Yeah, here you have . . . Perhaps you would like to stand up and be part of this debate. The people came here to hear the debate.

Mr. Speaker, the folks in the gallery came here. They're interested. They're impacted by what Bill 137 is going to have on them. They haven't read what we've received here, so they're depending on us to read this, what we've heard here, what we've received. They're depending on us, relying on us to bring this. If they cannot hear me as I'm saying this because members opposite, ministers opposite are over-talking me, how is that fair to them that have travelled great distances to come and sit here and listen? That's not. That's utterly disrespectful.

Well I'm going to . . . Okay, I'm just going to go and flip to a sombre reminder of the fragile nature of these rights.

Many attribute the hard-won rights to Premier Ralph Klein's admission that discrimination based on sexual orientation was morally wrong. But it was also the collective resistance from everyday citizens, communities, the bar association, LEAF, and labour groups that solidified this victory.

This week a Human Rights Commissioner stepped down. There are more allies than we might think. While the Premier believed he was making a wise political move, he inadvertently galvanized the public, spotlighting his hasty decision making.

[11:30]

A quote cherished by the trailblazers of that era, Margaret Mead, remains pertinent: "Never doubt that a small group of thoughtful, committed individuals can change the world.

In fact it's the only thing that ever has." We owe our gratitude and recognition to these pioneers: Delwin Vriend, Doug Stollery, Michael Phair, Justice Sheila Greckol, Justice Julie Lloyd, Murray Billett.

Interestingly sexual orientation was incorporated into *The Saskatchewan Human Rights Code* as early as 1993. It's evident that the prairie provinces have played a pivotal role in moulding the rights landscape for queer communities.

On the other hand, rights surrounding gender identity have trudged an even murkier path. A whole 16 years elapsed after the Vriend case before Saskatchewan acknowledged gender identity in its human rights code in 2014. I'm compelled to ask, does this government recall the reasons behind that decision? Nationally it wasn't until 2017 that gender identity and expression were added to the Canadian human rights through Bill 16.

I'm just going to say here Bill 137 in its current form seems to widen disparities, jeopardizing the strides made by trans and gender-diverse communities. Policies, while procedural, on the surface have profound implications. This is particularly true for young trans individuals who often rely on external anchors, like teachers and peers, for understanding and solace. Mandating parental consent as the bill proposes overlooks the multi-faceted dynamics of family relations. And if that wasn't enough, they should learn more from the conservative Premier who has learned the lessons the hard way — throw money at this by hiring MLT Aikins because you can't convince your internal in-house counsel won't be enough. It's a fraught political strategy.

So I'm going to share a bit about Estefan's own personal story. No, actually before I go into that there's another individual I'm going to bring out. And this is from a constituent of mine, Terry:

Dear Ms. Nippi-Albright:

I am writing to you because I'm a member of your constituency and I am greatly concerned with what the Premier Moe has said he's going to do. Forcing through this parental inclusion policy is the opposite of inclusive and is going to cause harm to our youth.

Not only is it singling out trans youth to follow a rule that doesn't affect cis-youth, it carries the possibility of outing them to unsupportive caregivers. This can be dangerous and raises the risk of these youth being abused or kicked out onto the street. It also increases the risks of suicide and suicide ideation.

I know this is not the majority of kids. Stats Canada says 1 in 300 people report being transgender. If half those kids have supportive homes, they are fine. But if half don't, the province is reducing the safety of and causing direct harm to 1 of every 600 kids. Why is the Premier so intent on this pronoun policy when it does nothing but to bring harm to a small percentage of our children?

Ms. Nippi-Albright, I grew up in a small, predominantly Christian town north of Saskatoon. I attended a small

Mennonite Bible college. The majority of the queer kids I know from those places were not supported by their families. Most of them did not come out until well after college. The option was never there for them. There were no supports in those communities. Maybe 50 years ago that could be overlooked, but we know better today.

Even one adult using the correct name and pronouns of a trans youth reduces their risk of suicide. Teaching kids about sexual orientation and gender identity is not going to turn kids trans. What it will do is to let kids know — who are already trans — that they are not broken or defective or made wrong. I will let them know they are valid.

I know that many of the people pushing this policy forward are conservative Christians. I know because I grew up in that community and still have family there. Perhaps those pushing to further marginalize 2SLGBTQ+ children in Saskatchewan should recall what Jesus said about "the least of these," under Matthew 25:45, that how we treat the most vulnerable, the most marginalized among us, is the same as if we were treating Jesus that way.

Instead of making policies that hurt these children, we should be caring for them and protecting them.

Thank you for your time,
Terry

Thank you, Terry. I'll read another letter from Maja, another constituent of mine.

Dear Betty Nippi-Albright and team:

I would like to start by saying how grateful I am for your leadership in my area. Your voice as a woman and as an Indigenous person is so valuable to me and our community. I am grateful that you have taken on the role to fight and advocate for all of us in a time when the job can be so difficult. Thank you.

I would also like to congratulate the NDP on the large win in Manitoba. I am grateful for the strength of Wab Kinew and a growth for Indigenous leadership in our country.

Today I am writing in response to Scott Moe's parental rights legislation. I will not stand to see this passed as law. This legislation silences queer kids' voices and forces them into corners. And it also opens up the door to harm children's rights in all areas, and freedom of expression for all citizens.

I have young children, ages seven and three. I value their voices even at this age when they are just discovering what gender is. My kids are very curious about everything and ask many questions, and I give them as many honest answers as I can. I want to be an open place where they can come to me first. But I know the reality of childhood and adolescence, that at times my children will seek support from their peers and teachers before they come to me. And it is my job to earn their trust so that they will come to me. My biggest concern is for my kids to feel that they have safety in all places that they exist. And if that means

confiding in teachers and others at school, no matter what the discussion, I want them to feel safe in doing that.

In this context we are speaking about gender and naming. If this law is passed, it opens the door to all sorts of other laws that strip people of their rights to individuality, freedoms, and safety. We do not want to go down this path and follow the Sask Party regime anymore. We will not let them control our voices or the voices of our children.

Thank you for taking a stance against this policy, and thank you for being our voice in a time when we need it so much. I hope that our future holds an NDP premier in Saskatchewan. We are so grateful for your voice.

Sincerely,
Maja

You know, Mr. Speaker, taking the time to read these concerns and enter them into the record is something that is so, so much needed. You know, it's unfortunate, sad, not surprising that this government would not consult in a meaningful way, consult with teachers, consult with young people that are most impacted, organizations that support these young folks. Mr. Speaker, it is sad.

At the same time, it's not surprising because this is a government that has lost its vision, that has lost the pulse of the community it serves, the Saskatchewan people. This is a government that is so tired, so out of touch with the citizens of the province. They are so scared of losing seats to the Saskatchewan United Party, their far-right wing base. They want them back. And to use a notwithstanding clause as a hammer to hammer them back in, and it were actually a hammer, and do that on vulnerable people so that it appeases their far-right wing folks, part of their party base, that's sad. That is sad.

Here we're telling children, we're talking about freedom of speech, freedom to be who they are. Be who you are. The sky's the limit. Nobody can tell you what you can't achieve. Here we're telling our children that and we're saying, yes, you go for the stars; you go.

And here we're . . . [inaudible] . . . we have a paternalistic government that says, we know what's best. We know what's best. We've governed for 16 years, and we are the experts. We know everything, and we know what is right and wrong. You parents, you children, you service providers do not know. We do because we've been in government for 16 years.

You know, this Bill 137 is an example of this government just rolling right off the tracks. Remember their statement of "we're back on track." Well you know what? They just veered off and then they just went full tilt and rolled off. Anyone that has sound mind and is rational would know we cannot use a notwithstanding clause to trample on the rights of the most vulnerable, and in this case our children, our young people. We can't. We can't.

When this came out, this brought me back to the policy the federal government created for residential school systems. The parents, the Indigenous parents, were seen as savages. Our way of life, our government structure, the way we lived was not

acceptable to the colonizers that came to this place we now call Canada. We were different and we didn't fit that white mould. So legislators, leaders of that time said, you know what, we need to create residential schools because those parents, that community, doesn't know how to take care of its own. But we do, so we're going to create this policy, residential school policy.

I'm a product of that. I am a residential school survivor. For nine years, I know what it's like to not talk to my siblings. I know what it's like to be told what time to get up, what to clean, what to wear, how to do it. I know what that's like.

[11:45]

And here, 2023, here is a policy that's being introduced by a provincial, paternalistic-thinking government that is now saying to the citizens of the province, you guys don't know what you're doing. You don't know what you're doing. Those kids can't be who they are. But we do, so we're going to introduce this bill and we're going to ram it through. And because we're getting some resistance from the courts and the courts are saying, hold on, hold on; think about this; give it some thought. The government not even an hour later, the Premier not even an hour later comes out and says, we're going to use the notwithstanding clause.

And I'm like, whoa. I have a master's degree in political studies. I read about the Charter of Rights and Freedoms. I had to study that, the notwithstanding clause. It's a tool that isn't used lightly.

And here we have a government, a Premier who's saying we're going to use this. This is a bully in the china shop, or a bull in the china shop saying, I don't care what anybody says. We're going to do this and we're going to use this law. And we're going to use this notwithstanding clause to do it because nobody knows. And here it goes against . . .

I'm a grandmother, as you all know. I'm proud to say I'm a grandmother. And I'm a mother. And I was a single mother. And yes, I was one of those statistics. I was a teenage mother. I was also a teenaged widow. After my husband died, I had to raise my baby on my own as a teen mom to try and work, to try and complete my education. I did my best. I was very fortunate. I had supportive people in my life.

I struggled and I sought support to help me. My baby and I grew up together. We grew up together. We stumbled along the way. And one of the things, as I grew up myself and learned to do, was to say to her — for me to gain her trust — to say, there is absolutely nothing you can say or do will make me stop loving you. I said it and I meant it and I kept reminding her that. And in time she shared with me stuff that she's been struggling with and has that trust within me. But that didn't come overnight.

And I try that with my grandchildren, and as a grandmother it's my job to encourage my daughter to share those things with her children, to create that safe place. But what is scary, Mr. Speaker . . . I don't know if any of my grandchildren will come out and identify as trans or two-spirit. I don't know that. What I do know is I will be loving. I will be supportive. And I will do whatever it takes to ensure my grandchild is successful no matter how they identify themselves to be.

The passing of this bill or the ramming through of this bill, it's

ludicrous. It's ludicrous. You know, I was sitting at home and my husband asked me, well what do you think of this? And I'm like, naively — naively — I was thinking, ah, they won't. They're just threatening to use that notwithstanding clause, you know. Because (a) any sound government that is governing for the good of all will think about this and will not use a hammer like this notwithstanding clause lightly. They would exercise all and exhaust all avenues. This is the tool of last resort. This is the tool.

But this didn't happen here, Mr. Speaker. The Premier didn't (a) respect the decision that was made. In fact an hour after tweeted, oh, this is not good; yeah, we're going to do this. Judicial overreach. We have these branches that are set up.

And I said, there's only three that I'm aware of on the opposite side that have obtained an undergrad degree in political studies or a master's degree in political studies. Those individuals ought to have known this, that the notwithstanding clause is not something to be used lightly and that all avenues must be exercised. But it didn't happen here.

And this clearly demonstrates to the people of this province, the citizens of this province, this government has lost the focus of the community. They lost the people-focused service they pledged to do as elected MLAs. They've lost that completely and in fact instead have become self-serving.

We have been elected, Mr. Speaker, to be servants of the citizens of this province, to do our due diligence and consult in a meaningful way with people that are going to be impacted, with stakeholders that are going to be impacted. Unless I was out in the hallway, you know, or out in left field picking dandelions when this was happening. I certainly know that in my university studies, doing my undergrad and on my master's degree, I paid attention to this. I paid attention to the notwithstanding clause. I paid attention to good governance. I paid attention and I did extremely well, you know.

So when it comes to this bill, it is so appalling that this government that is so exhausted has now, out of fear of losing its support, has decided to come up with some whacked-up idea that, hey, let's go and trample on the rights of the children in this province. That's sad. That is sad. Democracy. That's not democracy.

It's hard reading through these letters, Mr. Speaker. Some of these people I know, people I know within my community, within Saskatoon Centre. It's hard. But I'll keep reading them.

I'm going to read another letter from one of my constituents, Todd Paslawski. You see, Todd is married to . . . I think I'm her grandmother; in kinship, I'm her grandmother. Anyway they got married this summer. Great musician. I've been invited to go and listen to him play in The Bassment, etc. Anyway I'm going to read quickly just a little bit about:

I'm writing today for my family, my community, and my conscience as a citizen of this province. The willingness of the Sask Party to employ the notwithstanding clause to enact their legislative policy regarding students under the age of 16, who wish to change their preferred pronoun or name which they use at school expressly in cases of gender identification, to thereby rob those trans or gender-

questioning youth from having a school atmosphere which provides them a gender-affirming place is an outrage.

So here's the thing we'll go right down to. He goes on to say here:

Nicknames? Yeah . . . [inaudible] . . . fine. It's what the government says. Nicknames? . . . [inaudible] . . . fine. Yes. Short names? Sure, sure. Using a middle name instead of a first name? Yeah, go for it. Go for it. Using a name chosen by the students themselves which they feel more accurately represents who they are at this time in their lives? No, we need a law for that.

It is so ridiculous, it beggars belief. Why are trans and gender-nonconforming or questioning students at risk in our province and in our country and in many others at this time?

This is a long one. Here:

The fact that statements such as “years of conservative withdrawal now allow Saskatchewan schools to secretly socially transition a 10-year-old” are published in a *National Post* op-ed commentary and contain the dark, ominous innuendo that all too often, as the basis of these types of policies, shows exactly where we are as a province and nation.

Jamie Sarkonak's op-ed comment on this new Saskatchewan Party policy, all the dog whistlers the Sask Party has employed to carry on with its wink-wink, nudge-nudge messaging, its down-home, colloquial, grassroots knowledge, which has always been introduced with “many people are saying, many people are saying, and we have lots of messages of support” without actually showing their work.

So that's what they're saying. This government says, we have a lot of support for this; we actually have 10,000, over 10,000 that we heard. But yet, in court documents, it says 18 people were communicating with it, and seven — only seven — of them were adults. And yet, we still didn't see the 10,000 responses for support. We didn't.

So this bad-faith action on the Sask Party endangers those who are already facing discrimination and marginalization, enacts one of the classic tactics of abusers everywhere. The Sask Party has cast the majority as a victim and is rushing to protect those already wrapped within layer upon layer of protection. It abuses those who cannot protect themselves and emboldens factions within our society, following along with a dangerous and exclusionary denial of the basic human right for kids and adults to exist in public with safety and to have the freedom to choose who they will be identified, who will they be identified.

You know what? This bill here, you know, at its worst, will cause, truly cause irreparable harm and human suffering for children. Unless, unless, Todd goes on to say:

Unless that was this government's intent from the beginning. [And he also says] If that's the case, that you're doing this and you don't care, then you could not be doing

it more effectively. And all the while playing the victim.

[12:00]

Thank you, Todd, for sharing this.

I'm just trying to rifle through my kind of closing comments here. There's so many. Much more. I know a lot of my colleagues have . . . Here's a really good one from . . . Here, I'll read this next page here from Brandyn Rodgeron. And I'll just kind of go through here:

This policy is simply an artificial solution in search of a problem that does not exist. Parents from Saskatchewan did not ask for this policy, as evidenced by Premier Moe's own admission in recent weeks, such as his admission that he has not heard from a single Saskatchewan parent that had a child hide their trans identity from them.

The proposed policy is, instead, the result of a concerted effort by a coalition of extreme actors, both foreign and domestic, to influence Saskatchewan's policy. I urge the members of the legislature to stand strong against these forces to protect trans youth and their families from government overreach, to denounce misinformation and hate whenever they see or hear it, and actually promote legislation that realizes and respects human autonomy and dignity.

You know, Mr. Speaker, it's very disconcerting that this government has, this Premier has, reconvened us all for this emergency debate. You know, we have real issues in this province. Real issues that need emergency solutions now. Many in Saskatoon in my constituency, I see many people carrying all their belongings, pushing all their belongings in a shopping cart. Finding places to go lie down with all their belongings. I see many homes in some of my constituency, in my neighbourhood, where homes are being . . . houses are being boarded up and absentee landlords, not from Saskatchewan but from outside of Saskatchewan, boarding up these homes. I see that in my constituency.

Mental health and addictions services are not there when you need them — not because staff don't want to do it; it's capacity. We don't have the staffing capacity. The government keeps going on about, we have a plan, we have a four-point plan, we have a five-point plan. What are your timelines? What are your target measures? How do you evaluate your timelines, your outcomes? Where is that? And how is this government penalizing themselves when they're not meeting those targets? How are they doing that? I know probably they're not.

Suicide, suicide rates in this province. You all know I have attended many, many funerals of young people who have taken their lives, who have issues with living a day at a time.

Labour Day weekend, before Labour Day weekend, I was asked to go to one of the communities. And it was a joyous occasion to go and speak at a grand opening of a family resource centre. This community has been in the media so many times because of the tragedies that they have faced, and it was wonderful to go to that community to celebrate this new building, the resources that they were now going to have to support their community members.

Was a wonderful time. I grew up three miles from that community, so I grew up with many of them. And it was good to go back and say, hey. And it was wonderful.

I have family that live in that community. My brother lives in that community with his family, and from that community to Saskatoon is a two-and-a-half hour drive. Two hours into my drive, and I had just left that community, I got a call. My 22-year-old nephew was struggling, hung himself. My brother was in the hospital because his heart is very weak, and he had to be taken out of the hospital to go and make funeral arrangements for his boy he just lost. Two days later I get another call. Another family, another nephew from another community died of a drug overdose.

Their funerals happened to be at the same time. My family and I, no family should have to do this. There's a double funeral. We had to say who was going to go to which funeral because they were happening at the same time. And we had to be supportive to our young people, my nieces and nephews, my sister-in-law who was trying to recover from a massive stroke. It was difficult for my family to travel almost to Manitoba and then to travel to this other place. And we had to communicate back to our entire family and say we can't all be there because we have to support each other, our communities.

That's just one story. There's many. We have a crisis with addictions in this province that's taking away our young people every single day. And yet, that is not something that's urgent enough for this government to reconvene on, to debate on, to address. It is not.

The addiction in this province. I spent this summer trying to help family members access treatment centres, access mental health supports. And community people phone my office to help them, to find out what services are there.

Community people do not care about the Pillars for Life plan when they're on the verge of committing suicide, when they are using drugs, using alcohol to numb that pain inside. They're not thinking about the four-point or five-point Pillars for Life plan. They're thinking about, where can I get help right now; I need help right now. I don't want to die from this addiction, but I've got deep hurts inside that I don't know how to deal with, and I need to talk to somebody. Those are the real issues that we have here.

This government has governed for 16 years. One of my jobs in the health sector, I worked at the Calder Centre as an addictions counsellor. It's over 30 years ago. We were dealing with alcohol and pot use, maybe the occasional hard drug use. But many people, young people — I used to work in the youth wing — many of them had a lot of issues, core issues, abandonment issues that they were dealing with. In the adult wing, same thing, many people were dealing with those. It was alcohol and pot, I would say, and that's the majority of a lot of folks we helped when I was an addictions counsellor. And here we are in 2023. We're dealing with fentanyl. We're dealing with these benzos; all I hear is benzos. And then we're dealing with crystal meth.

Crystal meth. I must say, as somebody that was an addictions counsellor over 30 years ago, 20 to 30 years ago, I didn't know what crystal meth was. I knew when somebody was intoxicated

or drinking. I could smell them. I could see it in their eyes. But when somebody that's a crystal meth user, and when they are on a crystal meth high, I can't tell if they're on anything.

The only thing I can tell is the behaviour is erratic. How do I know that? I had one of my nephews show up at my property — this is years ago — and he used to look straight in my door and I used to think, what the heck's going on with you? Smarten up. Quit looking at me like that. But here I did not know he was on a crystal meth high.

So these are issues that are important, that are impacting citizens in this province, regardless of your socio-economic status. It's impacting all of us, yet this government doesn't see a need to bring us into this House to debate on that or to pass legislation to address that.

Cost of living. Saskatoon Food Bank is in my constituency right now. When I drive to work, I drive to my office, around the block is a lineup of people. And some of the cars that are parked there, they're nice cars. And when I chatted with folks, some of my constituents, they're like, Betty, I've got three jobs. I've got three jobs and I have to come to the food bank. I have to come to the food bank. I can't afford to live. The cost of living.

[12:15]

Rent — I'll give you rent. Rent is an . . . And I'll use myself as an example. I was looking for a place here in Regina. And I thought, oh, you know, when I first arrived here as an MLA, had no problem getting a little studio apartment. I was good to go. Anyway, so I was looking for a new apartment to live, and you know, I have the capacity to look on here on our computers, search and look at apartments.

And I have to say that, you know, we do have a little dog. My husband and I have a little dog. He's a little bichon frise, and I can't forget him at home or leave him at home, so I have to look for a place that can have my Fergus come visit me every now and again. He doesn't live with me but he can come visit.

So I was looking for a place, couldn't find anything. And then I thought, okay, well then maybe we'll leave him at home, right. And I'll find a place where, you know, I can live that doesn't allow pets to be in. Well you know what? The rents, the rents, I couldn't believe it. I could not believe how much it costs. We're very privileged as elected MLAs with the salaries we have, but I was blown away with the costs of the rising rent and how many people . . . It is no wonder there are so many people without a home. It is no wonder people are sleeping in streets, sleeping in the little warm places they could find.

And yet that is not deserving of a special sitting like we're having here for Bill 137. We all have it. That's an issue across this province, not just in the urban centres, across this province. And yet this government does not see it important enough to call us back to find a solution.

Education. I know you guys love touting yourself of giving, giving to education. And I remember one budget year where you cut them back, pretty much real slashing, 54 million. Remember that, when you just cut it away, 54 million, said, I'm taking this from you. Even though classrooms were growing, children

having different learning styles, children having to learn English as a second language, and you slashed it. And the next year, you gave . . . I forget how much, how much after that first year. You said, here, we gave you money. And I'm like, you just gave back what you took back. Like, that's all. Like, it does not take a rocket scientist to know.

When it comes to money, think of ourselves. If somebody says, here, Betty, here's \$50, and then next year comes back and says, you know what, give me \$25 back. I'd be, like, you gave me 50 million, or \$50. Why do you want 25 back? You take it away from me and then I get all cheesed off. And you all know, right? You know, somebody gave me \$50. Now you're asking \$25 back? And then the next year saying, you know, Betty, how about I give you \$10? And I'm like, but jeez, you still took 25 away from me. Oh no, but \$10, you should be good with that. I gave you \$10. You should be satisfied.

So the government loves spinning that they've given, given, given. But you're only giving back what you took away, and you're patting yourselves on the back. And it's our people that are struggling, our teachers. And then you see fit to create billboards attacking the teachers. Like, I'm thinking, okay, if being a teacher was so lucrative that I could go and get 90 — what is it, 90, over \$90,000? — heck, I would have forgot about my undergrad and said, go be a teacher. No, the average teacher does not earn \$90,000 as your billboard says. And what you're doing is creating divisiveness. You're creating divisiveness.

However, on the other hand I have to say that is this government's MO [modus operandi], creating divisiveness in this province when we need to unite and work for the better good of all people.

So with that, Mr. Speaker, I will not be supporting the Bill 137 and will be joining my colleagues in saying no when it comes to vote this. gichi-miigwech.

The Speaker: — I recognize the member from Regina University.

Ms. A. Young: — Thank you very much, Mr. Speaker. I want to start by thanking my colleagues, by thanking everyone in this building who's been working so hard, so long this week.

I want to thank the citizens of this province who've engaged, who've stayed engaged, who are perhaps remembering that politics used to be one of the only forms of entertainment in this province, Mr. Speaker, who are engaging because they know it matters.

I want to thank the allies out there. I want to thank the brave, sexually diverse, gender-nonconforming people who have come forward and shared their stories. And I want to thank the coalition of organizations out there that have lent their credibility, lent their strength, lent their voices, lent their sleepless nights.

I also want to take a moment to thank our staff who are . . . Every night we're here, every morning we're here, they're here before us; they're here after us. I want to thank the research team, in and outside of this building.

And I want to thank our constituency assistants who have truly

been doing the Lord's work, engaging with the hundreds and hundreds and hundreds of people who have been calling in, sending letters. Hesitant to put a number to it, Mr. Speaker. We've seen some changing numbers in this Chamber and I don't want to be guilty of hypocrisy, but it has been relentless. And our constituency assistants are the front line of that engagement, having emotional conversations, having earnest conversations, doing it with integrity and respect. And I want to thank them for that work.

And I guess, Mr. Speaker, I want to start out by recognizing the children in the province of Saskatchewan, especially those kids out there who may be feeling scared, may not be feeling as safe as they did in July.

And, Mr. Speaker, there is truly nothing, nothing more pitiful than a scared child. There is nothing more heartbreaking, more rending than a terrified child. And I'd implore all members to think about that, to remember that. There's scared children out there. As my colleagues have said, it's not hyperbole. It's true. There's children who have shed tears over this, children who are struggling with this, children who will continue to struggle if this government continues down this dangerous, dangerous path. So let's think about that, Mr. Speaker, terrified children.

And I want to talk, Mr. Speaker, a little bit about leadership. To me leadership is about bringing people along with you. It's not about dividing. And here in Saskatchewan we've got the brains, we've got the spirit, we've got the know-how, we've got the wealth to solve any question under the sun, to answer any question if we do it together.

And what we need, Mr. Speaker, what we need is unity. What we need is vision. We can solve any problem if we work together, if we listen to each other, if we engage in good faith, Mr. Speaker, but we are not seeing good faith.

Mr. Speaker, trans children in this province are being used as a pawn. Trans kids are the Sask Party government's response to answering questions about a stuttering economy, about the lowest life expectancy, about \$500 million disappearing from the provincial surplus. And, Mr. Speaker, quite frankly that is desperate. It's wild. It's dangerous. And as my colleagues have said, someone could get hurt.

We are not going to make Saskatchewan better. We're not going to unify Saskatchewan by trying to legislate the conversations that families have. We're not going to make this province better, richer, freer by dictating what people can and cannot call themselves. Because these aren't just children; these are people.

And what a completely ludicrous statement that is to have to make, Mr. Speaker. Like, let's take a step back and think. We are here in the Saskatchewan legislature. The people who have walked in this Chamber, who have worked in this building, have done remarkable things. We saw the first human rights code in Canada introduced. We saw wars debated. We saw the creation of the Arts Board, library systems, Crown corporations, the potash industry. And we are here today debating what kids can call themselves. If it wasn't so reckless, if it wasn't so craven, it would be funny.

This is a legislature, Mr. Speaker, that used to build this province.

We used to dream of a better life, a better life that could be achieved through ambition, policy, programs, by delivering the very basics of existence — health care, welfare, education — through public services, through the support of our neighbourhoods, through civic engagement, through politics, through democracy. But this government is instead focused on punching down at terrified children and on legislating what kids call themselves.

And we need local voices, Mr. Speaker. We need input. We need family voices, parent voices in education. Not just in education, Mr. Speaker, across the board. We all know this. Whether it's our churches, our service clubs, our political parties — membership organizations — they're changing. Life is busy. Life is getting more expensive. Life is getting more demanding.

People can't live on a single-income family anymore, Mr. Speaker. These institutions matter. We should be building them up. We should be evolving them, finding ways to include families', parents', children's voices. We come together in this legislature, Mr. Speaker, to build, not to destroy.

But, Mr. Speaker, this government doesn't care about doing that. They don't care about terrified children. They don't care about the law. They certainly don't care about their own lawyers, Mr. Speaker, who they've left to twist in the wind.

[12:30]

And no, I'm not just talking about the Minister for Advanced Education or the Secretary to the Premier. They don't care about their own employees. We've got the Premier of the province undercutting information submitted by his own lawyers, undercutting the affidavit of an ADM [assistant deputy minister] in his own government.

I'm not sure who's giving this government, this cabinet, legal advice right now, Mr. Speaker, because it's not just members opposite who are agog at this. It's the Canadian Bar Association. It's trial lawyers. It's the faculty of law, the University of Saskatchewan. They're simply gobsmacked by this arrogant and chaotically inept government, Mr. Speaker.

And just this week we saw that Education minister state, and I quote: "Our government is concerned about the uncertainty surrounding the new parental inclusion and consent policy that has been caused by the involvement of the courts." What a wild statement, Mr. Speaker. What a dangerous statement: don't blame me; blame the judiciary.

My colleagues have canvassed a lot. Members opposite, they don't care about seniors. They don't care about addressing mental health concerns, addictions, the crisis that has been in northern Saskatchewan for decade after decade after decade. They don't care about poverty. We had a tent city explode in Regina two days ago. There's a new tent city growing outside of the YWCA [Young Women's Christian Association] downtown again, bigger every day.

And they don't care about terrified children. They don't care about queer people, about trans people. Imagine what it's like right now, Mr. Speaker, to know that your government has put a target on you. They have put a target on a minority of a minority

of a minority. And not just that — they've put that target on the children in that group, Mr. Speaker. And again, this is not hyperbole.

I want to take a minute, just read into the record, Mr. Speaker, a couple facts about hate crimes in this province. Compared with 2014, which is as far back as police-reported hate crimes go in terms of the reporting, compared with 2014, police-reported hate crimes in Regina are nine times higher in 2022. Nine times. In Saskatoon they are 44 times higher in 2022. But again, Mr. Speaker, the members opposite don't care about that. They haven't considered that.

They can't find their feet to speak to this. I would dare any member opposite to find their feet and speak for six hours in defence of this bill. They can't even make it through a question period, Mr. Speaker.

And the members opposite, they don't care about the kids in this province. And again, Mr. Speaker, I am going to go back to that desperately overconfident Education minister's comments — his own words, not subject to interpretation. His second reading comments, and I quote:

Our government simply just does not accept that it is in the best interests to hide information from parents. And after hearing from parents and grandparents and aunts and uncles from all across the province this last summer, Mr. Speaker, we know that this bill has strong support from the majority of Saskatchewan residents.

Who's missing there, Mr. Speaker? It's children. It's students. It is completely off-base. This is their language, Mr. Speaker, and it is plain and it is clear. What a strange perspective for the minister of K to 12 [kindergarten to grade 12] education to be missing. It's frankly bizarre, Mr. Speaker. It's frankly bizarre.

We support parents being involved in their children's life. Who doesn't? But this has gone from gentle parental inclusion to something pressing, something dark, something urgent. We heard this read by my colleagues. We've seen this reported in the news. The minister said he heard from every single government MLA across the province, except for apparently the Premier and the Minister of Health. And then they said oh, it's not actually about trans kids. It was about parental inclusion. Except wait. The former Education minister, the current CIC [Crown Investments Corporation of Saskatchewan] minister, said that it actually was about children transitioning.

Quote from an article. CP [Canadian Press] reported on August 22nd:

When Duncan was asked at a news conference whether a child named Timmy could go by Tim under the new policy, he said it would be allowed. He said it's unclear whether a child who is not transitioning would be allowed to use another name.

Again, Mr. Speaker, a target squarely on sexually diverse and gender-nonconforming children — a minority within a minority. But then again, Mr. Speaker, just this week that new, wildly confident Education minister, who sits there taking notes filling, you know, a single page, big handwriting, he claimed to have

heard from tens of thousands of parents. Wild, Mr. Speaker. But then again, he's changed his tone. He's also changed the rationale. Well the story's changed, Mr. Speaker, a few times. First he said, well this is a policy largely in place across the province. It's the status quo, Mr. Speaker. I believe he said, the Premier yesterday I believe said this has been largely in place for — and I will quote — “decades.”

Now, Mr. Speaker, this province has a proud, progressive history of human rights. But I would be surprised . . . I'd be delighted, but I'd be surprised to learn that school divisions across this province have had policies on the books about students transitioning and changing their pronouns for decades. I stand to be corrected, Mr. Speaker, but I would love to see that policy from, you know, 2004, the Premier is claiming exists.

Except, wait. Apparently it hasn't been on the radar for years. It hasn't been done in response to contact from “tens of thousands” of Saskatchewan parents, which I would assume is actually getting pretty close to a significant plurality of parents in the province overall, Mr. Speaker. No, apparently it's in response to a specific policy in an individual school division, a school division he hasn't talked with, Mr. Speaker, despite having been Education minister for a couple months now.

And you know, the Premier says he can't explain why. Doesn't know why. Education minister says, well, that was before my time as cabinet minister, Mr. Speaker.

But we know the real reason. The reason is clear. Because this policy, by the government's own submission, the development began on August 10th. The Lumsden-Morse by-election.

If it was on the books for something they'd been planning for months, you think they would have campaigned on that, given the discussions that people are having on the doorstep in Lumsden-Morse, Mr. Speaker. Not sure if members opposite actually went out and knocked any doors this summer beyond, I will assume, that the new member from Lumsden-Morse did that. They would have heard. They could have campaigned on that, Mr. Speaker.

Regina Public has never had an inquiry from the ministry or from this government. But you know what they have had, Mr. Speaker? Threats of violence against trustees. They have to have security at their meetings, and they have had physical intimidation and low-grade assault from an activist group of non-parents who those members opposite have met with.

The people who are engaging in this deplorable behaviour are the same people saying they've got the ear of that government going as far back as March. People who are physically threatening the only queer board Chair in Saskatchewan, Mr. Speaker. People who are intimidating and threatening violence against other elected officials.

You know, Mr. Speaker, when I was with Regina Public we went through some heated conversations around diversity, around pride, around sexuality, gender identity. And the guiding principle that I took into those conversations was to look around and look at who I was standing with, and to have the courage of my convictions. I disagreed with the votes of my colleagues at that time. But they had the courage of their convictions and they

knew who they were standing beside and I knew who I was standing beside.

And I would ask those members opposite, you think long and hard, Mr. Speaker, about the people you are standing alongside, the people who are physically threatening community-minded parents who are engaged with their children's education at the local level.

Now, Mr. Speaker, I talked a little bit about some of the things that we've built here in this legislature, and I'd like to read a little bit from *Hansard*. The history. I went back; I looked at the formation of the human rights code, 1947. I looked at that. It's remarkable things to read, Mr. Speaker — the rhetoric that's flown through this building, Mr. Speaker. I'd like to quote from 1947:

The people must be vigilant. The people must be willing to think about these questions, and they must not allow themselves to be fooled.

People will come along and suggest to people themselves that, in the name of freedom, they should be restricted from making progress and put it in such smooth terms that some of them may even believe it.

But I want the people of this province to remember this: that if they are going to retain their freedoms, they must be forever on their guard. Eternal vigilance is the price of freedom.

You know, Mr. Speaker, I'd like to jump ahead and read another quote from *Hansard*:

The rights of transgender individuals receive strong protection under the existing code. The proposed amendments regarding the expressed inclusion of gender identity will not change the existing status of these protections. Rather, following a request from the Chief Commissioner of the Saskatchewan Human Rights Commission, these protections against discrimination are being made explicit. This change will confirm existing equality rights for transgender individuals and help bring greater awareness of these rights to society as a whole.

Mr. Speaker, the member goes on. I'll quote again:

In Saskatchewan our law recognizes the inherent dignity and equal and inalienable rights of all members of the human family. We do this as a province because the causes for which we stand, of justice, of freedom, of fairness, cannot flourish where discrimination is given rein to coexist.

Mr. Speaker, and of course that second speaker was the member for Saskatoon Northwest, the current Minister of Advanced Education. So what's changed, Mr. Speaker? I would submit that it's those members who have changed.

I have a number of letters, Mr. Speaker, that I'm not going to get to, but I'd like to read one for the members opposite before the clock runs out on me here:

I'm a father of two and executive at a Saskatchewan-owned

and -operated company. I'm also one of your constituents, and I have to voice my displeasure and disgust at what our government is choosing as a battleground. The same government that removes hundreds of children from abusive homes every year is trying to tell us that parents are the ultimate authority in what is right for their children.

Children choosing a different name, nickname, or pronoun is frankly no one's business but their own. They may choose to do it with their family. They may choose to do it instead with a chosen family, people they trust. Kids are not magically idiots without judgment until they turn 19.

It's absolutely baffling that our government is focusing time, money, legal resources, media, and the provincial public service on this — not on the economy, not jobs, not inflation, not the cost of food, not homelessness, not addictions, not missing and murdered Indigenous women and girls, not truth and reconciliation, not per-student funding, not nurse and physician shortages, not a potential flare-up of COVID this winter, not the economic impact of tense relations between Canada and India.

Instead we're focusing on a few dozen kids that want a choice or may need to hide their true self for fear of being outed to parents who may or may not support them. And now we're saying even our justice system is wrong and we need to evoke undemocratic powers to make sure this stays the priority, Trump-style. The moderate, brave, progressive, principled people I believed in have all left the party to which I have a membership. I will have to do the same.

[12:45]

Please keep fighting this. It's wrong. It's wasteful. It's mean. And it's a dog whistle to the voters they are losing to the extreme right. I wonder if they know the moderate voters also hear that whistle, and it makes them turn away.

So, Mr. Speaker . . .

The Speaker: — Time has elapsed. Pursuant to the order of the Assembly, the question before the Assembly is the motion moved by the minister that Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* be now read a second time.

Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

The Speaker: — All those in favour say yea.

Some Hon. Members: — Yea.

The Speaker: — Those opposed say no.

Some Hon. Members: — No.

The Speaker: — Call in the members.

[The division bells rang from 12:46 until 13:15.]

The Speaker: — The question before the Assembly is the motion moved by the minister that Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* be now read a second time. All those in favour of the motion please stand.

[Yeas — 37]

Morgan	McMorris	Hindley
Reiter	Harpauer	Duncan
Merriman	Tell	Wyant
Makowsky	Cheveldayoff	Skoropad
Kaeding	Cockrill	L. Ross
Eyre	J. Harrison	Carr
T. McLeod	Bradshaw	Fiaz
Dennis	Kirsch	Lambert
Ottenbreit	Francis	C. Young
Bonk	Nerlien	B. McLeod
Friesen	Grewal	Keisig
Jenson	D. Harrison	Domotor
Wilson		

The Speaker: — All those opposed to the motion please stand.

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Clerk: — Mr. Speaker, those in favour of the motion, 37; those opposed, 11.

The Speaker: — I declare the motion carried.

Deputy Clerk: — Second reading of this bill.

The Speaker: — To which committee shall this bill be committed? I recognize the Government House Leader.

Hon. Mr. J. Harrison: — Thank you, Mr. Speaker. I designate that Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* be committed to the Committee of the Whole on Bills, and move that the said bill be considered in Committee of the Whole on Bills immediately.

The Speaker: — This bill is committed to the Committee of the Whole on Bills.

Deputy Clerk: — Committee of the Whole on Bills.

The Speaker: — I do now leave the Chair for the Assembly to go into Committee of the Whole on Bills.

COMMITTEE OF THE WHOLE ON BILLS

Bill No. 137 — *The Education (Parents' Bill of Rights) Amendment Act, 2023/Loi modificative de 2023 sur l'éducation (Déclaration des droits des parents)*

The Chair: — Pursuant to rule 85(b), the Assembly has committed Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* to this committee. Minister of Education,

would you please introduce your officials.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. I'm pleased to be here today to speak on Bill 137, *The Education (Parents' Bill of Rights) Amendment Act*. Today I have Mitch Graw, my chief of staff; deputy minister, Clint Repski; assistant deputy minister, Jason Pirlot; assistant deputy minister, Mike Walter; and executive director of corporate services, Rhiannon Shaw.

The Chair: — Minister of Justice, would you please introduce your officials.

Hon. Ms. Eyre: — Thank you, Mr. Chair. With me today Max Bilson, deputy attorney general; Dennis Cooley, deputy minister of Justice; Mitch McAdam, director of the constitutional law branch; Darcy McGovern, director of legislative services; and my chief of staff, Ashley Boha.

The Chair: — By practice a committee holds a wide-ranging debate during consideration of clause 1. The debate may include the principle and details of all clauses of the bill. Once clause 1 is voted on, the debate is limited to the clause under consideration.

Clause 1

The Chair: — Clause 1, short title. Minister, would you please make your opening statement.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. As I said, I'm pleased to be here to speak on Bill 137 today with Committee of the Whole.

Now, Mr. Chair, we are here today because our government is concerned about the uncertainty surrounding the new parental inclusion and consent policy that has been caused by the involvement of the courts. This is why our government has taken action and introduced this bill before the legislature to ensure the rights of Saskatchewan parents are protected and that this policy is implemented by utilizing all legislative tools available to the Government of Saskatchewan.

This bill enshrines our belief into legislation that it is in the best interest of children when parents are involved in their education, involved in their classrooms, and involved in the important decisions in their lives. Now, Mr. Chair, this bill is designed to protect and enshrine the rights of parents and guardians as it relates to their children's education, in a strong legislative framework. The policies that my colleague, the former minister of Education, introduced in late August were brought forward to do just that — to protect the rights of parents and children.

Now, Mr. Chair, these policies include the following: schools must seek parent or guardian permission when changing the preferred name and pronouns used by students under the age of 16 in a school setting; parents and guardians must be informed about the sexual health education curriculum and have the option to decline their children's participation; and finally, to pause the involvement of third-party organizations in presenting sexual health education curriculum in the classroom.

Now these policies that are now being enshrined into legislation with this bill, they were introduced following feedback from

what we've heard from parents and guardians across the province, Mr. Chair. Parents wanted greater involvement and they wanted greater say in their children's education in these specific areas. Parents are the most important people in a child's life, Mr. Chair, and they need to know what goes on and what's being taught in their children's school. We believe that the default position of schools should be to include parents in their child's school life, not to exclude them. This policy and this legislation supports parental inclusion.

Now our government has been clear that if these policies were not in effect at any point in time, that we would use the tools available to us to put them into effect. It is our government's firm belief that the most important people in a child's life are the parents or guardians. And with that belief, it only makes sense for the parent to be involved in important decisions in a child's life.

Now if it is already accepted that parents need to be involved in consenting for things such as going on a field trip or providing medication or allowing a student's picture to be posted on social media then, Mr. Chair, I'd argue that it only makes sense for them to also be involved in the important decisions outlined in this bill that we are discussing today.

Now, Mr. Chair, the use of the notwithstanding clause, it's not to be taken lightly. However our government believes it is warranted in this case to protect the policies that are strongly supported by the people of this province. Its usage is rightly restricted to give the legislative branch of government control over complex matters of social policy and legal rights. Now in this instance, protecting the rights of parents in the education of their children, we believe it's an appropriate use of the notwithstanding clause. Its usage will also help bring clarity to parents as to the current status of these policies following the recent injunction as that court case unfolds.

Now, Mr. Chair, there's been a lot of discussion over the last few days on the amount of funding provided to school divisions. And since our government took office in 2007, I would argue "more for education" has been a theme every single year, Mr. Chair, part of our plan for growth. There's a lot to speak about in terms of growth in education, and that's because there has been more for education every single year — more schools built, more students in our schools, more teachers in our classrooms, more EAs [educational assistant] in our classes, more funding per student, more funding for school divisions, and more child care spaces, Mr. Chair.

Before I get into this previous historic budget that was introduced earlier this spring, I'd like to briefly discuss the additional \$40 million that was provided on top of our record budget, part of our plan for growth in education. Now this \$40 million in funding will help address the growing student population as well as providing our schools with additional support to address needs in the classroom.

I'm pleased to first talk about the \$20 million that was directed specifically towards classroom complexity. Mr. Chair, we've already seen the positive results that this funding has had on our growing classrooms. It includes using \$10 million of that for the hiring of 119 teachers; \$6 million that will be used to hire 70 student support workers; \$3 million that will be used to hire 77

EAs, and that's on top of the \$7 million in our budget that has been used to hire over 300 EA positions since 2021. There's also half a million dollars in that envelope for other resources within the classroom. Now, Mr. Chair, I'm pleased to see how the additional money is having an impact in Saskatchewan classrooms today.

[13:30]

Mr. Chair, in June we also provided an additional \$20 million to support enrolment growth in our schools. And while we're still working with school divisions on enrolment numbers, we believe that enrolment will be pretty close to what we projected at the Ministry of Education.

Now the additional funding brought the operating budget for Saskatchewan's 27 school divisions to a record investment of \$2.08 billion, plus the \$40 million which represents significant increase from the previous year. That's a plan for growth, Mr. Chair.

Now, Mr. Chair, operating funding isn't the only funding that is provided by our government. And while the opposition, they don't like to talk about capital, which is understandable given their record, there are a few things that I would like to highlight for the committee today that speak to our plan for growth.

First I'd like to point to one of the most rewarding things that I've had the pleasure of doing in my brief time as Minister of Education, which is opening new schools. This fall I was able to participate in the opening of a \$44 million new joint-use elementary school in Regina for the Argyle and École St. Pius schools, just not too far, Mr. Speaker, from this Legislative Assembly.

Our government isn't just opening schools, Mr. Chair. We're also completing major renovation projects in our growing province, and this summer we unveiled a \$5 million renovation at Clavet Composite school. And we also celebrated a \$10 million major renovation project at Holy Rosary High School in Lloydminster, which was a partnership with the Government of Alberta.

Now, Mr. Chair, our government is also making progress on other new projects around the province as part of our plan for growth. This summer our government had the groundbreaking of the new St. Frances Cree bilingual school in the city of Saskatoon. We had the groundbreaking of the new K to 12 school in Lanigan, Mr. Chair. We had the groundbreaking of a new francophone elementary school in Regina. And we also had the groundbreaking on a new joint-use elementary school in the Coronation Park neighbourhood right back here in the Queen City.

These are just the projects that we have made progress on this summer, Mr. Chair. We have 17 major projects for education capital that are currently under way all across our province, Mr. Chair. That's a plan for growth.

Now, Mr. Chair, since our government took office, there have been 90 major school infrastructure projects, 60 new or replacement schools, 30 major renovation projects. This means since 2007, Mr. Chair, there has been a new school nearly for every member of this legislature. Think about that. That's a plan

for growth.

Now, Mr. Chair, I'll just spend a few brief moments to reflect on the members opposite's record on capital investment in our schools. I will warn you that it'll sound a little bit different than what we've heard over the last couple of minutes, because less was more for the NDP, especially when it came to education.

Mr. Chair, we've spoken a lot lately about the no-plan NDP, and in fairness it's clear that when they did have the privilege to serve in government, they did have a plan, but it was a plan to do less, Mr. Chair. Just look to the 2001 enrolment project paper produced under the NDP for their insight, for their plan for education. The members opposite did have a plan. It wasn't for growth; it was for decline. And looking to the record on capital, this plan actually makes a lot sense. I'll just touch on a couple highlights.

Mr. Chair, I've spoken in this Assembly before how the members opposite, they closed 176 schools, an average of one per month in preparation of their plan for a declining population, including nine schools closed in Regina, three in Saskatoon, and one in Lang. For context, Mr. Chair, that's nearly three schools closed for each member of this legislature, a plan for decline.

They lost over 30,000 students, which speaks to their plan to increase per-student funding by losing students. Mr. Chair, less students means less teachers. But don't worry, Mr. Chair. The members opposite had that covered in their plan for decline as well. From 2001 to 2007, there were over 400 fewer teachers in Saskatchewan classrooms, Mr. Chair.

Now, they did provide \$285 million in capital over their last 10 years, which was I guess part of that plan, but they also provided to school divisions for PMR [preventative maintenance and renewal] funding a grand total of zero dollars. I'd like to quickly contrast that, Mr. Chair, to point out in the last 10 years of government, we have invested over \$1.6 billion in school capital, Mr. Speaker — 285 million versus 1.6 billion. That's part of our plan for growth.

Now in closing, Mr. Chair, I'd like to just go back to the bill being debated before the legislature here today. Our government has outlined a plan for growth of parental involvement in our schools in this bill. The parental bill of rights outlines and it adds more opportunities for parents to be involved in their child's education. I'll list these here, Mr. Speaker. This bill of parental rights include the rights for parents to:

act as the primary decision-maker with respect to the pupil's education;

[the right to] be informed on a regular basis of the pupil's attendance, [the pupil's] behaviour and academic achievement in the school;

[the right to] consult with the pupil's teachers and other employees of the school with respect to the pupil's courses of study and academic achievement;

[the right to] have access to the pupil's school file;

[the right to] receive information respecting the courses of

study available to the pupil, including online learning, and to make decisions as to which courses of study the pupil enrolls in;

[the right to] be informed of the code of conduct and administrative policies, including discipline and behaviour management policies, of . . . [their child's] school;

[the right to] be informed . . . of any disciplinary action or investigation taken by the school in relation to the pupil's conduct;

[Mr. Chair, the right that] if the pupil has been expelled from [the] school, [to] request a review and reconsideration of the expulsion . . . after the expiration of one year;

[the right to] . . . be informed and consulted in relation to the pupil's school attendance problems;

[the right to] . . . be consulted . . . or request a review . . . in relation to the pupil's capacity to learn;

[the right to] . . . excuse the pupil from participating in the opening exercises . . .

[the right to] be consulted . . . before any medical or dental examination or treatment is [to be] provided to the pupil . . .

[and the right that] if sexual health content is to be presented to pupils in the school:

[had received notification] at least 2 weeks before the sexual health content is presented to the pupils, [and to] be informed by the principal of:

[both] the subject matter of the sexual health content . . .

the dates on which the sexual health content is to be presented . . . and

[the right] if the parent or guardian . . . chooses [to do so, to] withdraw the pupil from the presentation of the sexual health content by . . . [providing] written notice to the principal;

[the right that] . . . if the pupil is under 16 years of age . . . [that consent must be provided] before the pupil's teachers and other employees of the school use the pupil's new gender-related preferred name or gender identity at school; and

[finally, the right to] be a member of the school community council . . . as the case may be . . . [at that particular] school.

Mr. Chair, as I stated previously, our government knows that parents and guardians, well, they've got an important role to play in supporting and protecting their children. This bill, Bill 137, it will protect the fundamental rights of parents and guardians and ratifies that they are the primary decision maker when it comes to their child's education.

I'd like to conclude by just thanking the parents and guardians

who have communicated with us, their elected representatives, on the need for a piece of legislation such as this to help involve them more deeply in their child's education, and our government is proud to support them.

So, Mr. Chair, I'm now pleased . . . Thank you very much, Mr. Chair.

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. I'm pleased to offer additional remarks concerning Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023*. This government has always been clear, Mr. Chair, that we would use all available tools to defend parents' rights to be included and informed and involved in the education of their children, and here we are.

This bill is about providing clarity to prevent uncertainty and excessive delay and to integrate the policies, terms, and tenor within a strong legislative framework to ensure that the rights of Saskatchewan parents are heeded and protected, and to restore and to reset an honourable balance in relationship between school and home. Mr. Chair, parents are *parentis*, not *loco parentis*. And they should be involved in the education and important decisions in their children's lives. That should be the default position.

As I referenced in the Assembly the other day, Mr. Chair, I was asked the question recently: parents aren't human rights experts; how can they weigh in on this issue? Because, I answered, parents are experts in their children's lives. And that's really what this is about, Mr. Chair.

If it's accepted that parents have to consent for all the reasons that my colleague, the Minister of Education, laid out, surely it only makes sense that parents of under-16-year-olds, who request that how they are going to be referred to or known is going to change, and that a new name is going to be used on class lists or timetables or student IDs [identification], surely parents should be involved in that process.

And, Mr. Chair, we have talked to thousands of parents. Keep in mind that a certain number of letters — be it 18 or 180 or 8, which an official in Education that would or would not have been aware of — isn't the broader root cause or the broader "why" when it comes to formulating this government policy. That's not the way formulating government policy unfolds. It's a snapshot only, in this case, by someone who is involved in drafting the policy.

And the fact is that we have thought about this and weighed it and talked about this policy for a long time. And part of that analysis, of course, included what the Western world really is grappling with, Mr. Chair, and analyzing and weighing and balancing in countries across the world, in Sweden, in Denmark, in the UK [United Kingdom], in the US, and here at home in New Brunswick as one example.

Last year we, along with many other parents, were concerned as one division in this city in particular, July 2022, introduced administrative policy that required that student names and pronouns be kept confidential from parents, not disclosed. Two provinces over, in Ontario, the Toronto District School Board policy currently states as follows: that there is "no age limit on

making any 'accommodation request,' and further that a school should never disclose a student's gender-nonconformity or transgender status to the student's parents, guardians, caregivers, without explicit consent."

So part of the conversation, Mr. Chair. Yesterday in the House I quoted from the North East School Division here in Saskatchewan, which put it very well: "Trusting relationships with students do not come at the cost of infringing on the trust of parents."

And from Keith Keating, the director of education for South East Cornerstone Public School Division: "The majority of what seems to be included [he said] in this new legislation is already either in *The Education Act* or is in policy as current practice." He said in terms of the policy on pronouns and name changes for trans youth, "We have always had the default position in this school division that parents should be involved regardless of age in these discussions." He goes on, "One of the first questions that's asked by schools is, do your parents know? And if they don't, can we help you in having a conversation with them?" Very consistent, Mr. Chair, with the policy and the Act.

Mr. Chair, I've referenced a parent who reached out to me, one of many, but in this case a parent who described how she and her husband weren't aware that peers and counsellors and teachers were using another name and pronoun for their child for an entire year, that the counsellor had bought their child a chest binder without telling them, and that when they called to question this and query this, they were twice reported to social workers who came to their home before finally deeming it safe. And this parent wrote that:

I do think there are many other parents in our shoes who are trying to navigate this and protect our children and their long-term interests. I also think that some counsellors and teachers might be against this but are scared to speak up.

So, Mr. Chair, it's time to reset the balance.

There's also been mention in the last few days of the UN [United Nations] Convention on the Rights of the Child. There are two key foundational principles that we feel can't be forgotten in regard to that document. The first is that children, defined to mean anyone under the age of 18, require adult guidance and supervision. The second is that the primary source of this guidance is to be the parents and not the state.

Mr. Chair, on the notwithstanding clause, of course part of the law, part of the Canadian Constitution, provinces — including Saskatchewan with Allan Blakeney — fought hard for the inclusion of the notwithstanding clause in 1982. It was Mr. Blakeney who said that the clause does not amount to a suspension of rights, that the rights enumerated in the Charter are not more important than other rights, and that the Charter should not be regarded as creating a hierarchy of rights, and that there would be instances when rights would "collide."

[13:45]

On the notwithstanding clause, Mr. Chair, in legislation it's the third time that it's been used in our province's history. In 1986 it was used to settle a labour dispute. Saskatchewan also used the

clause to respond to litigation with the Good Spirit School Division over whether non-Catholic children should and could attend Catholic Separate Schools. However, given the Court of Appeal overturning the trial decision in that case, the legislation was not proclaimed.

This of course in contrast at the use of the notwithstanding clause, Mr. Chair, to the hundreds of times that it's been used in Quebec. As one example: from 1982 to 1985, Quebec had an automatic legislative override in place. It notwithstanding everything that would otherwise have been caught by the Charter, which added to all Quebec statutes.

And these are provinces, Mr. Chair . . . And we've said this now a number of times that provinces — including Saskatchewan as referenced with Allan Blakeney, Alberta with Peter Lougheed — have fought very hard for the inclusion of, as in the notwithstanding clause in 1982, as a crucial constitutional tool and as a crucial counterbalance.

And we've quoted from Mr. Blakeney in 2010, who had as we know been a very strong advocate, not only for the language "exclusive jurisdiction over natural resources" in section 92A, but also for the notwithstanding clause. He wrote that he disagreed that the use of the notwithstanding clause amounts to a "suspension of rights" as stated. He called that a false dichotomy.

And, Mr. Chair, surely as I've said, it's the difficult cases, it's the challenging ones, that the notwithstanding clause is meant to address. In this case it addresses what have been described as foundational questions of parenthood, identity, privacy, and consent.

Fundamentally the notwithstanding clause is part of the Constitution as stated, part of the long-running tension and balance between judicial and legislative federal and provincial powers, Mr. Chair. It is about legislative sovereignty. And fundamentally this bill, following from our policy, is about parental rights.

Mr. Chair, as I've also stated, as a former Saskatoon school board trustee, what I recall more than anything is that parents wanted to be involved in their children's academic and social upbringing. They wanted to be included. Not just some parents and not other parents, not under the guise of "we want to include all parents, but" or "we want to include all parents, however." Mr. Speaker, they want to be included as parents. And that is what drives all of this and this bill that we are debating today. Thank you, Mr. Chair.

The Chair: — Well thank you, Minister. Are there any comments or questions on the bill? I recognize the member.

Mr. Love: — Thank you, Mr. Chair. I'd like to state for the record that ministers opposite have been talking for over 25 minutes in time that is allotted for questions during this committee time. I'd like to make sure that that's included in the record.

My first question to the Minister of Education: why is he amending *The Education Act*? Did he consider any new legislation or amending alternate legislation?

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, to answer that question I would draw the member opposite's attention to, in the amendment 197.2, under "Rights of parents and guardians." And again I canvassed this list in my opening comments, but you know:

Subject to the other provisions of this Act and to the regulations, a parent or guardian of a pupil has the right to:

(a) act as the primary decision-maker with respect to the pupil's education;

(b) be informed on a regular basis of the pupil's attendance, behaviour and academic achievement in school;

(c) consult with the pupil's teachers and other employees of the school with respect to the pupil's courses of study and academic achievement;

(d) have access to the pupil's school file;

(e) receive information respecting the courses of study available to the pupil, including online learning, and to make decisions as to which courses of study the pupil enrolls in;

(f) be informed of the code of conduct and administrative policies, including discipline and behaviour management policies, of the school;

(g) be informed pursuant to sections 153 and 154 of any disciplinary action or investigation taken by the school in relation to the pupil's conduct;

(h) if the pupil has been expelled from school, request a review and reconsideration of the expulsion in accordance with subsection 155(3) after the expiration of one year;

(i) pursuant to subsections 160(4) and 161(7), be informed and consulted in relation to the pupil's school attendance problems;

(j) be consulted in accordance with section 178 or request a review in accordance with section 178.1 in relation to the pupil's capacity to learn;

(k) in accordance with sections 182 and 183, excuse the pupil from participating in the opening exercises mentioned in those sections;

(l) be consulted in accordance with section 190 before any medical or dental examination or treatment is provided to the pupil pursuant to that section;

(m) if sexual health content is to be presented to pupils in the school:

(i) at least 2 weeks before the sexual health content is presented to the pupils, be informed by the principal of:

(A) the subject-matter of the sexual health content; and

(B) the dates on which the sexual health content is to be presented to the pupils; and

(ii) if the parent or guardian so chooses [to], withdraw the pupil from the presentation of the sexual health content by giving written notice to the principal;

(n) in accordance with section 197.4, if the pupil is under 16 years of age, provide consent before the pupil's teachers and other employees of the school use the pupil's new gender-related preferred name or gender identity at school; and

(o) be a member of the school community council or the conseil d'école, as the case may be, of the school.

Now, Mr. Chair, the member opposite's question was around, you know, the consideration of new legislation versus an amendment, Mr. Chair. You know, really the list that I read again here, you know, most of those items in that list under section 197.2 of Bill 137, most of those items were already found elsewhere in *The Education Act, 1995*, Mr. Chair.

And so really what we've done with this amendment Act is pull together and really consolidated a list of all the areas that *The Education Act* already required parental consent or parental involvement in. And really what it does is it provides a transparent look at all the areas where parental involvement and consent is required by the legislation.

I think that's transparent to put it all in one section. When a parent, for example, chooses to say, what are my rights when it comes to my child's education or what are my legislative rights in terms of interacting with my child's school or school division, that's why, you know, they are all listed here. It's consolidated in Bill 137 under 197.2.

And you know, I would draw attention for the member opposite, I mean, obviously the new sections . . . you know, the consolidation of what was already in *The Education Act*. Obviously, (m) and (n) are new, and then there was an adjustment to point (e) to include online learning.

And obviously as we know with the introduction and new investment that our government has made in the Saskatchewan Distance Learning Corporation, we felt it was important to ensure that online learning courses were added to that point (e) in terms of parents having the right to "receive information respecting the courses of study available to the pupil, including online learning, and to make decisions as to which courses of study the pupil enrolls in."

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. The minister is correct that parents already had many of these rights entrenched in *The Education Act*. And I would point him to sections 3 and 4 of *The Education Act, 1995* which give the minister significant powers. So the question is, why is this legislation required when all of those things were in the Act, and he has the powers to change them without legislation?

[14:00]

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, I guess as I have stated in my previous answer here, I mean what we've done with this amending Act is, you know, things that were maybe more implicit are now expressly or explicitly stated in this list. You know, we've consolidated everything in that list of what parents' rights are when it comes to the education system. And I think that, again, what that does now, and going forward, is to provide clarity, consistency, transparency.

Again when it's in policy . . . When we move it from policy to legislation, that does ensure that consistency across school divisions, across the province, Mr. Chair. You know, again, we've got 27 locally elected school divisions in this province. When it comes to . . .

You know, I would point to subsection (m), you know, the piece around "if sexual health content is to be presented." And you know, here's an example: out of 27 school divisions, we had 15 in the province that did have a policy that explicitly required schools divisions or school staff to notify parents of that content being presented in the classroom. But 12 of the 27 did not have that policy. And in fact, in some of those 12, the onus was put onto the parent to reach out and inquire about when those types of materials would be presented, what the materials would look like.

And so again specifically when it comes to (m), I think (m) is just a great example of that consistency piece, making sure that what happens in Saskatchewan Rivers School Division, which is where we really took the wording in the policy (m) from . . . What we've done is made sure that now what happens in Saskatchewan Rivers is now the same in Living Sky School Division, for example, or South East Cornerstone Public School Division or Chinook School Division or Prairie Valley, Mr. Chair.

So I think, again to try and answer the member's question, it's really about consistency across our education system.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I'd like to ask a number of questions about consultations. And the first question to the Minister of Education is that, we know that this policy was written during a handful of days in August. The Minister for Justice has stated that they've been contemplating this legislation for months before that.

During that time, up to when this policy was drafted in August, who did the Ministry of Education consult on creating the policy?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Maybe I'll just make some opening comments on this question. And you know, I guess the way that consultation discussion from the opposition on the consultation of this policy and the bill has kind of, the way the opposition has framed this, over specifically in the last week

here, but really in the last couple of months since the policy was introduced, I think it's actually quite concerning how they framed this.

We have 61 members in this Assembly, you know, representing a variety of communities all over the province, Mr. Chair. Our jobs as members of the Legislative Assembly, duly elected by the constituents in all of our respective constituencies, Mr. Chair, we are, all of us, are in the policy development space, if you will, every single day, Mr. Chair. As you meet with constituents, as you speak with constituents over the phone or over email, Mr. Chair. I mean, you know, when you attend a local Battlefords North Stars game and people come up and chat with you, you're in a policy development space.

That's what we are elected to do as members of this Assembly, Mr. Chair, is to listen to constituents, listen to their concerns, try and understand how those concerns fit within existing policy frameworks or existing legislation, Mr. Chair, and try and understand, again, how we need to move things or change things to better serve the people that elected all 61 members here.

You know, it kind of . . . As someone who was elected just in 2020 at the last election, the conversations around education and parental involvement in education, Mr. Chair, I can say even before my time in this ministerial portfolio, those are conversations that I've been having, you know, with different parents and different people that come and speak with me about concerns they may have, you know, or things that they feel positively about in the education system, Mr. Chair.

And I would say there's members, certainly on this side of the House, who have been elected longer than I have, Mr. Chair, and that's exactly what the job of an MLA is, to speak with constituents, to do policy development, and to understand how we need to adjust things as a government to better serve the people of this province. So I think, you know, in terms of who has been consulted on this policy and in the legislation, Mr. Chair, it's the people of this province. It's the people in 61 constituencies all over the province, Mr. Speaker. It's people in Saskatoon and Regina and Battleford and Bienfait and Maple Creek, you know, Mr. Chair, so that's the kind of the consultation we did.

We want to know about, who are the experts in children's lives? It's their parents, Mr. Chair. That is the foremost expert on . . . You know, and I hear members opposite shaking their head and, you know, clucking their tongues at that concept, and you know, just demonizing the thought that parents have the best interests of their children at heart, Mr. Chair. That's who's been consulted on this bill.

And so, you know, for the members opposite to indicate that policy shouldn't be formed that way and there needs to be a very large formal process, well the formal process is what we're doing right here in this special session, Mr. Chair. We brought the House back because this legislation, we believe, is of utmost importance to the people of this province. And the formal process is what we're going through right now: first reading, second reading. We had adjourned debates. We're now at the committee stage, Mr. Chair.

So you know, Mr. Chair, I would just say that when it comes to

the consultation on this policy and this bill, it's been with Saskatchewan people, and it's been with Saskatchewan parents and grandparents and aunts and uncles and people all over this province. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, let the record show that the minister was asked a question about consultation. He could not name a single individual, a single organization, a single stakeholder in education who was talked to in the development of this policy. There were zero details. I'll give him another opportunity.

In the Court of King's Bench ruling on the injunction published on September 28th, Justice Megaw refers to no evidence being provided by the government and states that there is no indication that this new policy was discussed in any way with parents, teachers, or students, that no expert assistance was enlisted to examine the impact of the policy, and no indication the government sought any legal advice on the constitutionality of the policy. The question to the Minister of Education: does the minister support the judge's findings?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — You know, Mr. Chair, I thought my previous answer to the member opposite laid out pretty clearly how our government does policy. Our government listens to the people of this province. We get together as a caucus and we discuss, and then we move forward with policy. We introduce that here on the floor at this legislature.

So I do disagree with the judge's comments in the ruling because that hasn't been my experience as an MLA. As an MLA we've heard — I can say government members all across the province — government members have heard clear desire from constituents across this province for more involvement in their child's education. That's crystal clear.

And so for that member to stand up and indicate that actually listening to the people of Saskatchewan is insufficient policy development work, I think that's offensive to the democratic process. That's offensive to the work that's done here by all 61 members all over the province, Mr. Chair.

Again, Mr. Chair, who did we consult with? I'll come back to this, Mr. Chair. We consulted with the people of Saskatchewan. We consulted with parents and grandparents and aunts and uncles all across this province, Mr. Speaker. We heard that it was important to clarify and codify what a parent's right is when it comes to their child's education. The list that I clearly read out in 197.2, I think it clearly outlines that.

And so, you know, I think it's unfortunate that the member dismisses that as insufficient consultation. You know, again being elected in 2020, I take my work seriously in terms of listening to constituents. And you know, obviously when we hear from people all across the province — you know, on any issue, but this issue that we're discussing here over the last couple of weeks — there are people in our communities on both sides of this issue. I'm comfortable that a majority of people in this province support this legislation. That's why we're here. That's

why we're moving forward with it.

But you know, we still have a responsibility to listen to people on both sides of the issue. But as I've indicated in question period a number of days now, Mr. Chair, even constituents that I've spoken with that may have some concerns about this legislation or may need some clarification on this legislation and what it means, the thing that's in common, I think, is that nobody wants to be less involved in their child's education. I haven't heard that. I haven't heard that. I haven't heard from a government member that says that there's people out there that want to be less involved in their child's growth and development. Parents across the province want to be more involved. That's exactly what Bill 137 does.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — I'll say it again for the record, that the minister has now had two opportunities to name a single individual, organization, any open town hall, any open consultation, any democratic process to talk about who was consulted, and he has not delivered to this committee a single answer.

I'll ask again in a more simplified way. Did the Ministry of Education consult with Saskatchewan Teachers' Federation, Saskatchewan School Boards Association, or with any health care providers or professionals with expertise in the areas covered by this bill?

[14:15]

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — You know, I'm going to try and outline this again for the members opposite, you know, in terms of what our roles are as members in terms of listening to constituents and developing policy that supports our constituents.

Have we spoken with teachers? Yes, we've spoken with people who are teachers in this province. Have we spoken with health care professionals? Yes, I've heard from people who are health care professionals, doctors, nurses, specialists, Mr. Chair. You know, we've heard from people who have professional expertise in all these areas that the member opposite referenced in his question about the importance of being involved in their child's education.

Have we heard from teachers? Absolutely we've heard from teachers. I've heard from teachers in my constituency. I've heard from teachers elsewhere in the province. I've heard from school board members. I've heard from school board members that believe that this is the right thing to do. And that's important to note because, as I've indicated in question period, again, over the last week or so, a number of school boards already had these policies in policy or in practice, Mr. Chair. So, Mr. Chair, you know, the member opposite is again trying to . . . I'll give the member opposite the benefit of the doubt, but it's disappointing that the members opposite continue to discount the voice of parents in this province. That's really disappointing.

You know, most of us here in this Assembly are parents, but we also have professional expertise in other fields, Mr. Chair. And

we bring that professional expertise in to inform, you know, contacting elected officials about our opinion, perhaps. But we also have that expertise of being parents, knowing what's best for our child, having that care and attentiveness for our child and their growth and development.

So again I would just say, you know, that if the member opposite wants to continue to talk about consultation, I'm proud. I will get up and stand up here for the next four hours and talk about the fact that we've listened to the people of this province, you know, constituencies all across the province, about their desire to be more involved in their children's lives. I'll talk about that happily for the next number of hours. Thank you, Mr. Chair.

Mr. Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, in his previous answer, the minister claimed that he — before developing the policy, during the months that they were considering this — that he engaged in discussions with school board members and health care professionals. Which ones? Name them, please.

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Now, Mr. Chair, as I have outlined before and I will continue to outline, I've spoken with people in my constituency. I've spoken with people in other communities all around the province. I know that government members have had a significant amount of correspondence over the last several months. And so what that has done is it's really enabled, again, government to have a clear view, I think, into where the majority of Saskatchewan people are at when it comes to parental involvement in their child's education.

You know, and the member opposite's question . . . You know, and he would know this, Mr. Chair. When a constituent comes and brings forward a piece of casework, there's a consent form that we have a constituent sign to present a piece of casework. That's normal process. And what that consent form does is that that protects that individual's information from being shared with other people outside of government, with the media or on the floor of the Legislative Assembly, you know, from being shared.

That's part of the democratic process, Mr. Chair, that as an individual in a community, I can call my elected official without fear of being named in public, Mr. Chair. And you know, people have different appetites for expressing their views in public, and we need to be sensitive to that as elected officials, Mr. Chair.

You know, and I would say again, as I've indicated day after day in this House, Mr. Chair, that, you know, we believe that the vast majority of Saskatchewan people want to be more involved in their child's education and believe that the parental bill of rights, Bill 137, helps to accomplish that, helps to enshrine those rights in legislation.

You know, I think what is disturbing to me is when I have a constituent — multiple constituents, quite frankly — call me directly, stop me in the grocery store, stop me at a hockey game, send me an email, say, hey, I want to tell you that I'm in support of this policy. I'm in support of the parental inclusion policy. I'm

in support of the parents' bill of rights, but I'm too afraid to say something.

These are teachers. These are nurses. These are people in prominent positions in our community who feel that if they take a public position on this bill specifically and this policy, that they're going to be yelled down by people who are in vocal opposition to this bill. Mr. Chair, you know, again that is concerning to me, is that it seems that, you know, there's many in this province that feel like they can't speak out in support of this policy.

And that's been my experience as an MLA. I think that's been the experience of numerous other elected members on this side, Mr. Chair. So again when it comes to consultation, I'll say it again. We've listened to the people of this province. We understand there are people on both sides of this issue. But the commonality, the uniting factor again is that nobody wants to be less involved in their child's education. And again what Bill 137 does, what section 197.2 does, is it lays out very clearly where parents have rights to be involved in their child's education.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, the minister opposite knows this. We are not talking about casework. We are not talking about privacy concerns on casework. He knows that. He's conflating the issue. He also knows that in the development of any normal piece of legislation or bill, consultations take place and officials keep track of the records of who was discussed. This happens in committee for every piece of legislation that comes before this Assembly.

He's now had three opportunities to name anybody who was consulted, any stakeholders. I'm not talking about discussions at hockey games or at the grocery store. I'm talking about the kind of consultation that goes into legislation that is a process, that is a cornerstone of democracy everywhere. And his answers today have indicated that somehow that cornerstone of democracy did not take place with respect to Bill 137.

I will give him one more attempt, without talking about casework or hockey games or grocery stores and without talking about what he heard after the policy was introduced. Before the policy was created during a handful of days in August, who did the ministry talk to?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — I'll say it again, Mr. Speaker. We have consulted with experts in children's lives: that is their parents. We've done that all across the province. We've done it in every constituency, community after community. That's the process for consultation.

I'm not sure if that member has drafted a piece of legislation himself or introduced a piece of legislation himself in this Assembly, Mr. Speaker. I'll apologize if I'm mistaken on that.

But, Mr. Speaker, again, the people that have been consulted on this bill are the experts in children's lives, and that is Saskatchewan parents.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — In discussions in this Assembly during question period, Mr. Chair, and in the media, the Minister for Education has claimed on several occasions that he's heard from tens of thousands of parents. I would like to ask him to detail how those tens of thousands of parents contacted him, and how did he determine that they were indeed residents of Saskatchewan and parents of school-age children.

[14:30]

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, I've said in this House tens of thousands, and I absolutely . . . We've heard from tens of thousands of individuals in this province, whether that be emails, whether that be calls, whether that be petitions, whether that be conversations, as I've indicated, at grocery stores or hockey games, which somehow the member has an issue with.

You know, Mr. Chair, we've heard from tens of thousands of people in this province. You take 40-some MLAs across the province in communities. I myself, Mr. Speaker, I represent about 20,000 people in my constituency. Most of us are about that size. About 13,000 eligible voters over the age of 18, I think, Mr. Chair, is the number, roughly. Give or take a few.

But, Mr. Chair, you know, the reality is whether it's a call, whether it's a petition, whether it's an email, whether it's an in-person conversation, Mr. Speaker, how do I know that these are Saskatchewan residents? They're in my community. These conversations are occurring in my constituency office or at a hockey game in my community. So you know, am I going out and checking a licence plate of somebody that I'm having a conversation with at a hockey game? That seems like a layer of bureaucracy in terms of relating to constituents that's just a little bit unbelievable, Mr. Speaker.

And I know, like, tens of thousands, I know it seems like a lot, Mr. Chair. It seems like a lot of people for the NDP. But we've got a province now that's grown to over 1.2 million people, okay. Members opposite, they represent a party that said that this province would never be over a million people and they liked it better that way. They liked it better that way, Mr. Chair.

So you know what? When it comes to engaging with people in this province, I make no apologies that we've heard from tens of thousands of people across the province, when it comes to this policy, Mr. Chair. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I wonder if the Health minister attends any hockey games of the fantastic team, the Swift Current Broncos. I'm sure he does. But he's also indicated he's never heard from a single constituent who's concerned about this issue, so you know, that's awfully interesting, isn't it?

I'd like to give the minister a chance to comment on this

discrepancy: he's claiming widespread consultation and tens of thousands of people concerned, but I'll tell you, this province did see widespread consultation through the SSBA [Saskatchewan School Boards Association] in preparation for the provincial education plan for 2020-2030. Now while that's not out yet, and we're near the end of 2023, there was widespread consultation done by his ministry, done by teachers, and done by school boards.

School boards alone held over 300-plus public engagements where members of the public could come forward and provide their input on what needed to be included. That included over 10,500 distinct individuals. Those individuals provided over 36,500 unique comments. Their number one concern? Access to mental health supports for our children and youth. Something that showed up zero times in 36,500 comments was concerns about gender identity or pronouns.

How can he make sense of the discrepancy between this type of widespread, public, democratic consultation and the evidence that he's failed to present to this committee today?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. And, Mr. Chair, I'll just quickly . . . The member opposite, he spoke about the provincial education plan in his question and, you know, proud to say that where we're at with the development on that is we have endorsement from all 27 locally elected school division boards with the PEP [provincial education plan].

As it stands we look forward . . . We continue to work through our action plans on that, and we look forward to sharing more of that in the fall and winter here as we go ahead. There's been a significant amount of work that's gone into that. So we look forward to continuing to engage school boards on that specific piece of policy with the Ministry of Education.

I do think though, what's different with the PEP, provincial education plan, is really about how schools deliver education and interact with their students. But what we're talking about here with Bill 137 is how parents engage with the school, right. So you know, I think it is important because again when we're talking about consultation on the PEP, it makes sense that, you know, there are specific stakeholder groups — SSBA, STF [Saskatchewan Teachers' Federation], so on.

But when we're consulting on a bill regarding the parental bill of rights, what we have here in Bill 137 . . . You know, I think the fact that we've heard from, as I've said, tens of thousands of people across this province, many of them parents, Mr. Chair . . . You know, again they're the experts in how and what this bill really speaks to, which is parents being involved in their child's education.

Again I'm comfortable to stand up here every single day and say there's been sufficient consultation with people across this province. We've heard from parents, again, on both sides of this issue — parents that are supporting Bill 137, parents that may be against Bill 137.

But Mr. Chair, again the commonality, the uniting factor is nobody wants to be less involved in their child's education, and

Bill 137, it lays out all the opportunities for parents and the rights they have to be engaged with their children's school and their children's education.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. There's been a group known as Action4Canada that has taken credit for influencing this minister's government to bring forward this bill. Question to the minister: what role did their email campaign play in the creation of this legislation?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. To answer the member opposite's question, I am aware of that specific group; I've never met with anybody from Action4Canada. Again, who I've spoken with are people of Saskatchewan, parents of this province, parents of this province in my community, parents in this province from all other communities, Mr. Speaker — Regina, Saskatoon, Prince Albert, all over the province, Mr. Chair. So again, when it comes to consultation and who's influenced this policy, it's what we've heard from Saskatchewan parents.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Action4Canada claims to have sent over 10,000 emails to the ministry and to the Premier. Has this minister included any of those emails in the numbers and the wild discrepancy of estimates in the number of people who have contacted him? Are those emails included in his estimates?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, out of all the correspondence that I've received in my constituency office in North Battleford and in the minister's office here, you know, Mr. Speaker, I have seen a few emails that reference this Action4Canada group.

[14:45]

But, Mr. Speaker, again I care more about the fact that Saskatchewan parents are representing the interests of their own children. That's what matters, Mr. Speaker. And again I know that seems to be a very difficult concept for the member opposite to understand, but when you speak to a Saskatchewan parent, you know their first and foremost concern is their children here in this province. That's who we've consulted with. That's how we've developed this policy. That's how we developed the policy that we released in August. That's what's informed what's in this Bill 137 that we're debating today. I'm comfortable with that consultation.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Has anyone from the Government of Saskatchewan been in contact with Action4Canada?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, as I referenced in my previous answer, Mr. Chair, I am aware of this group. I've seen the group referenced before. I don't know what this group stands for or what this group's beliefs are.

Again I do know that the people that I've heard from, the residents of this province, many of them parents, I know what I've heard from my colleagues, Mr. Chair, in terms of support for this policy, support for more involvement in their child's education.

And, Mr. Chair, you know, again when it comes to consultation and development of the policy, that again goes back to one of my previous answers. That is the democratic process in a democratic system that we have. Our parliamentary system here in the province and in our country is that elected officials listen to people in their community, come together, form policy, introduce that. That's what we're doing here on the floor of this legislature today. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, it's a simple, straightforward question. A yes or no would also suffice. Again to the minister: has anyone from the Government of Saskatchewan been in contact with Action4Canada?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Not that I'm aware of. Thank you, Mr. Chair.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Does that include the Ministry of Justice having no contact with Action4Canada?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. In terms of that group, not that I'm aware of.

The Chair: — I recognize the minister from . . . the member from Saskatoon Eastview. I just gave you a bump up.

Mr. Love: — Thank you, Mr. Chair. I'm wondering if the Minister for Education could comment on why it is that Action4Canada would believe that their actions and their thousands of emails to this ministry and to the Premier were successful at generating the policy that's before us today?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. As I said, I am aware of this group only by name. I think that I can't speak on behalf of that group, so perhaps that member should reach out to that group. They can speak as to why they've made that comment. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. The Minister of Education has indicated on several occasions that they've heard from parents on both sides of this debate. I'm wondering if he could report to the committee, how many parents from Saskatchewan has he heard from who oppose Bill 137 and the previous policy on preferred names and pronouns?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I don't have a tally with me here today at committee. Again correspondence continues to come to my office both in North Battleford and here at my office in Regina as well.

As I've said though before and I'll reiterate again, we've heard from parents on both sides of the issue. We believe that this policy and this piece of legislation has the broad support of Saskatchewan individuals and Saskatchewan parents specifically, Mr. Chair.

But again what is the same when I go through the emails, when I read the correspondence, Mr. Chair, is people recognize . . . I think everybody recognizes the importance of parents being involved in their child's education, acting as the primary decision maker for their children. And, Mr. Chair, again that's what we believe this bill, this legislation accomplishes. And that again, I think that's rooted in what we've heard from Saskatchewan people.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Does the Ministry of Education keep a correspondence log, and can they provide data in terms of the number of correspondence they've received of people opposed to this policy?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Mr. Chair, you know, the ministry doesn't keep a tally of people on one side of an issue or another. You know, we do keep track of people that we've responded to and people that we still need to respond to in terms of correspondence. You know, I don't how other MLAs conduct their constituency business. I don't keep a tally in my office in North Battleford either. I, you know, I work with my staff in that office to work to respond to people in a timely manner as best as I can. And you know, again, I don't have a, you know, secret sheet on my desk where I'm tracking, you know, for or against, Mr. Speaker. Again people who have responded, we're working to get back to all of them. That's what we track, Mr. Chair.

You know, and, Mr. Chair, I would just say, you know, I've tried to indicate this now multiple times today for members opposite about, you know, the uniting factor being that every parent wants to be more involved in their child's education. That seems to be a difficult concept for members opposite, so maybe I'll try and just express it in a different way. You know, I don't believe anybody on the government side has said that, I want to be kept

more in the dark about what's happening with my child's education. Haven't heard that.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, it was not a question about his constituency office. It was a question about the Ministry of Education, staffed by incredibly competent public servants. He did not answer the question. He's answered very few of the questions I've brought here this evening with any details pertinent to the question that I've posed to this committee.

This committee is an accountability measure for this government and for the Ministry of Education, and he referred to his constituency office. That was not the question.

I will proceed to a new one. Last night during second reading debate, the minister opposite welcomed the president of the SSBA to the Assembly. It was a nice introduction. He indicated that he's had the chance to meet with the SSBA on several occasions, as well as several division directors and board chairs.

To the minister: what is he hearing from them with relation to Bill 137?

[15:00]

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. And yeah, thank you for the compliment in my introduction to the member opposite.

You know, again we had an opportunity to sit down with Ms. Smith-Windsor last night as well and, you know, continue a number of the conversations that we've started on on the education file and looking forward to attending a general assembly of the SSBA sometime in November — I believe it's the 12th, Mr. Chair, so looking forward to that — and continuing to engage with the SSBA as an organization, as well as their 27 members, locally elected school divisions, school boards all across the province.

You know, I'm aware that the SSBA came out and did take a . . . I received a letter from them regarding this policy. You know, they took an early position on it. But I've also heard from numerous board trustees and board chairs who have a different position than what was expressed in that letter. And I know that is the case for, you know, numerous government members is, you know, there's . . .

And again, this is the beauty of having 27 locally elected school boards, is school boards in different areas are going to maybe have different approaches to things. Even within a school division, right. I mean, you know, a director in one part of a division is going to have a different experience and bring something different to the board table than what another member may bring.

You know, I think about Living Sky School Division, which I have the honour of representing a portion of, you know. We have directors from the town of Alford and the city of North

Battleford, but then we also have, you know, trustees that represent smaller communities — Wilkie, Unity, Macklin. You know, we have a couple Hutterite colony schools out in that part of the province. I believe Scott Colony is one of the schools that's part of Living Sky School Division as well.

You know, and I think it's important to note, because again as I said, you know, we communicate regularly with SSBA on a variety of topics, look forward to continuing that conversation on those topics with them. But you know, it's important to note, you know, some of the things that I've shared in this House and the Premier has had the opportunity to share in this House.

You know, again, I'll share a couple of quotes. You know, here's a comment from the director of education, Stacy Lair, in the North East School Division, based in Melfort, Mr. Chair. "Our administrative policy to consult with parents regarding family life and human sexuality is in line with the minister's request."

Going from the Northeast to the Southeast, you know, I'd also quote the director of education in the South East Cornerstone Public School Division, Keith Keating:

The majority of what seems to be included in the press release on this new legislation is already either in *The Education Act*, as I indicated in my one of my previous answers, or is in policy as current practice. I think the major difference appears to be the policy regarding pronouns and name changes for trans youth. We have always had a default position in this school division that parents should be involved, regardless of age, in these discussions.

He went on:

One of the first questions that's asked by schools is, "Do your parents know, and if they don't, can we help you in having a conversation with them?" The only time we wouldn't have shared that information in the past is when there was a safety concern for the student.

You know, Mr. Chair, you know, it's . . . Again, SSBA plays an important role in representing 27 school divisions on a provincial level, but we know as MLAs on this side of the House that, you know, we have direct contact with our local school divisions on a regular basis. You know, I speak regularly with folks either on the boards or administrative staff in the two school divisions that I have the honour of representing up in my community in The Battlefords.

So again, you know, I read those quotes into the record just to, you know, remind members opposite. But I think it's also important context for the debate on this bill is that again much of what we've laid out in the Bill 137 in section 197.2, and we list that list of rights that parents have the opportunity to participate in, much of this, even the new sections, were already in practice in school divisions around the province. And I think that's a really important thing to reiterate and communicate, Mr. Chair. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, I'd like to revisit a previous topic for a

moment. Moments ago the minister said that he has no knowledge of any contact with Action4Canada. On September 8th of this year, the Canadian Press published an article that stated the following:

Gaw said Action4Canada got more than 10,000 emails on behalf of petitioners sent to former Education minister Dustin Duncan and Premier Scott Moe. She said one of her members also had a face-to-face conversation with Duncan's staff in April serving what the group calls a "notice of liability" for "causing harm" to children by exposing them to "sexually explicit" resources.

Knowing that Action4Canada is designated as a hate group by the Canadian Anti-Hate Network, would the minister like to revisit his previous answer?

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Again the member opposite is trying to get me to speak on behalf of an organization that I only know by the name and I don't know anything about, so again, if that member opposite has specific questions about that group or their operations or their beliefs or views, you know, I would encourage him to contact that organization directly.

You know, again, you know, people on this side of the House, I know meet with people on a regular basis. You know, if a constituent comes and chats with me and they've got a Canadian Taxpayers Federation membership card in their wallet, I don't know that they're a member of the Canadian Taxpayers Federation. They're not coming to meet with me on behalf of the Canadian Taxpayers Federation, Mr. Chair.

So again, Mr. Speaker, as I said, we have heard from tens of thousands of individuals in this province, Mr. Speaker, many of them parents. That's who has given us the feedback, and has been the impetus and really the driving force behind the development of this policy. You know, this is a policy that was developed at the caucus level based on what caucus members were hearing in their communities all across the province.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Once again, for the record, the minister had a chance to respond to the question. Did the former minister or members of the ministry meet with a member of a designated hate group during the time in which they claim they were drafting this policy? The fact that he could not take to his feet and say unqualified no, is disappointing and raises plenty of concerns into how this policy came together.

I will proceed to a new question. The minister has been unable to indicate any impact assessment on what this policy would do in terms of potential harm to children and youth. So far I've only been asking about the time before the policy was developed, but of course since this policy has been released, many organizations — and I should not have to list them for the minister; he should know — many organizations have expressed concern over harm, including Justice Megaw who ruled, in placing an injunction, that this policy would cause irreparable and irreversible harm to children.

The question to the minister is, after being warned by countless organizations and the Court of King's Bench, who did he consult with to learn if there was a potential for harm to children as a result of this bill?

[15:15]

The Chair: — I recognize the minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, I'll make some comments. I know my colleague, the Minister of Justice and Attorney General, will also have some comments in response to that question, if that's okay with the Chair.

You know, when it comes to what . . . At the heart of the question that the member opposite has posed, you know, the question is about what impact this bill may or may not have on students in this province and what happens in schools. From my perspective, what Bill 137 does, I think it'll be a positive impact overall, Mr. Chair.

It'll be a positive impact, Mr. Chair, because again, what the focus of this bill is, is to ensure that parents are involved in their child's education. You know, as I stated in my previous response, Mr. Chair, what is in Bill 137 has already been in place in numerous school divisions across the province.

I've had board trustees, I've had directors tell me that directly, Mr. Chair. We've seen a couple directors speak to that specifically in the media, both in South East Cornerstone Public School Division and North East School Division. You know, Mr. Chair, I'm not aware of any situations of harm that have resulted from those practices in years past.

You know, and I would also just come back to, again, what is in Bill 137. And let's go to section 197.4(2).

If it is reasonably expected that obtaining parental consent as mentioned in subsection (1) is likely to result in physical, mental or emotional harm to the pupil, the principal shall direct the pupil to the appropriate professionals, who are employed or retained by the school, to support and assist the pupil in developing a plan to address the pupil's request with the pupil's parent or guardian.

You know, Mr. Chair, we talk about impact to students, impact on school divisions. You know, I think what's in 197.4(2), you know, that's an important piece of this legislation because it does ensure that if there is a situation where there may be a perceived risk or a perceived negative impact on the student by speaking with their parent or guardian, supports are to be provided.

I've talked before about the supports available in schools, available in our communities around the province, Mr. Chair. So again that would be my comment in terms of assessing the impact of Bill 137.

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. Just as a little bit of context on the expert whose affidavit the government filed in the injunction hearing, and of course the hearing on the merits were to come. Dr. Erica Anderson, Mr. Chair, a clinical psychologist,

trans woman, she has said that social transition of children without a psychological assessment and parental involvement is irresponsible.

Mr. Chair, Dr. Erica Anderson is a clinical psychologist. She currently practises in Berkeley, California. She received her Ph.D. [Doctor of Philosophy] in clinical psychology from the Fuller Theological Seminary, 1978. She's been actively working as a clinical psychologist for over 40 years, has extensive experience working with clients of all ages. And talks about how she is — you know, in outlining her credentials — a life member of the American Psychological Association, member of the World Professional Association for Transgender Health.

She's served as the president of the US Professional Association for Transgender Health and as a board member between 2019 and 2021. She states, "I am a transgender woman, was born a natal male, transitioned to living openly in a female identity in 2011." And as a result, she states, "I have a unique perspective and shared experience with those exploring their gender identity."

So really in the context, Mr. Chair, of experts, I think this is a key one to note, who felt with her individual and unique context, that parental involvement is very important. And a number of the things that she states: "No professional medical association that I am aware of recommends social transition of children and adolescents without a careful assessment and treatment plan. Parental involvement is necessary to obtain professional assistance for a child or adolescent experiencing gender incongruence to provide accurate diagnosis and to treat any gender dysphoria or other coexisting conditions."

Another point: "A school-facilitated transition without parental consent interferes with parents' ability to pursue a careful assessment and/or therapeutic approach prior to transitioning. It prevents parents from making the decision about whether a transition will be best for their child and creates unnecessary tension in the parent-child relationship."

She also stated, "No professional association that I am aware of recommends that school officials facilitate the social transition of a child or adolescent without parental knowledge and consent."

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — I would suggest it would be wise that the Minister for Justice would read the ruling of Justice Megaw, who addressed the evidence that she just cited to this committee beginning on page 33 and proceeding through page 40. As he considered that, and yet made a ruling that this policy will . . . [inaudible] . . . irreparable and reversible harm.

So this minister had the opportunity to provide evidence in Court of King's Bench in Saskatchewan. And yet we still have our court's ruling that irreversible and irreparable harm could reasonably be assumed to be caused by this policy.

And yet I have not heard a single answer from either minister opposite that they consulted with any experts in the field of health, mental health, human rights for children to determine what the impact would be.

So the question to the Minister for Education: did the ministry or any ministry of this government conduct a child rights impact assessment? And if not, will he accept the one completed by the Advocate for Children and Youth in Saskatchewan?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, again I'll come back to who we've consulted with regarding this policy and the legislation that's resulted that we're debating here today on the floor of the legislature.

You know, Mr. Chair, again where this policy was developed was in conversations with parents, and you know, there was, I would say that . . . You know, I think a particularly important comment . . . I mean my predecessor, the former minister of Education, he was on CBC [Canadian Broadcasting Corporation] one morning a number of weeks back and the interviewer put a question to him: how would you respond if your child told you that they wanted to change their name or pronoun or gender? And he said, I would love them.

And I think that is the message that we've heard loud and clear from Saskatchewan parents, is that Saskatchewan parents want to be involved in their children's lives because they love their children. Saskatchewan parents want to be involved, and again that's what this policy allows for, for parents to be engaged in and involved in those decisions.

You know, Mr. Chair, I spoke previously about a section of Bill 137, 194(2), and again that if there is any concern around, you know, it says, "physical, mental, or emotional harm to the pupil" as a result of the pupil's desire to change their name or gender identity, supports are going to be provided, you know.

And certainly, you know, the member opposite asked the question earlier just about ongoing conversation with the Saskatchewan School Boards Association and the 27 locally elected school boards in this province. I mean those are exactly the conversations I'm looking forward to getting into after this bill passes, Mr. Chair, is, you know, again how this policy, how we can make sure that supports are provided to children.

There are supports now. We know that there's more work to do, Mr. Chair, but certainly again, what this policy says and how we're going to implement it, I think will, you know . . . It's going to be done in such a way that, I think, really support children in this province and support families and being involved. And you know, the Minister of Justice, I know she has a couple comments that she'd like to make in addition to mine. Thanks.

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. I think I'll leave it there. My colleague ably answered and I'll wait for further questions.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Again, as has been the trend today, there was no answer to the question posed to the minister. I'll ask again; a simple yes or no will suffice. Did the ministry conduct a child

rights impact assessment? And if not, will he accept the one done for him and provided by an independent officer of this legislature, whose mandate comes from those who sit here, the Saskatchewan Advocate for Children and Youth? That is a yes-or-no question.

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you. I think on this one, the Minister of Justice will have something to add my comments.

Mr. Chair, again, we didn't conduct an assessment ourselves because, again, we trust the parents of this province. What we heard loud and clear from the parents of this province is they want to be more involved in their child's education. On issues, you know, relating to sexual health and gender identity, parents want to be engaged in those conversations. So again, that's what Bill 137 does. It protects the rights of parents to be involved in those conversations.

You know, and I think it's really important that there is, you know . . . In a situation where 197.4(2) may need to be activated, you know, while the school staff are working with the child to get to a place where they're feeling comfortable with communicating with parents about their desired name, pronouns, gender identity, what Bill 137 does is it ensures a level of professional involvement — people who are, you know, trained as counsellors, trained to have these sort of conversations with students to, again, help them come to a place where they feel comfortable speaking with their parents.

That's what we want. At the end of the day, we want child and parents to walk together with school staff, you know, in important and, you know, what we know can be very difficult conversations and decisions.

[15:30]

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. And you know, *Matlock* or *L.A. Law* may suggest otherwise, but sometimes there are no yes-or-no answers. And when it gets into an area such as children's rights and who are the experts or arbiters over children's rights or parental rights or identity or consent, there are no yes-or-no answers, Mr. Chair.

Nor is the child advocate the sole arbiter of what constitutes children's rights or parental rights. And, Mr. Chair, she makes recommendations, of course. Some of the points that she made following the release of the recommendations included comments about the Charter of Rights and Freedoms and the right to . . . While she acknowledged there is a right to parental support and guidance but they, she says, are within that, children's rights within parental rights, that which we are grappling with, Mr. Chair, the ambiguities and the nuances.

And precisely to Allan Blakeney's point, sometimes rights collide. Is there a hierarchy of rights? I don't believe the member opposite has the answer to those questions. I don't believe the child's advocate has the exclusive answers to those questions. Such are the questions and such is the debate.

And in terms of our interactions with the child's advocate, we have numerous interactions with her and with her office, and most recently there was a bit of correspondence over the summer over the concluding observations of the United Nations committee on the Convention on the Rights of the Child. And she had asked for some information, some input: what was the latest status of the province's submissions on this? And she had mentioned and praised the province's approach in a number of areas.

And we wrote back, I wrote back that, you know:

We commend your ongoing work and consultation with various Government of Saskatchewan ministries to advance the rights of children and youth in Saskatchewan. We agree with you [that was me] that Saskatchewan is already at the forefront of the country.

That was quoting her in regard to *Saskatchewan Children and Youth Strategy: Strong Families, Strong Communities. A Better Quality of Life*, long title, 2022.

And I assure you [I wrote] that Saskatchewan is committed to putting children and youth first and ensuring a better life for vulnerable members of our society.

I went on:

I would like to thank you and your team for the *Desperately Waiting* March 2022 report and its 14 recommendations related to child and youth mental health and addictions. As you are aware, Saskatchewan accepted all 14 recommendations, including the recommendation to develop the children's strategy mentioned above. Human services ministries in the Government of Saskatchewan have appreciated meeting with you and your team and gaining your perspectives with regards to our provincial strategy.

And we went on:

Saskatchewan was pleased to be part of Canada's delegation before the United Nations committee on the rights of the child, held virtually in May 2022, during which it focused its submission on three major areas: suicide prevention for youth; the implementation of programs to support child witnesses through the court process and programs to assist children and youth who have been exposed to interpersonal violence and abuse; developments with respect to Indigenous child and family services within the province, including the conclusion of the first coordination agreement in Canada under an Act respecting First Nations, Métis children, youth, and families.

And as I went on, Mr. Chair:

I addressed a number of human rights initiatives that Saskatchewan is undertaking, including those that assist children who are victims of interpersonal violence, at the Forum of Ministers on Human Rights in Halifax. And you will be interested to learn [I wrote] that Saskatchewan has been asked to co-chair that forum in 2025.

My point, Mr. Chair, is that we are in a very collaborative relationship with the advocate. I highlighted the things I've read into the record at the federal-provincial-territorial meeting in Halifax in the summer, and was proud to be chosen as Co-Chair of the human rights FPT [federal-provincial-territorial] in 2025. I think Saskatchewan has a very strong story to tell, which we will be highlighting.

The Government of Saskatchewan [as I went on; I'm almost done] routinely collaborates and provides input to Canada as well as other provincial and territorial officials on child- and youth-related issues. We will continue to review the UNCRC's concluding observations, as well as the formal recommendation that you have outlined in your letter.

Mr. Speaker, I think that's important to get on the record in terms of those relationships and those interactions and the work that's ongoing at all levels across all ministries at all times. And that would be one example. Thank you, Mr. Chair.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Question to the Minister of Education: has he received a legal opinion on the potential for Bill 137 to cause harm to children?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Mr. Chair, in response to the member opposite's question, any comment, you know, anything about . . . any comments on any legal opinions, you know, are privileged and are not to be discussed here on the floor of the legislature.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — We'll try the Minister for Justice with a simple question. Does she agree with the Premier's assessment that Justice Megaw's ruling on the injunction constitutes judicial overreach?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you. Thank you, Mr. Chair. So the matter clearly, of course, is before the courts, and we respect that process. Certainly the Premier and all of us respect that process, and we are aware that in light of the fact that the matter is before the courts that we must respect that process and not speak to those details. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview

Mr. Love: — That's a shocking answer when the matter was before the courts when the Premier of Saskatchewan declared it to be judicial overreach. A truly shocking and disappointing answer from that minister.

I'll move on, Mr. Chair. A question to the Minister of Education: what considerations did you and the ministry make with respect to the professional codes of conduct and ethics for professionals working in our schools who are governed by codes such as the

SPTRB [Saskatchewan Professional Teachers Regulatory Board], the STF code of ethics, and social workers governed by code of ethics through the SAWC? How were those considered in the drafting of this legislation?

[15:45]

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, when it comes to codes of conduct or code of ethics, I believe the language is "teachers acting in the best interest of student," I believe is the specific wording. And really I think Bill 137 is clearly in the best interest of students, right. It's clearly allowing for parents to be involved. In the case where a student is not quite ready to tell their parents or communicate with their parents, there is specific direction to get professional supports in place for that student.

You know, Mr. Chair, I would just again point out that what is in Bill 137, again, has already been in policy or in practice in numerous school divisions across the province. It's already being employed. You know, that practice has already been used by teachers and other school staff in our school divisions in a number of areas around the province. And so you know, again, what Bill 137 will do is provide that consistency. You know, we think it complements the existing code of ethics, codes of conduct. And it really, I think, provides clarity for teachers, you know, on this specific issue.

You know, I've referenced previously that one of the things that influenced the development of this policy and then the legislation was an administrative policy that Regina Public School Division had. It had a specific direction to withhold information from parents. And I mean, I think . . . You know, again, I haven't been a teacher myself, Mr. Chair, but I can't imagine the situation that I would be put in to be a teacher and be directed by my employer to withhold important information about one of my pupils from their parents. You know, fundamentally, I can say this government does not agree with that.

And you know, I've thought about this situation numerous times. I mean, you know, we've got a lot of smaller communities in our province. And you know, if I'm a teacher or an educational professional of any type, you know, what if I run into — again I'm back to the grocery store, so I know the member opposite is annoyed by that — but you know, what if I run into a parent of one of my students at a grocery store and I've been directed by my school division not to share important information about one of my pupils with their parents?

You know, how do I, in good conscience, have a conversation, a friendly conversation with that parent, you know, and say goodbye to them, have a nice evening, and get back in my car and feel good about holding back information from them because that's what my employer has directed me to do?

So again I think again what Bill 137 does is it offers consistency across 27 school divisions in regards to this. It complements the existing code of ethics and codes of conduct that are already in place at a professional level.

And I think it really, for teachers and for other staff in our schools

who interact with students every day, who are observing things about students, it really clarifies their role, and it clarifies the direction that at the end of the day we want to have parents involved, and that we believe that parental consent should be required for a name change or a gender identity change or a pronoun change, you know, for those under the age of 16. That's important, we believe, and certainly that's been indicated to us by people of this province.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — While the minister raises hypothetical situations, I want to note for the committee the school division he's pointed out serves 26,000 students, and they've had zero complaints or instances similar to the one that he's just raised. So in reality, that's not happening.

I want to continue on with this question of professional code of conduct, professional standards for those who serve our schools so well. What would be the consequences for a school division, a school, or a teacher who refuses to follow these policies laid out in Bill 137?

The Chair: — And I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, should Bill 137 pass, what is laid out in Bill 137 will be part of *The Education Act*. And we expect all school divisions, all schools to be following the law of this province which is *The Education Act*.

And I mean, I know we have former educators in the Assembly. I mean *The Education Act* outlines a number of other requirements, legislative requirements of school divisions and teachers, whether that be teaching to a curriculum, whether that be completing a report card, Mr. Chair. So again this would be the same expectation that we would have of school divisions and school staff, is that they follow the law of this province.

Now you know, in terms of if there are people who are outside of any of the requirements in *The Education Act*, there are professional bodies, as the member opposite indicated, that deal with that. I mean again, so you know, I think that would be perhaps best left for those professional bodies to determine how they'll deal with someone operating outside of *The Education Act*.

Mr. Chair, I would say that again should Bill 137 pass, we're going to continue to engage with the 27 school divisions, with the SSBA to provide clarity on questions like this and any other questions that school divisions may have going forward in regards to the implementation of Bill 137.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. One of the interesting aspects of the report from the Advocate for Children and Youth was the inconsistency that this policy will create within government ministries. Now the Education minister has called for consistency on many occasions. The fact is that this legislation will create blatant inconsistencies between the

ministries of Education, Health, Social Services, and the Ministry of Corrections, Policing and Public Safety when it comes to recognizing the decisions made by children and youth in our province and the recognition of capacity and confidentiality and privacy.

Why is the Minister of Education comfortable with his ministry being blatantly inconsistent with other ministries of the Government of Saskatchewan?

[16:00]

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I think we would all acknowledge that different situations, you know, there's situations wherein different situations are treated differently, you know, across different programs or ministries.

Mr. Chair, again, what we're debating here today is *The Education Act, 1995* and the amendments to that education Act. Again I think what we've put forward in Bill 137, it's consistent with what's already in *The Education Act* around the required age of a pupil. And that's ages 6 to 16, you're required to be in school.

So again I've spoken before about why the age 16 was selected as part of our amendments. This is consistent with what's already in the Act and what's already in the education system. Again this bill that we're debating today, it is specifically speaking to how things are treated in this education system in the province. And yeah, I'll leave it further for the member to ask more questions. Thanks.

The Chair: — I recognize the member of Saskatoon Eastview.

Mr. Love: — That's an interesting explanation of blatant inconsistencies across ministries, but we'll continue. Did the Minister of Education consider the legal concept of the mature minor and the implications associated with this for Bill 137?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, as I've indicated in a previous answer, you know, details on legal opinions, I mean, that's privileged information, not appropriate to be discussed here on the floor of the legislature.

You know, I will say though that, again, as I indicated in my last answer, that the age of 16 is consistent with *The Education Act* and how *The Education Act* has been delivered in years past and how it will continue to be delivered. Again the ages 6 to 16, that's the required age of the pupil. That's why we selected the age 16 in this situation. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. Does the Minister of Education accept or reject the legal principle that a child under the age of 16 could have the maturity to make decisions contemplated in this legislation while that legal principle is accepted in the ministries of Health, Social Services, and

Corrections and Policing?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. As I've indicated previously in the committee proceedings, you know, details around legal opinions are privileged and not to be shared on the floor of this Assembly. This policy which has now become legislation with Bill 137, you know, it speaks to the age of 16 because, again, in *The Education Act, 1995* that is the required age of a pupil. And you know, that's consistent throughout a number of areas in the education sector specifically.

You know, again I think back to some of my opening comments around a child's photo being posted on social media or, you know, consent to go on a field trip. You know, that parental consent is required for those items. We believe that these decisions that we speak to specifically in Bill 137 are of a greater magnitude, a greater importance than those decisions. And certainly that's why, you know, to the age of 16 we believe that parental consent should be required.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, there is nothing preventing that minister from examining the inconsistencies across ministries. There's nothing preventing him from answering the question that was posed here in committee. I did not ask for what private legal counsel he's received, just simply the precedent that's very, very different in Education than it is in Health, Social Services, and Policing and Corrections.

I will move on. One of the main concerns that folks have with this government . . .

The Chair: — Just a minute. Why is the member on her feet?

Hon. Ms. Eyre: — I just wanted to speak to that point, Mr. Chair.

The Chair: — You wanted to speak . . .

Hon. Ms. Eyre: — To a former question.

The Chair: — Okay. I think the minister . . . I missed her before so I'm going to let her come up because I did miss her last time.

Hon. Ms. Eyre: — Thank you, Mr. Chair. It's just on the question of so-called discrepancies or differences across ministries. I think it's fair to say that different situations call for, you know, different contexts, and there are such across ministries.

And one thinks of course of voting, drinking. Otherwise, you know, the age of consent in terms of action requiring consent and the age therefore: apply for a birth certificate is 15; make a health care directive under the health care directives and substitute decision makers Act, 16; change your name under *The Change of Name Act*, 18. So there are already differences across ministries in terms of age applicability for different actions taken at different ages, Mr. Chair.

The Chair: — I recognize the minister from Saskatoon

Eastview. And sorry about that. I had missed her last time when she . . .

Mr. Love: — Second time I've been called a minister today, I think. Thank you, Mr. Chair.

Mr. Chair, I'd like to turn my attention to one of the main areas of concern that folks all around this province have with this government in general but also this policy, and that comes down to the availability or lack thereof of mental health supports in our schools.

Mr. Chair, I referenced earlier a study done with broad public consultation by the SSBA that included over 10,500 unique individuals, 36,500 unique comments. And the number one concern raised during that widespread, democratic public consultation was the availability to mental health supports and the impact that has on the learning in our schools.

Since that time we have thousands and thousands more students in our schools, fewer teachers, fewer mental health supports. So the situation since that was the number one concern has gotten worse.

We also have the Advocate for Children and Youth raising major alarm over the availability and accessibility of mental health supports in schools. She's canvassed these concerns thoroughly and also included them in her report on this policy, which I still have 47 copies of if members opposite would like to read it.

[16:15]

Furthermore the Saskatchewan Teachers' Federation has also joined that advocacy, indicating that mental health supports for students are simply not there.

So I'll pose the question to the Minister of Education: does he still believe that ample supports exist for our students in our schools?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Mr. Chair, you know, this is a question that I've had the opportunity to answer a number of times on the floor of the Assembly over the last week or so, you know, talking about mental health first aid, mental health capacity-building initiative, talking about rapid access counselling, Mr. Chair.

Mr. Chair, I'd like to just maybe read into the record some of the things that are already happening in our schools. And you know, we recognize that, you know, mental health of our children and youth is important. And so I'll just read into the record some of the things that are already occurring in schools.

So in the 2023-2024 Education budget there's \$609,000 to support initiatives related to bullying prevention, positive mental health, and student safety. Valuable programs. The Saskatoon restorative action program, \$122,000 which is all around youth developing conflict and relationship management and leadership skills. Mr. Chair, that's happening in 11 high schools in the city of Saskatoon.

We have the Respect in School online training, about \$100,000 a year in funding there. Nearly 6,000 staff in schools all across the province have completed this training. And really what this training is, it increases awareness around bullying, abuse, harassment, and discrimination in schools.

You know, we also provide some funding to help with the operation of Kids Help Phone — \$75,000 a year to promote their services, and again Kids Help Phone is available 24 hours a day, seven days a week.

The Be Kind Online partnership with SaskTel and the Minister Responsible for Crown Investments Corporation, we've got advertising campaigns there, Mr. Chair, to encourage students, you know, children and youth to be kind online. We know that that can be a place in this world that can not be very kind sometimes. That's a \$20,000 annual investment.

We have \$10,000 available in training grants to each school division, so \$270,000 available each and every year for building staff capacity in the areas of mental health, suicide prevention, and student safety.

I've talked, you know, at length, Mr. Chair, about our mental health first aid. We do about \$25,000 of funding there every single year, and as of last October we had all schools with at least one school staff member trained in mental health first aid. That's really important, Mr. Chair, you know, for students to know that there's somebody or maybe multiple people in the school who have that mental health first aid training.

You know, also, the Ministry of Education and the Ministry of Health working together on several initiatives related to schools to address the recommendations in the Working Together for Change, the mental health and addictions action plan.

You know, we also have the Game Changer's Playbook and Win with Wellness program. You know, we partner with the Saskatchewan Roughriders Foundation on youth mental wellness in schools around the province. We know we have many Roughriders players visit various schools around the province each and every single year.

You know, in addition to that, Mr. Chair, mental health and well-being, that's a pillar in the provincial education plan that we're going to be speaking more to over the fall and the winter, Mr. Chair. You know, Mr. Chair, these are things that are already happening in schools in the province.

Now you know, another piece that I've spoken at length about is the rapid access counselling. We offer, this government offers rapid access counselling in 30 communities all around the province. It's been going on, I know, in my community now for a year or two. You know, very important service for people in our community who may be struggling through a crisis to access that.

We had an announcement just, you know . . . We've had a number of announcements, actually, over the last number of weeks and months around the expansion of rapid access counselling to children and youth in 13 of those communities all around the province. I was at the event in North Battleford not too long ago where we announced that expansion. Catholic

Family Services of the Battlefords is the partner organization that delivers the rapid access counselling in The Battlefords. They do an incredible job, executive director Kim Morrison and her team there.

But you know, the rapid access counselling, I think it's really exciting to see this being rolled out all around the province. We just opened that up in Prince Albert for children and youth this week. I know in Yorkton it was a week or two ago that we added that service in Yorkton. I think it's the Society for the Involvement of Good Neighbours or SIGN in Yorkton that delivers that.

You know, understanding that where I'm going with this, Mr. Chair, is that there are supports in schools now. We know that there's more work to do. But we also have supports in the community. We've got numerous CBOs [community-based organizations] all around the province that are doing I think really great work in terms of mental health and suicide prevention and providing supports to people, whatever age they may be, to deal with crisis in their lives.

And you know, again I said it last week, you know, when I've worked with youth and seen some of those young people deal with difficult situations in their lives. And I think it's important that . . . You know, I encourage youth whenever I have a chance to speak to them that, you know, if they're suffering, identify themselves, you know, and ask for help because there are supports out there. There's people that want to help and make sure that our next generation really gets the help that they need to get through some difficult parts in life.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, I appreciate the list that the minister just provided. The question, is it sufficient? Do we have enough supports to meet the needs of our young people in this province?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I would say, you know, I'd also like to . . . I didn't get there in my last answer, Mr. Chair, but you know, with the \$20 million that we added in June for classroom size and complexity, you know, what that has resulted in is 266 positions being filled all around the province in 27 school divisions. Many of them teachers, Mr. Chair, but a number of them are support workers or EAs that are really again a part of that package in terms of ensuring that supports are offered to students.

You know, I referenced it last week in a media interview. I live in a community where a couple of years ago we had a number of young people take their lives over a short period of time. Rocked our community, absolutely rocked our community. I've talked about it before. I've had Deb McNabb in the House before who runs the Better Together program. You know, and I said this last week, and I stand by this. I mean as long as we have children who are still looking for help out there, we have more work to do. We always have more work to do in this area of mental health.

I think we see that . . . You know, there's been members' statements done here in the past about some of the initiatives

around supporting our agricultural producers, you know, the Do More Ag Foundation, the ag help line.

There's always more that we could be doing on the mental health front and certainly, you know, I look forward to working with my colleague, the Minister of Mental Health and Addictions, on, you know, continuing to enhance what we do have and ensuring that children and youth in our province have access to these supports, whether it's in the school or in the community context.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, I think without a clear, definitive answer to that question, it makes my next question all the more important.

The minister has referenced several times today clause 197.4(2). And my question to the minister is, if a plan is not able to be developed to reasonably expect that a child would be safe as a result of this policy, if a plan is unable to be developed for whatever reason — lack of supports, lack of contact — for whatever reason it is, what does the minister think school staff should do?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. As I indicated in a previous answer on a different topic on Bill 137 here, I mean, you know, if Bill 137 were to be passed, certainly we expect school divisions and school staff to follow the legislation, you know, as it relates to their operations in their particular school. You know, again, by saying that, our expectation out of 197.4(2) that school divisions and school staff and school principals do their level best, you know, and continue to work hard to make sure that children can . . . pupils can get to a point of having a conversation with their parent.

And I think, you know, a hypothetical question like that is really probably best served or best answered in how we're going to work with school divisions to ensure that, again, students in this situation that 197.4(2) talks about, they're treated respectfully and they're offered the professional supports that they need in this specific instance, again, to have that conversation with their parent or guardian.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I'm going to change topics just for a moment here. Under subsection 194, it:

. . . is amended by adding “and the flag of Saskatchewan” after “flag of Canada”.

[16:30]

This has received some media attention as being a little bit of an odd amendment in a bill entitled, you know, about parental rights. And it's raised lots of questions.

So my question to the Minister of Education, knowing that the protocol for flying the flag of Canada requires that it have its

own, stand-alone flagpole, that this would require the Saskatchewan flag to have a separate flagpole. And the question to the minister, have they calculated how many additional flagpoles might be required in our 625 publicly funded public and separate schools in Saskatchewan? Have they done any calculation on what the cost would be, and if those costs will be provided by the ministry to school divisions?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. The amendment around section 184, you know . . . Again, as I've said in the media, I'll say it again here today. I think there is a . . . You know, growing up in this country, whether your family's been here for generations or whether you're a new Canadian, we've got a lot to be proud of in this country.

Similarly I do believe that we have a lot to be proud of living in the great province of Saskatchewan, what, you know, Saskatchewan has to offer the world in terms of what we grow and produce and manufacture here, Mr. Chair. You know, we feel it's important that students grow up and not only are they proud of the country they live in, but also the province they live in, Mr. Chair. And gaining an appreciation for the special flag that we have in this province, I think, is certainly part of that.

You know, at a number of the schools I have visited, there are multiple flagpoles, you know, in front of schools. You know, certainly we are doing some preliminary calculations, I would say, just in terms of, in anticipation of passage of Bill 137 in regards to flags and flagpoles. Again that's one of those details that we're going to work with school divisions on, understanding what they have in their flagpole inventory, I'll say.

I didn't really expect to ever talk about flagpole inventory on the floor of this Assembly. But again I think this opportunity, the amendment to 184, is an important part of, you know, really that citizenship education that our students have and our young people growing up to be proud Saskatchewan residents.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, we've agreed on something today. I didn't think we'd be talking about flagpoles on the floor of the Assembly either. But at this point I have no more questions under clause 1 for the committee today.

The Chair: — Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

The Chair: — All those in favour say aye.

Some Hon. Members: — Aye.

The Chair: — All those opposed say no.

Some Hon. Members: — No.

The Chair: — Okay, call in the members.

[The division bells rang from 16:34 until 16:44.]

The Chair: — The question before the Assembly is clause 1, short title. All those in favour of the motion please stand.

[Yeas — 32]

[16:45]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
L. Ross	Eyre	J. Harrison
Carr	T. McLeod	Fiaz
Dennis	Lambert	Ottenbreit
C. Young	Bonk	Nerlien
B. McLeod	Friesen	Grewal
Keisig	Jenson	D. Harrison
Domotor	Wilson	

The Chair: — All those opposed to the motion please stand.

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Principal Clerk: — Mr. Chair, those in favour of the motion, 32; those opposed to the motion, 11.

The Chair: — I declare the motion carried. Okay.

[Clause 1 agreed to on division.]

Clause 2

The Chair: — Is clause 2 agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

The Chair: — Okay, those in favour of the motion please say aye.

Some Hon. Members: — Aye.

The Chair: — Those opposed to the motion please say no.

Some Hon. Members: — No.

The Chair: — Call in the members.

[The division bells rang from 16:49 until 16:59.]

The Chair: — The question before the Assembly is clause 2. All those in favour of the motion please stand.

[Yeas — 33]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
L. Ross	Eyre	J. Harrison
Carr	T. McLeod	

[17:00]

Fiaz	Dennis	Lambert
Ottenbreit	Francis	C. Young
Bonk	Nerlien	B. McLeod
Friesen	Grewal	Keisig
Jenson	D. Harrison	Domotor
Wilson		

The Chair: — All those opposed please stand.

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Principal Clerk: — Mr. Chair, those in favour of the motion, 33; those opposed to the motion, 11.

The Chair: — I declare the motion carried.

[Clause 2 agreed to on division.]

Clause 3

The Chair: — Is clause 3 agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

The Chair: — Those in favour of the motion please say aye.

Some Hon. Members: — Aye.

The Chair: — Those opposed to the motion say nay.

Some Hon. Members: — No.

The Chair: — Call in the members.

[The division bells rang from 17:02 until 17:03.]

The Chair: — All those in favour of the motion please stand.

[Yeas — 33]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
L. Ross	Eyre	J. Harrison

Carr	T. McLeod	Fiaz
Dennis	Lambert	Ottobreit
Francis	C. Young	Bonk
Nerlien	B. McLeod	Friesen
Grewal	Keisig	Jenson
D. Harrison	Domotor	Wilson

The Chair: — All those opposed please stand.

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Principal Clerk: — Mr. Chair, those in favour of the motion, 33; those opposed to the motion, 11.

The Chair: — I declare the motion carried.

[Clause 3 agreed to on division.]

Clause 4

The Chair: — Is clause 4 agreed?

Mr. Love: — Mr. Chair, I have an amendment.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. At the end of my comments, I'd like to move an amendment to clause 4 of the bill. At the crux of this Bill 137 is the question of harm to children. I'd like to read my amendment:

In Clause 4 of the printed Bill, **insert the following subsection after proposed subsection 197.4(2):**

“(3) If it is determined by the professionals prescribed in subsection (2) that a plan in accordance with subsection (2) cannot be developed without risking physical, mental or emotional harm to the pupil, the parental consent referenced in subsection (1) is not required.”

The Chair: — Do the members want to take it as read or do you want me to read the motion? Okay, moved by the member from Saskatoon Eastview, clause 4 of the printed bill:

In Clause 4 of the printed Bill, **insert the following subsection after proposed subsection 197.4(2):**

“(3) If it is determined by the professionals prescribed in subsection (2) that a plan in accordance with subsection (2) cannot be developed without risking physical, mental or emotional harm to the pupil, the parental consent referenced in subsection (1) is not required.”

Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Chair: — All those in favour say aye.

Some Hon. Members: — Aye.

The Chair: — All those opposed say no.

Some Hon. Members: — No.

The Chair: — Call in the members.

[The division bells rang from 17:08 until 17:09.]

The Chair: — All those in favour please stand.

[Yeas — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

The Chair: — All those opposed please stand.

[Nays — 33]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
L. Ross	Eyre	J. Harrison
Carr	T. McLeod	Fiaz
Dennis	Lambert	Ottobreit
Francis	C. Young	Bonk
Nerlien	B. McLeod	Friesen
Grewal	Keisig	Jenson
D. Harrison	Domotor	Wilson

Principal Clerk: — Mr. Chair, those in favour of the motion, 11; those opposed to the motion, 33.

The Chair: — I declare the amendment lost. I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I have another amendment that I will move at the conclusion of my remarks to clause 4 of the printed bill. This amendment is about something that's very important, I believe, from what we've heard in here, to members from both sides of the Assembly. This amendment calls on the Government of Saskatchewan and the ministry to create a parental engagement strategy. On this side of the House, Saskatchewan New Democrats believe that parental engagement in education is crucial.

We believe that parents are the most important person in the life of their child and parental involvement and engagement is a key indicator of success in school. Many provinces in Canada have provincial parental engagement strategies. They have structures in place to support and enhance parental engagement. We can look at histories in Alberta, Manitoba, and Ontario in particular. Not all are perfect, but all have structures in place to provide a vehicle to enhance and improve parental engagement in their pre-K to 12 [pre-kindergarten to grade 12] publicly funded school systems.

Mr. Chair, this is something that has become very important to me both as a parent to three kids, as a school teacher, and even more now as a legislator as we've gathered in this Assembly for hours and hours every day to consider the role that parents play in education. Something that is vitally important when we move forward with a parental engagement strategy is that it's done in consultation, proper consultation with parents, with school community councils, with school divisions, and with teachers to make sure we get it right.

There is a better path forward than that proposed by this government in Bill 137. There is a path forward that engages parents in a crucial way in our school system that doesn't trample on the rights of vulnerable children. That is what we believe on this side of the Assembly. And we believe it's possible, again through thoughtful consultation, consultation that this government has been capable of in the past when it comes to education, but they've been incapable of when it comes to this legislation. There is a better path forward, Mr. Chair, and I call on all members to support this proposed amendment that I'll read now in its entirety:

In Clause 4 of the printed Bill, **insert the following subsection after proposed section 197.4:**

“Parental Engagement Strategy

197.5(1) The Ministry shall develop a parental engagement strategy to enhance parental engagement in the delivery of education in the province within one year of this section coming into force.

(2) In developing the parental engagement strategy, the Ministry must facilitate consultation with parents, teachers, school community councils, and school divisions.

(3) The parental engagement strategy shall be reviewed on an annual basis and the review must include consultations with parents, teachers, school community councils, and school divisions.”

[17:15]

The Chair: — The member from Saskatoon Eastview has proposed the amendment:

In clause 4 of the printed Bill, **insert the following subsection after proposed section 197.4:**

“Parental Engagement Strategy

197.5(1) The Ministry shall develop a parental engagement strategy to enhance parental engagement in the delivery of education in the province within one year of this section coming into force.

(2) In developing the parental engagement strategy, the Ministry must facilitate consultation with parents, teachers, school community councils, and school divisions.

(3) The parental engagement strategy shall be reviewed

on an annual basis and the review must include consultations with parents, teachers, school community councils, and school divisions.”

Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Chair: — All those in favour please stand. Say aye. All those opposed say no. Call in the members.

[The division bells rang from 17:17 until 17:18.]

The Chair: — All those in favour please stand.

[Yeas — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

The Chair: — All those opposed please stand.

[Nays — 33]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
L. Ross	Eyre	J. Harrison
Carr	T. McLeod	Fiaz
Dennis	Lambert	Ottenbreit
Francis	C. Young	Bonk
Nerlien	B. McLeod	Friesen
Grewal	Keisig	Jenson
D. Harrison	Domotor	Wilson

Principal Clerk: — Mr. Chair, those in favour of the motion, 11; those opposed to the motion, 33.

The Chair: — I declare the amendment lost.

I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, I have further questions on clause 4 of the bill. And perhaps it would be a good time to invite officials back into the room, if the committee so wishes.

The Chair: — Okay. You can ask the question specifically on clause 4.

Mr. Love: — Yeah, I guess I'm looking to the Minister of Education. If he'd like time for his ministry officials to come back into the Assembly, I'd be willing to offer a couple minutes for that to take place.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. My next question related to clause 4 of our considerations today is to the Minister of Education. Is the minister, in clause 4 of Bill 137, bound by the

United Nations Convention on the Rights of the Child?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thanks, Mr. Chair. To the member opposite, sorry. Can I ask the member opposite just to repeat the question quickly? Just for clarity.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — I have no problem repeating the question. Just give me one moment here. Is the Minister of Education, in clause 4 that we're considering now of Bill 137, bound by the United Nations Convention on the Rights of the Child?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, in regard to the member opposite's question, you know, there's been some folks that have referenced the United Nations Convention on the Rights of the Child. I mean certainly we feel that Bill 137 is compliant with that declaration.

And I'd like to draw attention to article 5 of that Convention on the Rights of the Child. Article 5 says this:

States parties shall respect the responsibilities, rights, and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians, or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

I believe the Minister of Justice would like to add to my answer on that. Thanks.

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. And just to follow on what the Minister of Education has stated, we do feel that it's compliant. As referenced earlier, there are two key foundational principles that must be mentioned in regard to the UN Convention on the Rights of the Child. The first is that children, defined to mean anyone under the age of 18, require adult guidance and supervision, and the second is that the primary source of this guidance is explicitly to be the parents and not the state.

And, Mr. Chair, it's an interesting discussion at the moment, and this is one I referenced earlier in regard to the UN declaration as raised by the child's advocate. At the federal-provincial-territorial meeting that I attended in the summer with other provinces and the federal government, this was a big point of discussion, namely the entrenchment of UN declarations — including this one, but there are a number of international treaties, international declarations — and the impact of that and the implications of that.

And I believe it was Alex Neve, who was formerly of Amnesty International — he's now at the University of Ottawa, has been

for a while — and he had written an editorial that came out, really at the same time as provinces were meeting with the federal government for their human rights federal-provincial-territorial meeting.

And the main point that he raised, and I don't have it in front of me, was really that . . . And again I won't . . . I hate to paraphrase, but I will paraphrase. Really where he was going is that these UN declarations are sort of the next stage beyond the Charter, and that the Charter only goes so far and these go farther — UN declaration on the rights of children and so on — and that that's really where provinces and the federal government should be going, in other words, entrenching these.

And there are some concerns around that, and that was one thing that I raised at the federal-provincial-territorial meeting. But again, other colleagues felt it was important to raise, namely the implications on provinces, the implications on the division of powers, the implications on us as a federation within Canada when we begin to entrench UN declaration principles in federal legislation and/or the implications on that for provincial legislation.

[17:30]

There are concerns about that, and we've been pretty open, you know, in the last few weeks in discussing this, about Charter rights and non-hierarchy of rights and collision of rights and the implications of the notwithstanding clause on that as legislative sovereignty and so on.

The UN declaration on the rights of children, but also in other areas, raises important questions about legislative sovereignty. As we know, the UN, not elected body, and so it's important when provinces and the federal government look at entrenching this, what that means really for "beyond the Charter" as Alex Neve put it. And I think those are important questions, and I can assure members opposite that that was taken seriously at the federal-provincial-territorial meeting as an important topic of discussion at what the implications are.

So to the point, compliant, we feel yes, based on what's in there explicitly and that's been read on the record. But there are other issues around even what some of those declarations mean in regard to the Charter, and that's an open discussion at the moment and a very important one. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — It certainly sounds as though our Minister for Justice doesn't believe our province is bound by the United Nations Convention on the Rights of the Child. I would invite her to clarify that any moment that she would like.

I would ask that the Minister of Education respond to the following quote from page 13 from the advocate's report, under the title "International Law and Child Rights Impact Assessment." I'll read the quote in full and he is welcome to read along. I see that he does indeed have a copy on the other side, which is really nice to see finally.

On page 13, I'll ask him to respond to this from the perspective

he holds as minister:

In addition to being improperly discriminatory under provincial and federal law, the findings about the advocate's independent child rights impact assessment and the NBCYA's report clearly outline how prohibiting school staff to use the preferred names and pronouns of students without prior consent from their parent/guardian is also a violation of their rights under the United Nations Convention on the Rights of the Child.

Would the minister please respond to that?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I can understand where the member opposite is going with his question. And I mean the advocate references and uses article 3 of the United Nations Convention on the Rights of the Child to state their case for the basis of their opinion, if you will. Again you know, as I outlined in my previous answer, notwithstanding article 3 we believe that our legislation, Bill 137, is compliant with the United Nations Convention on the Rights of the Child because of article 5.

And again I'll read it again. Article 5:

States parties shall respect the responsibilities, rights, and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians, or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

My colleague, the Minister of Justice, you know, can much more eloquently talk about kind of the potential issues arising between the UNCRC [United Nations Convention on the Rights of the Child] and the Canadian Charter.

Again you know, what we're talking about here with Bill 137 is that the Government of Saskatchewan, like any other provincial government, has legislative prerogative. Again as I outlined extensively earlier, we've listened to the people of our province. We've developed this policy, developed this piece of legislation and brought it forward.

And again, we're comfortable with where we're at as it stands with the United Nations Convention on the Rights of the Child. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — The minister mentioned it a moment ago. I'm asking the minister to respond to the United Nations Convention on the Rights of the Child article 3 that says:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration.

I would like to ask the minister to respond to this using empirical evidence and not his own personal beliefs.

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. Again you know, as I've stated here many times this afternoon and in other forums, again it's the position of this government that Bill 137 creates policy that is in the best interests of the child. However though I would say, you know, there is . . . If we want to talk about experts, again, we believe again that parents are the best experts for their children, you know.

But I will actually . . . I just would quickly like to read into the record, you know, a section out of a report. This report is called, titled *Supporting Gender Questioning Students in Canadian Schools: Towards an Evidence-Based, Mental Health Focused Policy*, written by, you know, collaborated on by a number of different groups.

So I'll just read this. And again there it talks about . . . It's referencing a study that really talks about the triangulation theory and family systems theory. So let me just read this, Mr. Chair:

Finally, schools should be aware of the concept of triangulation. In family systems theory, triangulation refers to a situation in which one party in a dyad — two-person relationship, like a parent or a child — who is in conflict seeks a third party to mediate the conflict. The less differentiated — mature — one is, the more likely they are to engage in seeking triangulation because less differentiated individuals, such as children and adolescents, are unable to fully express themselves and discuss sensitive issues.

The third party, through their actions, has the ability to help or harm the dyad. In the context of a trans-identified child or adolescent, school staff may become the third party who has the capacity to either bring the family together or to fragment the family unit. When schools exclude parents by not disclosing a child's gender distress and engage in social transition without parental knowledge, they are engaging in acts that triangulate and fragment the family unit. Such disruption may cause stress, anxiety, and other mental health difficulties for all parties involved and can result in the child avoiding important, necessary communication.

Triangulation is now occurring as a result of the erosion of parental authority in school and health care settings. School and medical systems have increasingly been adapting new policies regarding children and adolescents with gender struggles that are displacing the parents as the primary authority within a family regarding their own children. Such triangulation negatively impacts the long-term well-being of the child and family unit.

Let me just read that last sentence again: "Such triangulation negatively impacts the long-term well-being of the child and family unit."

You know, Mr. Chair, that's one reference to some evidence as the member opposite seeks. But I think, again I go back to what I said earlier. There are a large number of parents that occupy

these seats in this Chamber, Mr. Chair. And I think when you think about how article 5 of the UNCRC is written, it'd be hard to find, I think, many parents who don't recognize that the important role that they play and that a child's long-term well-being is only helped by involving a parent in important decisions, important discussions. And again that's really the heart behind Bill 137.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Would the minister please name the author and title of the publication he's quoted and table it for the committee?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — The title is *Supporting Gender Questioning Students in Canadian Schools: Towards an Evidence-Based, Mental Health Focused Policy*. There's a number of organizations that have been a part of presenting this document. I don't have a second copy with me to table, but I'd be happy to get a second copy and table that for the committee.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. To the Minister of Education: has he received a legal opinion that Saskatchewan is not bound by the UN Convention on the Rights of the Child, or is that his own personal opinion?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. And, Mr. Chair, you know, I'll provide a similar answer. I mean I've been asked numerous times this afternoon about contents of legal opinions. Again legal opinions provided to government is privileged information. We're not going to discuss that on the floor of a committee room or a floor of the legislature.

You know, again when it comes to the United Nations, the Government of Saskatchewan, we're not going to . . . We don't take orders from the United Nations. We believe that our policy here is compliant with the convention. I don't know if the members opposite take their orders from the United Nations, but our government does not.

The Chair: — I recognize the member from Saskatoon Eastview.

[17:45]

Mr. Love: — I know that the minister is frustrated that he's heard similar questions, but we haven't received an answer. Now when we've asked questions in committees previous — I'll say around the Sask first Act — on legal advice that the government was receiving, those answers were offered freely in committee, as this is the accountability mechanism that our democracy depends on.

So I'll ask the minister again: is it the belief of the Ministry of Education for the Government of Saskatchewan that they are or are not bound by the United Nations Convention on the Rights of the Child?

The Chair: — I recognize the Justice minister.

Hon. Ms. Eyre: — Thank you. Thank you, Mr. Chair. I mean, the reality is of course that we are not bound by the UN declaration of the rights of the child in neither Canada nor the provinces. That is the legal reality.

And there are discussions which I referenced earlier around entrenching that, whether it should be, whether the federal government should do that, and what the implications are on the provinces. And we've raised concerns around that. But that is a live issue and a very important issue that is currently being discussed. And as I said, at the federal-provincial-territorial meeting it was a very live issue around, where does that even leave the Charter if the implication is that we're almost moving beyond that to entrenching UN declarations.

So it's a very serious issue and a very important issue, as I say. But the point is that as of now it stands and has the . . . My colleague has said, section 5, when we've read into the record, we feel that that is compliant, relevant, but the reality remains that we are not bound by that UN declaration.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — To the Minister of Education: do you believe that a parent's rights are unlimited?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, I'm going to go back to what I've referenced numerous times here. I mean, what we do believe is that parents are experts in their child's lives. Again, that's what we believe on this side of the House. That's the fundamental background, I would say, behind us bringing forward this policy and now this legislation.

You know, what Bill 137 specifically addresses are the rights of parents when it comes to involvement or engagement with the education system. We've outlined in 197 all those areas, all those areas that were previously stated in *The Education Act*, a couple that are new, the one that was amended to include online learning. These are the rights that parents have when it comes to engaging in their child's education here in the province of Saskatchewan should Bill 137 pass.

You know, I would just say that, again it is our belief that in a parent-child relationship, that parent is, as that child grows, especially under the age of 16, that parent is the foremost expert in how that child grows and develops.

The Chair: — I recognize the member from Saskatoon Eastview. I would like to also mention and caution you that your questions have to be specific to this particular clause.

Mr. Love: — Yeah, thank you, Mr. Chair. I'll accept your guidance on that. And all of the questions that I'm asking are related to clause 4, which talks about parental rights.

And so I'll pose the question again to the minister. He failed to answer it. While I will state we absolutely agree how important parents are; we've said that over and over again in here. I know

the minister's a new parent. He knows that I've got three school-aged children. We all love our kids, care about them. None of that is pertinent information in asking if parental rights are unlimited.

Would the minister please respond to that question?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Mr. Chair, as it relates to Bill 137, clause 4 specifically, which we're discussing right now, again clause 4 specifically, specifically outlines all the areas where parents have rights in the provision of education in this province. We have laid that out in 197.2, made important amendments we believe to that as it relates to *The Education Act, 1995* in our amendments here today. Those are the rights of parents when it comes to the education of their children here in Saskatchewan.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Due to the minister's lack of an answer, I have to proceed with my next question with an assumption. The assumption that I'm going to work from is that parents' rights are not unlimited.

So my question is, in clause 4 how are the limits of parental rights recognized under that clause?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. I just have handed a copy to the page of the report that I referenced earlier to table for the committee there.

You know, Mr. Chair, what we're talking about with Bill 137 is how parents interact with the education system as it relates to involvement in their child's life. We've laid out in 197.2 that that list that I read earlier a couple of times — I won't belabour it again by reading it a third time — but you know, 197.2 outlines all the areas where parents have rights when it comes to the education system in this province.

I mean, this bill doesn't speak to how parents and children interact outside of the school setting. This bill speaks to how parents interact with the education system and their child's school, and that's really what this is about. This bill protects the right of parents to be involved, and that's listed there in 197.2. And I guess I would also just caution the member opposite of making assumptions. You know what they say about making assumptions. So thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I'll note it was a positive assumption about that minister that was made based on his inability to answer basic, straightforward questions.

I'd like to ask the minister to consider, under the rights laid out in clause 4, did the minister contemplate a circumstance that, even with counselling, even if supports are available in school — and I know we have different understandings of that — but even

if supports and counselling are present, that a parent might not accept the child's stated preference? Was that considered in any way in drafting the rights under clause 4?

[18:00]

The Chair: — I recognize the Education minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, I think the hypothetical that the member opposite is putting forward, as I talked about earlier, I think that sort of situation is the reason that we have 197.4(2) in the legislation, right?

And I would remind members of the House that based on the comments I read into the record earlier from South East Cornerstone, from North East School Division, 197.4(2) is not a new policy for school divisions in this province. It's been in practice, you know, for schools to provide supports where they have concerns about a child. And you know, and not to mention, you know, there are supports in schools. There are supports in the community around mental health that I talked about earlier.

I mean, if we get into . . . If there's a situation, you know, where more intensive intervention is required, this is what the Ministry of Social Services does on a regular basis where there may be, you know, concerning situations.

You know, but I guess I have a bit of a challenge with what I think the member opposite is indicating in his question. So you know, if the member opposite has an issue with 197.4(2), should the default just be that school staff make the call on that?

Again, I've been clear, the Premier's been clear, the former minister's been clear. You know, Mr. Chair, the default position should be that it is in the best interest of parents to be involved in important discussions and decisions that a child is making. That's the default position.

And again I don't want to make an assumption, because I cautioned the member opposite in making assumptions. But if 197.4(2) is not in effect and the opposite were to be true, then we have, you know, a situation where staff in a school are making that decision. Again we believe that at the end of the day, we want . . . This Bill is intended for schools to help children find the support they need so that they can have that conversation with their parent or guardian.

You know, and I would also add that 197.4(2), in addition to not being a new policy, it's not necessarily even prescriptive in the sense that supports for you, Mr. Chair, and supports for me, they may look different in individual situations. They may look different in, you know, a specific school division or a specific school context. They're going to look different in perhaps a specific family context.

And again when it comes to prescriptiveness around 197.4(2), that's where again we look forward to having discussions with school divisions going forward around implementation. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — I have to say, Mr. Chair, that I think that the government members made their intent very clear when they voted against both of the amendments that I brought forward to this bill.

Now the minister just referenced and has referenced two school divisions throughout that he says were either consulted or maybe brought in feedback post-announcement of the policy. And my question for him related to those rights listed in clause 4, did he talk to every school division about their administrative procedures surrounding parental rights when considering the drafting of this bill?

The Chair: — I recognize the Education minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. When it, you know, when it comes to the list of, I guess the list of rights that I've referenced multiple times now in 197.2, you know, certainly as I have indicated, all but two were already existing in *The Education Act* prior to this bill being introduced in the House here last week. So I would hope that school divisions were already complying with *The Education Act* prior to that, and ensuring that their policies matched up with what was in *The Education Act*.

You know, I would . . . Pardon me. Sorry, Mr. Chair. I would just remind . . . Before I go there, you know, I can say in terms of the development of our policy, you know, again, over the summer we did take a look at the administrative policies that school divisions had. I mean all school divisions post their administrative policies on their website. It's available for anybody to go look at, whether you're an MLA or whether you're a parent in that division. You can go on. You can read the administrative policies.

And so certainly we did a look at what administrative policies existed in the province around parental consent and sexual health education. Again that's where . . . You know, I've mentioned it before, right, how subsection (m) under 197.2, that whole portion there was essentially a copy and paste from Saskatchewan Rivers School Division. Again mirroring the fact — I mentioned this earlier, right — out of the 27 divisions, 15 of them already had a policy around notification of sexual health education to parents that, again, one division specifically had pretty much verbatim subsection (m) there.

So again, you know, as part of the development around our policy and therefore the legislation, we did take a look at divisions' administrative policies again. That's a regular part of board and administrative activities in school divisions. So again we made sure we took a look at that just to see where that lined up. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. I think this is a crucial question at this point in our deliberations here today. The Minister of Education is correct. All of the parental rights included in this bill were already entrenched in *The Education Act*. New legislation was not needed for those to be included. They were already there.

The two that are new, this Minister of Education has repeatedly pointed to two school divisions as saying that they were already doing this in their administrative procedures. He's pointed to South East Cornerstone and, I believe, to another . . . to North East.

I'd like to read from a *Leader-Post* article published today and ask for the minister's response to this statement. I believe that there's a mistake in this, and if I stand corrected, then let me know. The article refers to Northwest, but I believe it should be referring to North East, so I'll say that before I read it so the minister's aware. But I will read it as printed.

Government has said Northwest and South East Cornerstone school divisions advised they were already doing what the bill seeks to make law. South East Cornerstone has a specific procedure on gender identity which does not reference parental permission, but Northwest does not per the division's website.

So in relation to the only evidence that this minister can provide of what school divisions are already doing, a reporter published today a story that says that that is not the case, that those administrative procedures, one does not reference parental permission and the other does not have the procedure on their website at all. What is his response to that story published today?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I want to make sure that the member opposite isn't misquoting me. You know, again I've never said, Mr. Speaker, that this was an administrative policy of either of these divisions. I talked about how this is in practice. Implicitly or explicitly, this is already in practice.

And again I'll read, I'll read, I'll read, I will read . . . I will read the quote from the director of education, South East Cornerstone School Division, "The majority of what seems to be included in this press release on this new legislation is either already in *The Education Act* or is in policy as current practice."

I've had other school divisions, not North East and not South East Cornerstone, that have approached me to say, Minister, what you have outlined here, this is already what we've been doing in practice. Again, and I think that's a really important point to make that for many school divisions this is not a marked change, that many school divisions have told me this is what we've already been doing.

We've already been doing this. We've already been focused on involving parents in important discussion. We've already been focused on ensuring that parents are aware of what's being taught in the classroom, when it's being taught, who will be teaching it. Mr. Chair, again this is not, for numerous school divisions in the province, this is not a new concept. This is what practice already was.

[18:15]

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, the minister's stories about these items in clause 4 keep changing about what the impetus was. It was thousands of parents; it was hundreds. We consulted; we talked to the people at the hockey rink. Divisions have policies; they don't have policies. It's been all over the map in the last week and it's getting harder and harder to believe.

So here's a question for the minister. He's recently changed his story to say that the impetus was the administrative procedure, the administrative policy from Regina Public Schools. That is new in the last couple of days. Question to the minister, why did nobody from the government, nobody — either this minister or the previous minister or the Premier or no one from the Ministry of Education — ever reach out to Regina Public Schools to inquire about this policy?

The Chair: — I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, Mr. Chair, I'd like to be very clear for that member opposite around . . . You know, I've spoken extensively today about people that we've spoken with around the province. I know he doesn't believe me about talking to people at hockey games and grocery stores as real MLA work, but you know, we'll agree to disagree on that one, you know.

But, Mr. Chair, you know, what . . . The impetus behind this policy, you know, we had a number of things. We had the Regina Public administrative policy that, you know, was actually brought to the Ministry of Education's attention by a number of teaching staff within the division who said, you know, who brought this forward to the ministry and said, I'm being asked to exclude parents. I'm not comfortable with this.

We also had an incident occur in Lumsden this summer towards the end of the previous school year, where we had a third party teaching material in a grade 9 class, I believe it was, and you know, even . . . I think we can all agree that that material that was presented was not age appropriate for those students in that school and that classroom.

So you know, and as I said, I also said earlier that since being elected in 2020, I've been hearing from parents on a regular basis wanting to be more involved in their child's education, more involved in decisions made in their child's school or their child's school division.

And so you know, when we combine . . . You know, there's a confluence of events here where we have, you know, one school division making a step to exclude parents. We have another situation where material that isn't even close to being age appropriate is being presented to students.

And then we have an overwhelming number of people in this province, especially parents, Mr. Chair, that are saying, I'm feeling a little bit left out of what's going on here in schools. I'm not getting answers, or I don't feel a part of what's going on in the education system and specifically as it relates to my child.

So I want to be very clear for that member opposite that, you know, the so-called impetus for this policy . . . Again there's things going . . . There were concerns that we were hearing from a variety of people in different areas of the province. You know,

a couple of events that contributed to that. And certainly, you know, those events brought in more and more correspondence, and certainly that fed the urgency of this policy, you know.

And, Mr. Chair, you know, clearly we brought the policy in. We wanted to get it ready to go for this last school year. And obviously I mean the policy was challenged in court. Those proceedings are still under way. But the Justice did grant an injunction. And again that's why we're here debating Bill 137, is that we communicated to the people of this province back in the summer and when we brought this policy in, because we knew it was important to the people of this province that we would do what it takes to ensure that this policy was operative and that we would use every legislative tool we have.

That's what we're doing here. That's what we're debating here at committee on Bill 137, is following through with a policy that we said that we would enact and that we would ensure was operative in all of our school divisions. Again going back to that consistency piece, you know, it's not . . . As we reviewed administrative policies, we didn't feel it was right for roughly half of school divisions to have a policy relating to notification of sexual health education and the other half be unclear or, you know, be less clear maybe in some instances, around notification of sexual health education.

So again what we have here is a result of a number of things, numerous conversations — tens of thousands as I've said, Mr. Chair. And that's what has brought Bill 137 to the table today.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Again the question that I'll pose for a second time, because there was no answer in that long response from the minister: why didn't they pick up the phone and call?

I realize that that minister's brand new. The previous minister and the officials in the Ministry of Education know well the leadership in Regina Public Schools, whether that be the elected board Chair and trustees or the director. Any one of them could have picked up the phone to call, to inquire on these administrative procedures in question. Nobody did. Why not?

The Chair: — I recognize the Education minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, again I come back to the point that this is not about one school division. This is not about one incident in Lumsden. This is about, you know, this whole breadth of communication around what's happening in the education sector in the province.

And you know, we want to make sure, after hearing from tens of thousands of parents around the province . . . sorry, tens of thousands of individuals, many of them parents, Mr. Chair, we wanted, you know . . . And after seeing a few, again, reviewing administrative policies in divisions all around the province, we want to make sure it's a consistent experience. Whether you have a child in school in Lloydminster or Yorkton, Mr. Speaker, there's certain topics, you know, and many of them outlined here in clause 4, that we believe should be consistent across the province. These are, you know, admittedly controversial issues, as we see, Mr. Chair, and you know, when it comes to

controversial issues — but more importantly when it comes to involving parents — we think that there should be consistency across the province. Thanks.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — If the Minister of Education was interested in engaging with parents in an authentic way without trampling on the rights of children, he would have voted for my amendment just minutes ago. I can't hear the heckles from the other side, but if they were interested in supporting the work of parental engagement in our schools, they had an opportunity, and each of them stood in their place and voted no.

I would like to move to some questions about the use of the notwithstanding clause, Mr. Chair. Has the government considered how using the notwithstanding clause to override the Charter rights of children could open the door to the removal of rights for other minority groups?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. I will say to the last comment made by the member opposite for Saskatoon Eastview, he was on his feet for seven hours and never raised the amendment that he just referenced. And we do work in the same building, and he could have come and found us, Mr. Chair.

[18:30]

On the question about the applicability of the notwithstanding clause, this Act is very narrow in its scope and its scope of application, Mr. Chair. The notwithstanding clause only applies specifically to what is under discussion here, section 197.4, and doesn't broaden the application of the specific words in the bill, beyond the provisions in that section, to somehow apply to other, unmentioned pieces of provincial legislation. Thank you.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Mr. Chair, that minister is correct. I did speak in this Assembly for seven hours, and I spent over half an hour talking about parental engagement and the need for a strategy in this province. In teacher language, we call that foreshadowing as it may allow you to predict what's going to happen next. But again, maybe members opposite were too busy watching Netflix and playing Candy Crush.

To the Minister of Education, I have a question again about the notwithstanding clause. Are you aware of former premier Lougheed's position on the use of the notwithstanding clause? He believed:

A decision by legislators to invoke the notwithstanding clause should be approached with the same cautious consideration and deliberation as courts undertake in ruling on Charter claims. In considering overriding a protected right or freedom, legislators should be satisfied, among other things, that the objective they wish to pursue is sufficiently important and that there are not other, less intrusive means of reaching the same policy objective.

The Chair: — I recognize the Justice minister.

Hon. Ms. Eyre: — Thank you, Mr. Chair, and I rarely say this, but thank you for the question to the member opposite.

We have been very clear the last few days and have read into the record a number of times about Allan Blakeney with the Saskatchewan delegation leading up to 1982, and Peter Lougheed, and have said a number of times — but certainly it bears repeating — that the notwithstanding clause, Mr. Chair, is part of the law, part of the Canadian Constitution.

And that is down to the efforts of Peter Lougheed, down to the efforts of Allan Blakeney and their very passionate pursuit of the importance of not only what exclusive jurisdiction under 92A means — and certainly we've referenced that a number of times over the last year — but also the importance of the notwithstanding clause as a very sophisticated instrument for this federation.

And it was Mr. Blakeney who said that the clause does not amount to a suspension of rights. I think that's very relevant in light of the member's question on him and 1982, and now in the context of what the notwithstanding clause is meant to have envisaged. He said that the rights enumerated in the Charter are not more important than other rights, that the Charter should not be regarded as creating a hierarchy of rights, and there would be instances when rights collide.

And on the notwithstanding clause in this legislation, and we've gone through how many times it's been used. This is only the third time.

In contrast to Quebec, as one example, which not only had the legislative override in place so hundreds of notwithstanding pieces that went through as Quebec statutes. But in other provinces of course as well, and that includes pre-emptively. Eighty-eight per cent of notwithstanding clauses which have been invoked, and that doesn't include the hundreds of overrides in the province of Quebec, have been pre-emptive. Eighty-eight per cent have been pre-emptive. And I think that's interesting, and I think that's important.

And so referenced as I said, from 1982 to '85 the fact that Quebec had that automatic legislative override in place which notwithstanding everything that would otherwise have been caught, added to all Quebec statutes.

Mr. Speaker, I think it's important in the context of Allan Blakeney's comments, who of course worked very closely with Peter Lougheed in those talks, those involved, passionate debates that led up to 1982. That he, who was so intimately involved in those discussions, wrote that he disagreed that the use of the notwithstanding clause amounts to a "suspension of rights." He called that a false dichotomy, and we've said that a number of times.

And I think it's also important to think about. And there will be different opinions, of course, on when the notwithstanding clause is appropriate and when it isn't. And certainly I'm happy to read into the record some of the instances which have been used by provinces in invoking it. It's a very, very broad range. There are some common themes but a very, very broad range.

And surely, as I've said, it's those challenging cases and challenging issues that the notwithstanding clause is meant to address, which is really what Allan Blakeney was consistent about and said subsequently in 2010 when analyzing what this collision of rights means. He had envisioned that for a reason. And as we've said, in this case, it addresses and examines foundational questions, as they've been called, of parenthood, of identity, of privacy, and of consent.

And as we've also said, the notwithstanding clause is part of the Constitution, yes, but also part of that long-running tension and balance between judicial and legislative, federal and provincial, powers and about legislative sovereignty.

It's also important to remember, and I've mentioned this, and this was Professor David Snow from the University of Guelph writing in an academic paper that was hot off the presses just last week, Mr. Chair, about our policy. And he said that, of course, it's important to remember that constitutional democracies with strong human rights records — Australia, New Zealand, the UK — don't actually have or haven't traditionally had the constitutional structures that enable the judicial branch to simply strike down laws that are passed by democratically elected bodies — democratically elected bodies, Mr. Chair.

And a bill such as ours which invokes the notwithstanding clause must, as we've said, pass through the provincial legislature and receive Royal Assent before coming into effect, which is the process that we're seeing unfold. But the notwithstanding clause is part of democracy. It is why we are here, and as I've said, a sophisticated, constitutional, legal instrument and an important counterweight.

So I think that those who are on the ground at the time who foreshadowed what was to come, they did some pretty sophisticated foreshadowing, Mr. Chair, in terms of what was to come. And we're seeing that play out today.

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. Would the Minister for Justice enlighten us if she knows if any other provinces ever used the notwithstanding clause to infringe on the Charter rights of children?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. I wish I had before me or with me a list of the hundreds of overrides that Quebec did actually use in invoking the notwithstanding for all those years. I don't have an exhaustive list of those hundreds, but I do have a list of the previous uses of the notwithstanding clause across provinces.

And I think it's fair to say to the question — certainly for example, if we look at the Theodore litigation and the last time we invoked the notwithstanding clause in Saskatchewan — of course, a direct if not indirect impact on children as it related to where they would go to school, also an impact on parents, of course, and parental choice. And I think this comes down once again to this idea of hierarchy of rights, collision of rights. But again, not ever in isolation, I think, can one look at rights and

what constitute them, which really was Allan Blakeney's point.

But in terms of just some of the uses previously of the notwithstanding clause across the country, it's an interesting list and, as I've said, a broad range. So in Alberta, the *Institutional Confinement and Sexual Sterilization Compensation Act*, the *Marriage Amendment Act*. An *Act Respecting Proof of Immunization*, that was in New Brunswick. Ontario: *Efficient Local Government Act*, *Protecting Elections and Defending Democracy Act*, *Keeping Students in Class Act*. That was in Ontario.

Quebec: an *Act Respecting the Constitution Act, 1982*, that's the omnibus override that was added to all Quebec statutes. It continued as new statutes were enacted. An *Act Respecting the Pension Plan of Certain Teachers*, that was a section 15 Charter right that was overridden in that case. An *Act Respecting the Government and Public Employees Retirement Plan*; an *Act Respecting the Teachers Pension Plan*; an *Act Respecting the Civil Service Superannuation Plan*; an *Act Respecting the Conseil Supérieur de l'Éducation*; an *Act Respecting the Ministère de l'Éducation*; an *Education Act for Cree, Inuit and Naskapi Native Persons* — that was section 2(a), section 15; *Education Act*; *An Act to Amend the Charter of the French Language*.

This is all Quebec: *Act Respecting School Elections*; *Act Respecting Private Education*; *Act Respecting the Pension Plan of Management Personnel*; *An Act to Amend various legislative provisions of a confessional nature in the education field*; an *Act Respecting the Laicity of the State*; an *Act respecting French, the official and common language of Québec*.

The SGEU Dispute Settlement Act, *The School Choice Protection Act*. Those two are in Saskatchewan, *The SGEU Dispute Settlement Act* and *The School Choice Protection Act*. And in the Yukon, *Land Planning and Development Act*.

So again, Mr. Chair, a direct/indirect collision of rights and really what we've been talking about, that there are all nature of themes, some common, some less. But certainly that the important, I think, proverbial take-away is that provinces, particularly Quebec, have availed themselves of the notwithstanding clause. Why have they done that? Because they believe with all their heart and soul in provincial rights. They believe in the power of the legislature and their historic place within the country.

And certainly it's been said and oft-said — too often said in the last few weeks — that somehow invoking what other provinces have invoked and/or done, particularly Quebec, is somehow changing the rules or doing something untoward. We reject that absolutely. If you look at the range and you look at the main province that has utilized and invoked the notwithstanding act, what is different if we're in a federation between powers that one province avails itself of and another province, which also can avail itself of the same power? Thank you, Mr. Chair.

[18:45]

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — Thank you, Mr. Chair. Under clause 4, section

197.4(3):

Pursuant to subsection 33(1) of the *Canadian Charter of Rights and Freedoms*, this section is declared to operate notwithstanding sections 2, 7 and 15 of the *Canadian Charter of Rights and Freedoms*.

Would the Minister of Education please explain how he envisions these sections to impact the rights of children, specifically how this will impact the school experience of pupils?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — That's a good one. Thank you, Mr. Chair. So just on the policy and where we feel it stands vis-à-vis the Charter, Mr. Speaker, of course our position is that it is not, you know, a violation of the Charter but rather an elevation and enhancement of children's rights vis-à-vis their parents and of the experience in light of their age, which, as I say, we have clearly talked about as 16 and under.

We've always said that we would use all the tools at our disposal. We've been very clear about that. We felt that when the injunction was granted, that we did have to provide clarity, that we wanted to prevent drift and uncertainty. And again we had indicated to parents and the province that this was something we were putting in place in terms of the policy and for all the reasons that we have certainly exhausted over the course of the evening.

But really, bottom line, that this is about parental inclusion in their children's lives and that ultimately the children also benefit from parents being part of their lives and restoring that balance between home and school, including children in that balance.

The Chair: — I recommend . . . I keep on saying recommend. I recognize the member from Saskatoon Eastview.

Mr. Love: — I recognize you too, Mr. Chair. We've been here for a while.

Mr. Chair, many, many organizations have lent their voice to the speed at which this government is moving. The Saskatchewan School Boards Association, which represents 27 public and separate school divisions in the province, have asked this government to hit pause. Earlier today the Saskatchewan human rights council asked this government to hit pause and to slow down and to find the middle ground. Furthermore, most constitutional experts believe that the notwithstanding clause should only be used as a last resort.

My question to the Minister of Education is, why is this government moving so quickly and so recklessly? And will they consider pausing? Well we heard the Minister of Justice say tonight in this committee that it is important to let the process in our courts play out. Will they consider allowing that to happen before this bill comes into force, if it is to pass in this Assembly?

The Chair: — I recognize the Education minister.

Hon. Mr. Cockrill: — Thank you, Mr. Chair. You know, when it comes to questions on why we're here for a special sitting, why we're here . . . why the government views this as a priority to pass this piece of legislation, you know, I'll try and tie a few

threads together here but I mean, this is . . . I feel like I've already provided this answer tonight in these proceedings.

As I said, we've been hearing from parents and individuals all across this province for . . . As I said, I've been hearing about concerns around parental involvement in education since I was elected in 2020. We've had situations where parents feel left out of what's going on in their child's school or in the school division, Mr. Chair. And again this is . . . We've been working on this policy here now for a number of months because we know it's of utmost important to Saskatchewan people and especially Saskatchewan parents.

We know that . . . Again I go back to this, Mr. Chair. The communication that we've received regarding our policy back in August and now this piece of legislation, Bill 137, again I think about the communication on both sides of the issue. Nobody is saying, I want to be kept in the dark when it comes to my child's education. People are looking for more involvement in their child's education.

We've put a policy in place in August, Mr. Chair. As I outlined before, there was a legal challenge. Proceedings are still happening, but an injunction was granted. We told the people of this province when we introduced this policy that we would do what it takes to make sure this policy is operative and consistent across all 27 school divisions.

So if the member has concerns about why we're here tonight, why we're focusing on ensuring that this bill passes and becomes law, it's because it's important to the people of this province. We've heard that loud and clear.

And I would also invite my colleague, the Minister of Justice, to add to my answer as well. Thank you.

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you. Thank you, Mr. Chair. I will note . . . And the question, I think, implied that constitutional experts don't agree with our invoking the notwithstanding clause. I would point as one example, and I don't have his comments right here in front of me, but Howard Leeson was the intergovernmental deputy minister who attended the constitutional talks with Allan Blakeney. Howard Leeson was a constitutional expert whom the member for Regina Douglas Park mentioned last year explicitly as a constitutional expert, and he has said that we are completely within our rights to invoke the notwithstanding clause.

Again I guess I would remind about Allan Blakeney. I mean, if anyone was a constitutional expert, he was a prof and a scholar, and certainly I referenced that earlier today when asked about a number of law professors who again feel that the notwithstanding clause isn't appropriate in this case. I was taught by Allan Blakeney when I was in law school, and it was a very interesting seminar, I can assure you. But again, certainly a constitutional expert and someone whom we've quoted a number of times in regard to how he felt the notwithstanding clause should be invoked.

I've talked to lawyers on this, of course, and all number of people, and again there are some disagreements. There are some

questions. But more than anything it's a stimulating discussion. It's certainly a hot constitutional discussion, and I think people have various views. But I don't think there's a great deal of controversy at its root about who has invoked the notwithstanding clause, in other words, which provinces, under what circumstances, and how it is an available tool — more than an available tool, Mr. Chair.

I also wanted to quote from Dave Snow, a professor at the University of Guelph, on this — and again, some very interesting points — political scientist at the University of Guelph. He's written and quotes in this paper, which was released last week, quotes a number of constitutional experts. He wrote for the MacDonald-Laurier Institute. The paper was called, "When rights clash," and as I say, specifically on the pronoun policy that Saskatchewan has put in place. He said:

Long before I was lawyer I was a young journalist, and I remember the patriation talks, '80, '81, '82. We were all huddling around law professors getting advice, getting information, you know, and I guess what offends my sense of history was no one at the time in '81-82 characterized the notwithstanding clause as a nuclear weapon that would forever eradicate a right. But somehow in modern scholarship, and I'm exaggerating a bit, but certainly in the media play and the scholarship play, there's this idea that the notwithstanding clause is there but you're never going to use it.

So that is an interesting point. Also he says:

Well what my research has shown [and I'm quoting], and it's not difficult research, you just have to go back and count the times it's been used. If we exclude Quebec invoking the notwithstanding clause for the first three years of the Charter on every single law that it passed — and those are obviously pre-emptive because they're not responding to any jurisprudence — even put those aside, I believe the number of times that the notwithstanding clause has been invoked pre-emptively versus reactively before 2018 a few years was, 88 per cent of the time it was used pre-emptively, even excluding all those obviously dozens if not hundreds of pre-emptive uses.

So, Mr. Chair, the quote ends:

This has been the norm.

Thank you, Mr. Chair.

[19:00]

The Chair: — I recognize the member from Saskatoon Eastview.

Mr. Love: — It's disappointing to hear our Justice minister quote Howard Leeson who's been very clear on this matter. Incredibly clear. Perhaps you would like to quote that line when he says that it should only be used as a last resort, and that it should not be used in this case. She knows that. She knows that when she stands and quotes from one of our province's most pre-eminent experts on constitutional law. She knows that.

Mr. Chair, I'd like to ask a question about family law. How does the clause on parental rights operate in the event of a family breakdown, and were any members of the family bar consulted on these provisions under clause 4?

The Chair: — I recognize the Minister of Justice.

Hon. Ms. Eyre: — Thank you, Mr. Chair. And just to follow up on the comment I made regarding Howard Leeson's remark, just on his quote that the use of the notwithstanding clause in this case, "proper and constitutional." So that was what I was referring to.

In terms of the member opposite's question vis-à-vis disagreement in some of these cases or potential disagreement in terms of what would happen if one parent consents to a change, for example, and another parent opposes a change, certainly as we can all well imagine, school administrators are accustomed to dealing with a wide variety of family dynamics.

These are consummate professionals, and every situation will be handled on a case-by-case basis as they are now, Mr. Chair. And school administrators will of course always prioritize open communication with parents, open communication with students to work together to reach a decision that all parties are comfortable with.

In terms of a parent without decision-making authority giving consent and how that could be managed, as with any other issue involving decision making for children, you know, such as decisions around health care or religion or extracurricular activities, parents with decision-making authority make the determination for their child. And it's possible that parents without decision-making authority will also be of course involved in conversations to ensure that there is open and informed communication for everyone involved, Mr. Chair.

In terms of family law disputes, those of course, you know, can impact many areas relevant to making key decisions for children, including, again, decisions around health care, decisions around religion, extracurricular activities. And it's possible that parents would, as they would now, ask the court to weigh in on the choice of name and pronoun issues. So I will leave it there, Mr. Chair.

The Chair: — Okay. Our time is now elapsed. So the officials can leave now, and we will now proceed to vote on the clauses pursuant to the order of the Assembly, dated October 16th, 2023. Each question shall be decided without further delay or amendment.

Okay, are the members ready for the question?

Some Hon. Members: — Question.

The Chair: — Clause 4. Is clause 4 agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

The Chair: — All in favour of the motion please say aye.

Some Hon. Members: — Aye.

The Chair: — All those opposed say no.

[The division bells rang from 19:13 until 19:14.]

Some Hon. Members: — No.

The Chair: — Clause 5. All those in favour please stand.

The Chair: — Call in the members.

[Yeas — 32]

[The division bells rang from 19:07 until 19:10.]

The Speaker: — The question before the Assembly is clause 4. All those in favour say aye.

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
Eyre	J. Harrison	Carr
T. McLeod	Fiaz	Dennis
Lambert	Ottenbreit	Francis
C. Young		

Some Hon. Members: — Aye.

The Chair: — Please stand.

[Yeas — 32]

[19:15]

McMorris	Hindley	Reiter
Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
Eyre	J. Harrison	Carr
T. McLeod	Fiaz	Dennis
Lambert	Ottenbreit	Francis
C. Young	Bonk	Nerlien
B. McLeod	Friesen	Grewal
Keisig	Jenson	D. Harrison
Domotor	Wilson	

Bonk	Nerlien	B. McLeod
Friesen	Grewal	Keisig
Jenson	D. Harrison	Domotor
Wilson		

The Chair: — All those opposed please rise.

[Nays — 11]

The Chair: — All those opposed to the motion please stand.

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Principal Clerk: — Mr. Chair, those in favour of the motion, 32; those opposed to the motion, 11.

The Chair: — I declare the motion carried.

[Clause 5 agreed to on division.]

Principal Clerk: — Mr. Chair, those in favour of the motion, 32; those opposed to the motion, 11.

Clause 6

The Chair: — I declare the motion carried.

The Chair: — Okay. Clause 6, coming into force, is that agreed?

[Clause 4 agreed to on division.]

Some Hon. Members: — Agreed.

Clause 5

Some Hon. Members: — No.

The Chair: — Okay, clause 5. Is clause 5 agreed?

The Chair: — All those in favour say aye.

Some Hon. Members: — Agreed.

Some Hon. Members: — Aye.

Some Hon. Members: — No.

The Chair: — All those opposed say no.

The Chair: — Those in favour of the motion please say aye.

Some Hon. Members: — No.

Some Hon. Members: — Aye.

The Chair: — Call in the members.

The Chair: — Those opposed to the motion please say no.

[The division bells rang from 19:16 until 19:17.]

Some Hon. Members: — No.

The Chair: — All those in favour of the motion please rise.

[Yeas — 32]

The Chair: — Call in the members.

McMorris	Hindley	Reiter
----------	---------	--------

Harpauer	Duncan	Merriman
Tell	Makowsky	Cheveldayoff
Skoropad	Kaeding	Cockrill
Eyre	J. Harrison	Carr
T. McLeod	Fiaz	Dennis
Lambert	Ottenbreit	Francis
C. Young	Bonk	Nerlien
B. McLeod	Friesen	Grewal
Keisig	Jenson	D. Harrison
Domotor	Wilson	

The Chair: — All those opposed please rise.

[Nays — 11]

Beck	Nippi-Albright	Mowat
Wotherspoon	Love	Teed
A. Young	Burki	Clarke
Sarauer	Conway	

Principal Clerk: — Mr. Chair, those in favour of the motion, 32; those opposed to the motion, 11.

The Chair: — I declare the motion carried.

[Clause 6 agreed to on division.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023*.

I recognize the Government House Leader.

Hon. Mr. J. Harrison: — I move that the committee report the bill without amendment.

The Chair: — It's been moved that the committee report Bill No. 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I recognize the Government . . .

Hon. Mr. J. Harrison: — Thank you, Mr. Deputy Speaker. I move that the committee rise, report progress, and sit again.

The Chair: — It has been moved by the Government House Leader that the committee rise, report progress, and ask for leave to sit again. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[The Speaker resumed the Chair.]

The Speaker: — I recognize the Chair of Committees.

Mr. Bradshaw: — Mr. Speaker, I'm instructed by the committee to report Bill 137, *The Education (Parents' Bill of Rights) Amendment Act, 2023* without amendment.

The Speaker: — When shall this bill be read the third time? I recognize the Minister of Education.

Hon. Mr. Cockrill: — Thank you, Mr. Speaker. Next sitting of the Assembly.

The Speaker: — Next sitting. When shall the committee sit again? I recognize the Government House Leader.

Hon. Mr. J. Harrison: — Next sitting, Mr. Speaker.

The Speaker: — Next sitting. Government House Leader.

Hon. Mr. J. Harrison: — Thank you, Mr. Speaker. I move that this House do now adjourn.

The Speaker: — The Government House Leader has moved to adjourn the House. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried. We stand adjourned until 9 a.m. tomorrow.

[The Assembly adjourned at 19:22.]

GOVERNMENT OF SASKATCHEWAN CABINET MINISTERS

Hon. Scott Moe
Premier
President of the Executive Council
Minister of Intergovernmental Affairs

Hon. Lori Carr
Minister of Highways

Hon. Jeremy Cockrill
Minister of Education

Hon. Dustin Duncan
Minister of Crown Investments Corporation
Minister Responsible for the Public Service Commission
Minister Responsible for SaskEnergy Incorporated
Minister Responsible for
Saskatchewan Government Insurance
Minister Responsible for
Saskatchewan Power Corporation
Minister Responsible for
Saskatchewan Telecommunications
Minister Responsible for
Saskatchewan Water Corporation
Minister Responsible for
Saskatchewan Liquor and Gaming Authority

Hon. Bronwyn Eyre
Minister of Justice and Attorney General

Hon. Joe Hargrave
Minister of SaskBuilds and Procurement
Minister Responsible for the
Global Transportation Hub Authority

Hon. Donna Harpauer
Deputy Premier
Minister of Finance

Hon. Jeremy Harrison
Minister of Trade and Export Development
Minister of Immigration and Career Training
Minister Responsible for Innovation
Minister Responsible for Tourism Saskatchewan

Hon. Everett Hindley
Minister of Health

Hon. Gene Makowsky
Minister of Social Services

Hon. David Marit
Minister of Agriculture
Minister Responsible for
Saskatchewan Crop Insurance Corporation
Minister Responsible for
Saskatchewan Water Security Agency

Hon. Tim McLeod
Minister of Mental Health and Addictions,
Seniors and Rural and Remote Health

Hon. Don McMorris
Minister of Government Relations
Minister of Labour Relations and Workplace Safety
Minister Responsible for
First Nations, Métis and Northern Affairs
Minister Responsible for the
Provincial Capital Commission
Minister Responsible for the
Saskatchewan Workers' Compensation Board

Hon. Paul Merriman
Minister of Corrections, Policing and Public Safety
Minister Responsible for the Firearms Secretariat

Hon. Jim Reiter
Minister of Energy and Resources

Hon. Laura Ross
Minister of Parks, Culture and Sport
Minister Responsible for the Status of Women
Minister Responsible for
Lotteries and Gaming Saskatchewan Corporation

Hon. Christine Tell
Minister of Environment

Hon. Gordon Wyant
Minister of Advanced Education