

## 2SLGBTQI organizations not backing down in legal action against Saskatchewan government's harmful school policy legislation

**FOR IMMEDIATE RELEASE**

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**REGINA, SK** – UR Pride Centre for Sexuality and Gender Diversity, represented by Bennett Jensen, Director of Legal at Egale Canada, and a team from McCarthy Tétrault LLP led by Adam Goldenberg, has [filed an application](#) to [amend its originating application](#) against the Government of Saskatchewan.

The proposed amended application filed today pleads that, in addition to violating the section 7 and 15 *Charter* rights of gender diverse students under the age of 16, the Saskatchewan law also violates their section 12 *Charter* right not to be subjected to cruel and unusual treatment. While the relevant provisions of the law operate notwithstanding sections 2, 7, and 15 of the *Charter*, they do not operate notwithstanding section 12. As such, if UR Pride is successful in establishing a violation of the section 12 right that is not reasonable or demonstrably justifiable, the law would not be allowed to operate. The amended application also seeks declarations that the law violates gender diverse students' rights to equality and security of the person.

The Policy and *The Education Act, 1995*, as amended, intentionally target gender diverse students under the age of 16, an especially vulnerable and uniquely disadvantaged group, by requiring parental/guardian consent to have their gender identity respected at school. Absent this consent, school personnel are required to deadname and misgender these students, which places them at significantly higher risk of suicide, homelessness and mental health distress. **Such treatment is degrading and dehumanizing, and intrinsically incompatible with human dignity.**

"Our number one priority is protecting trans and gender-diverse youth," said Ariana Giroux (she, her), Executive Director of UR Pride. "The Government of Saskatchewan is playing politics with the lives of a particularly vulnerable population that continues to face marginalization and discrimination. We're going to do everything in our power to ensure all young people across our province are safe."

"Gender diverse young people should not be forced to come out to their parents or guardians before they can be recognized and respected at school," said Adam Goldenberg (he, him), lead counsel for UR Pride and a partner at McCarthy Tétrault LLP. "Misgendering and deadnaming students whose parents

are not supportive is cruel and unusual treatment that violates section 12 of the *Charter*."

"Despite the shocking move by the government to use the notwithstanding clause to ram through legislation that is harmful to vulnerable young people, we are not giving up on our priority to protect all trans and gender diverse students across Saskatchewan," said Bennett Jensen (he, him), co-counsel for UR Pride and Director of Legal at Egale. "A court has already found that the policy (now enacted into legislation) will inflict irreparable harm on young people, and we will continue to use every tool at our disposal to fight it."

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