



Province of Alberta

The 29th Legislature  
First Session

# Alberta Hansard

Tuesday morning, December 1, 2015

Day 26

The Honourable Robert E. Wanner, Speaker

**Legislative Assembly of Alberta**  
**The 29th Legislature**

First Session

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## Legislative Assembly of Alberta

10 a.m.

Tuesday, December 1, 2015

[Mr. Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us reflect. This past week the Pope, who is the head of the Catholic religion, paid a visit to Africa, and there was a section from that prayer that I thought would be appropriate for us as we contemplate our work today. O God of the poor, help us to rescue the abandoned and forgotten of this earth, so precious in your eyes. Bring healing to our lives that we may protect the world and not prey on it, that we may sow beauty, not pollution and destruction, touch the hearts of those who look only for gain at the expense of the poor and the earth.

Please be seated.

### Orders of the Day

#### Government Bills and Orders

##### Second Reading

##### Bill 7

#### Alberta Human Rights Amendment Act, 2015

[Adjourned debate November 25: Ms Ganley]

**The Speaker:** The hon. Minister of Justice and Solicitor General and Minister of Aboriginal Relations.

**Ms Ganley:** I believe that I was probably sufficiently through my speech on this, so we'll just call that the end.

**The Speaker:** Hon. member, you have 16 minutes left if you wish to speak any longer.

**Ms Ganley:** Yeah. That's sufficient. Thank you.

**The Speaker:** Who would wish to speak to second reading of Bill 7, Alberta Human Rights Amendment Act, 2015? The hon. Member for Calgary-Hawkwood.

**Mr. Connolly:** Thank you, Mr. Speaker. I rise today to speak on Bill 7, the Alberta Human Rights Amendment Act, 2015. This bill, which will add gender expression and gender identity to the Alberta Human Rights Act, is something the transgender and the gender-variant community have asked for for decades. This bill will allow transgender and gender-variant Albertans to confront discrimination that we know still exists in our society.

Some of our members may not be familiar with what being transgender means. As a gay man and ally to the transgender and gender-variant community I make my fair share of mistakes, too, but I do my best to get it right. That means listening to transgender and gender-variant individuals when they tell us about their lived experiences. What does transgender mean? Transgender is an umbrella term for people whose gender identity differs from the sex assigned to them at birth.

The key to understanding what transgender means is understanding the difference between sex and gender. Sex refers to the physical characteristics that are associated with being male or female, including primary sex characteristics such as genitals and secondary sex characteristics such as breasts. Gender refers to the social presentation of masculinity and femininity. Many cultures have strict rules about how to perform masculinity and femininity.

Rigid masculine and feminine gender roles are referred to as the gender binary. However, ideas about gender are not static. They change across time and place, within one society, and between different cultures.

Transgender individuals do not identify with the sex that they were assigned at birth and present their gender in a way that reflects their true selves. Some transgender persons choose to have gender-affirming surgery so that their physical characteristics reflect their gender identity, and some do not. Gender identity does not relate to sexual orientation. Transgender and gender-variant people may identify as straight, gay, lesbian, bisexual, pansexual, or any other sexual orientation.

You may not know the difference between gender identity and gender expression. Gender identity is one's innermost concept of self – male, female, a blend of both, or neither – how individuals perceive themselves, and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth. Gender expression is the external appearance of one's gender identity, usually expressed through behaviour, clothing, or a haircut, which may or may not conform to socially defined behaviours and characteristics typically associated with being either masculine or feminine.

Trans and gender-variant Albertans face problems none of us could even imagine. When the Minister of Justice and Solicitor General and Minister of Aboriginal Relations, the Member for Strathcona-Sherwood Park, and the Member for Calgary-Cross, and I held consultations, we heard of the incredible struggles that these individuals face on a daily basis. Not only is it difficult to find a proper psychologist as a trans individual; it can be near impossible to find the particular psychologist that can offer the services required to start hormones or apply for gender-affirming surgery. There are also only two doctors in Alberta that have the authority and the knowledge necessary to connect these Albertans with the one clinic in Canada that can perform gender-affirming surgery if the individual wishes to have the gender-affirming surgery.

Many transgender individuals chose not to have the gender-affirming surgery and are therefore ineligible to receive various forms of government identification with their correct gender on it. While this legislation will not deal with this specific issue, it is an important first step to show the transgender and gender-variant communities that we are on their side when it comes to these issues.

Trans and gender-variant individuals are less likely to have access to health care in our province and are often turned away by physicians and mental health practitioners because of prejudice or perceived lack of skills to treat transgender and gender-variant Albertans. This happens even if the individual is seeking care for issues not related to their gender, which has led transgender and gender-variant people to have higher risks of heart disease; mental health concerns such as anxiety, depression, and suicide; substance abuse; eating disorders; interpersonal violence; certain cancers; and to be less likely to participate in preventative health.

Follow-up care is also a big issue as few doctors will assist postsurgical patients directly, requiring trips back to the original surgeon for any corrective work. For trans women finding a gynecologist willing to give examinations can be a problem. One trans woman had her gynecologist refuse to refer to her parts as a vagina, instead only calling it her hole. Offensive and hardly the attitude of a caring physician, but this was the only gynecologist who would agree to see her, so she stayed.

Another trans woman in Calgary was given an M wristband despite presenting both her forms of ID with the F marker. When asked to change it, the clerk refused. Alberta Health Services policy already states that a client's preferred gender should be respected on wristbands and in the address regardless of ID presented, so this

action was against policy and significantly added to her stress right before undergoing a fairly major procedure.

The concerns of trans and gender-variant individuals is only increased by the fact that approximately 50 per cent of transgender and gender-variant people have been raped or assaulted by a romantic partner and that transgender and gender-variant people of all ages frequently face rejection by their families. Youth who experience family rejection are more likely to attempt suicide, experience high levels of depression, use illegal drugs, and become homeless. This helps to explain why the LGBTQ community makes up the highest segment of homeless youth, with the majority of that youth being transgender and gender-variant.

People loving and accepting transgender and gender-variant family members are the cornerstone for transgender and gender-variant Albertans to have happy, healthy, and longer lives. Without the support of family it can be hard to build strength and to fight against the inequality and discrimination that transgender and gender-variant people face in their day-to-day lives.

Employment can be an incredibly tenuous situation for many transgender and gender-variant Canadians, particularly once they begin to transition. Once a transgender person loses their job, it can be very difficult to get rehired, especially in our current economic climate. Chronic unemployment is a significant factor in the community and drives the disproportionate level of homelessness, depression and may result in trans individuals taking higher risks to make ends meet.

As an example of how little understanding there is among employers, I was told by one transgender woman that when coming out to her supervisor at work, he expressed concern that she would show up to work looking like a drag queen. So it's clear there's still a long way to go in explaining the difference. While she can't conclusively say that it affected her career arc, the supervisor stopped taking her along for lunch with consultants and bringing her to trade shows. Another woman, just starting her transition at work, was told by her boss: if it affects our customers and they stop coming in or our employees have an issue, then we will have to have a difficult discussion. This was from someone whom she thought would be supportive.

The concept of the toxic work environment figures heavily into what trans people face in the workplace. Rarely is someone told that they are being terminated because they are trans; instead, they are made to use different facilities, asked to work from home, or simply made to feel unwelcome until they leave.

Bill 7 will help to show transgender and gender-variant people that we stand with them in solidarity. We are here to show this community that we cannot and will not sit idly by while our friends, family, and colleagues are struggling to survive and receive the care that they are supposed to be guaranteed by our Constitution. Forty to 50 per cent of transgender and gender-variant individuals have attempted suicide, and 90 per cent have seriously considered it. This is absolutely unacceptable. We are here to show Albertans that we will not stand for discrimination of any kind.

**10:10**

Albertans are diverse and welcoming and understand that our communities thrive when they are supportive. We must ensure that our legislation holds true to these values. Simply voting for this bill does not mean that we as MLAs have vanquished transphobia. It does not mean that we can no longer be called transphobic ourselves. It only means that at this point in time we were able to do the right thing. Legislation is only ink on paper unless it can somehow be moved from paper into the lives of Albertans; therefore, legislation cannot be the government's only role. Basic human rights for trans and gender-diverse people must be

embedded into the culture of all that comes forward. Each and every member of this Legislature, every staffperson, every department, every communiqué, every policy and future piece of legislation must ultimately change with this bill.

We must remember to think of how everything we do in this Chamber will affect the LGBTQ-plus community, especially the transgender and gender-variant community, so that we can stop the institutionalized discrimination minority groups face across the province. Only when people are provided with knowledge will we see real change in the lived experiences of transgender and gender-diverse people.

Albertans recognize the importance of freedom. With Bill 7 we can provide protection for transgender and gender-variant people to live freely as their authentic selves. That is why I'm supporting this bill, and I hope all my colleagues in this House will as well.

Thank you.

**The Speaker:** The Member for Calgary-Elbow.

**Mr. Eggen:** On 29(2)(a)?

**The Speaker:** Minister of Education, I'm sorry. There is no 29(2)(a) on the second speaker, hon. member.

Thus, the Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Mr. Speaker. It's my great honour and privilege to rise today to speak in favour of Bill 7. I'd also like to recognize that we have a couple of members of Alberta's trans community here with us today. It is such an honour to present today in favour and support of such an important bill. It allows individuals, all Albertans to feel protected, to feel included, and to feel truly part of our community and our society. It give allies the ability to effectively argue in favour of and advocate for their family, their friends, and their neighbours. It provides the clarity that's needed. Irrespective of any argument that transgender expression may already be included, it clarifies and removes any doubt, which is why this is such an important bill.

When we think about what that actually means – and I was listening closely to the Member for Calgary-Hawkwood and reflecting on his words, and I think he brought a lot of clarity and power to this discussion and debate, and I thank him very much for his words, for his advocacy, all members of the government caucus, and indeed others who've done work on behalf of transgender Albertans. It is quite something that we have unanimity, I believe, in this House on this issue. It's, I think, a big change over the course of even just a few short years. I think what it does is that it reflects what Alberta really is today, and I think we should be proud that we're in this place, having these discussions openly and without controversy. I think that's very telling, very encouraging.

Having said that, our work here is not done. We well know that there are challenges in schools in particular. As we look at what's happened specifically at the Edmonton Catholic school board in discussions around access for a transgender student simply to use the washroom of her choice, our work is not done. It is not simply about, as the Member for Calgary-Hawkwood says, putting words on a piece of paper. What we need is advocacy.

I suspect we may not actually get to my Motion 511 here this fall, but that motion, in a nutshell, calls for the Minister of Education to allow school boards time to come up with an appropriate policy but not much time. It calls on the minister to allow them till March 31, 2016, to come up with an appropriate policy to his satisfaction that will in fact protect all students, transgender students included especially, and, should they not come up with an appropriate policy, to impose an appropriate policy upon them. I applaud the minister for his leadership on this issue to date. There is still work to do,

though, and I'm sure you know that we'll be watching closely to ensure that an appropriate policy is in fact put into place.

Words on paper are important, laws are very important, but action is equally important. So I would like very much to see – and again in keeping with the words of the Member for Calgary-Hawkwood, we need to back this legislation with action. It's one thing to say that this will allow landlords to know that they cannot discriminate because it's in the law. I think that, unfortunately, for people who may think about discriminating, the first thing they do is not to go read the legislation.

I think it's important that we, not just here, as leaders in our communities and representatives of those communities show that leadership, but I really urge the government to think about ways of advocating, of communicating, of putting it out there that this is no longer acceptable and to consider some sort of communications strategy so that once Bill 7 – I'm hopeful it will be passed, and I'm hopeful that it will be passed unanimously and enthusiastically by this House but, once that happens, that the government will consider undertaking some form of information campaign to let every Albertan know that it is in no way acceptable in any circumstance, in any context to discriminate against transgendered individuals.

Again, I just want to close by recognizing the work that has been done by members on both sides of the House, going back even to the previous government. I think it's important to recognize the members for Calgary-Hawkwood, Strathcona-Sherwood Park, if I'm not mistaken, if I've got that right, and Calgary-Cross as well as the minister. I know you've all done a lot of work on this. I think you have brought a perspective that this House has been lacking for many years. It really is an important day here in the Legislative Assembly, so I want to thank everyone for the work that you've done to date. This will be an important moment in Alberta history and from here to recognize, however, that our work continues.

With that, thank you very much, Mr. Speaker.

**The Speaker:** Are there any questions or comments for the Member for Calgary-Elbow?

Hearing none, the hon. Member for Calgary-Cross.

**Miranda:** Thank you, Mr. Speaker. I am honoured to rise and speak about Bill 7, the Alberta Human Rights Amendment Act, 2015. As you know, the Alberta Legislature has the unique privilege of hosting an exhibition of the Magna Carta, celebrating the 800th anniversary of the signing of this magnificent document, in 1215. Visitors are asked to come to the Legislature Grounds and experience this iconic document, seen as the embodiment of the underlying principles of parliamentary democracy and the legal system, that has arguably changed the course of law, justice, and human rights in the Commonwealth and perhaps across the world.

I begin there because it is crucial that we understand the importance of our shared history as a people and to highlight that it is not the first time that a single document can change the reality for so many of us. While many know the history of the Magna Carta, not too many know the history of the lesbian, gay, bi, trans, queer, and gender-diverse people who have fought for their rights and their place in history.

**10:20**

It is a commonly held belief that the LGBTQ liberation movement started on June 28, 1969, in what came to be known as the Stonewall riots. It was a watershed moment in the history of the LGBTQ people. The Stonewall Inn was routinely subjected to police raids, where the procedure was to line up the patrons and check for their identification. Police officers would then arrest trans

women, subjecting them to abuse and humiliation. But on that June night many trans women refused to go with the officers, many others refused to produce their identification, and what resulted was the start of a movement that saw many of the laws change, including my journey here.

Regrettably, it is almost 45 years later, and it's not until today that we're talking about ensuring that the rights of trans and gender-diverse people are explicitly and clearly recognized by making discrimination on the basis of gender identity and gender expression illegal in this province. I would say that it's about time.

I take this opportunity to recognize and highlight for the members of the Legislature the violence and discrimination that are faced by the trans and gender-diverse community on a daily basis. In a recent nation-wide survey 74 per cent of trans and gender-diverse youth reported that they had experienced verbal harassment in school, while 37 per cent reported experiencing physical violence. Many face unemployment that is over three times the national rate, and many more are underemployed.

As a result of discrimination and bullying, the trans and gender-diverse community faces higher rates of mental health issues as well. Rates of depression are as high as two-thirds, and in some jurisdictions as many as 77 per cent of trans and gender-diverse individuals report having considered suicide, while 43 per cent have actually attempted suicide at least once. This is horrifying. Members of this Legislature have the opportunity to address the violence and discrimination faced by trans and gender-diverse individuals by passing, without delay, legislation that will amend the Alberta Human Rights Act to provide trans and gender-diverse individuals with the same legal protections as any other vulnerable group.

On the issue of human rights across Canada, while each province and territory within Canada has a human rights act or a code that enumerates protections for its citizens, as of March 2015 only some provinces and territories explicitly protected either gender identity or both gender identity and gender expression in their human rights legislation. Some provinces and territories are not explicit about these rights, but they do have documents explaining how such protections exist under other grounds. Still, sadly, as of today national human rights legislation in Canada does not explicitly protect gender identity and gender expression. Mr. Speaker, Alberta can and must do better than that because as of today the phrase "rights for all" is not quite accurate.

There are some specific areas that I want to tell you about, Mr. Speaker. The one which I've touched briefly upon is the issue of violence. Trans and gender-diverse people face extraordinary levels of physical and sexual violence, whether on the streets, at school, at work, at home, or, regrettably, sometimes even at the hands of law enforcement, although I'm happy to report that law enforcement agencies have made great strides in changing this in their respective departments. But the fact remains that trans and gender-diverse people often face bias-driven assaults, and the rates are even higher for trans and gender-diverse people of colour.

I applaud the work of antiviolence groups, women's rights groups, racial justice groups, and law enforcement agencies currently combatting violence against trans and gender-diverse people. I would only add that this effort cannot be limited to just a Transgender Day of Remembrance. Public education, as was mentioned earlier, policy changes, community efforts, and, in our case, legislation are indeed useful to address the complex causes of violence against trans and gender-diverse people and ensure that victims can receive support and protection under the law.

Employment is another area that we need to also keep in mind. Many trans and gender-diverse people have lost their jobs due to discrimination, and more than three-fourths have experienced some

form of workplace discrimination. Refusal to hire, privacy violations, harassment, even physical and sometimes sexual violence on the job are common occurrences and are experienced at even higher rates by trans and gender-diverse people of colour. Many of them change jobs to avoid discrimination or the risk of discrimination, and extreme levels of unemployment and poverty lead many to become involved in underground economies such as sex and drug work in order to survive.

Many families, whatever their composition and however you choose to define them, support the well-being of trans and gender-diverse people. However, despite the existence of marriage equality in our country for many years now, trans and gender-diverse people and their families still face many other challenges. Both trans and gender-diverse parents and supportive parents of trans and gender-diverse children can sometimes face unfair and harmful challenges to their parental rights and their decisions. As with LGBTQ families in general, trans and gender-diverse people's families continue to face barriers to foster care and adoption and the recognition of their family relationships in many situations. Trans and gender-diverse people seeking support in the face of family rejection or domestic violence still often face barriers as well.

Health, another subject that we have briefly touched upon, is another area of concern that I would like to speak about. Trans and gender-diverse people need access to quality health care that is responsive to their unique needs. I want to thank the hon. Member for Calgary-Hawkwood for his questions to the Health minister yesterday. It is clear that many continue to encounter barriers, and I am happy to know that our Health minister is committed to breaking those barriers.

Mr. Speaker, suicide is one of the most serious health risks facing trans and gender-diverse people. While the causes of suicide are complex, growing evidence links high rates of suicide amongst trans and gender-diverse youth and adults in part to stigma and discrimination. I hope the mental health review that is taking place will explore ways to address suicide prevention and double the efforts to help trans and gender-diverse people.

I would add also that I hope that anybody who is watching the proceedings here today while they are looking at their lives and they are looking at their existence and perhaps contemplating doing self-harm realizes that there are people out there who are like them, who understand absolutely what it feels like to be rejected and understand absolutely what it feels like to know that there are people out there who would hate you just because of who you are. But I also want them to know that they are people who can actually lead very productive, meaningful lives and can actually contribute to our society, and I would ask them to reach out for the supports that they need and to think about the future and how much they have to contribute to our society because we so desperately need them to be here.

Trans and gender-diverse people often face discrimination when seeking a home, and some have even been evicted from their homes because of their gender identity. This bill will make it clear that discrimination against trans and gender-diverse people or homebuyers based on gender identity or gender expression will constitute discrimination and will be prohibited under the law. Unfortunately, a general lack of awareness has contributed to continued discrimination, eviction, and homelessness of trans and gender-diverse people. It is with that in mind that clear, explicit legal protection from discrimination based on gender identity and gender expression is very much needed.

An alarmingly large and disproportionate number of trans and gender-diverse individuals have experienced homelessness at some point in their lives. Rejection by family and friends in addition to discrimination and violence often contribute to a large number of

trans and gender-diverse as well as LGBTQ youth who identify themselves as homeless. Unfortunately, social services and homeless shelters that work with this population are not always equipped to appropriately serve homeless trans and gender-diverse people, including not being able to provide them shelter based on their gender identity or housing them in a gender space they do not identify with and failing to address co-occurring issues facing transgender homeless youth and adults. This bill will ensure that trans and gender-diverse people accessing housing and homeless services do not face such discrimination.

#### 10:30

Identity documents and privacy is another area of great concern. Trans and gender-diverse people need accurate and consistent IDs to open bank accounts, start new jobs, enrol in school, and travel. However, the name and gender change process can be sometimes complicated and prohibitively expensive for some. As a result, many trans and gender-diverse people who have transitioned have not been able to update all of their IDs and records with their new gender. This is particularly problematic because gender-incongruent identification exposes trans and gender-diverse people to a wide range of negative outcomes, from denial of employment, housing, and public benefits to harassment and physical violence. Any remaining requirements that are intrusive and burdensome for trans and gender-diverse people to update their IDs should be eliminated, and I will encourage our government to do that.

Interactions with law enforcement, jails, and prisons can be traumatizing for most of us. They're often places where dangerous interactions can happen, especially for trans and gender-diverse people and for anyone who is gender nonconforming. Trans and gender-diverse people are more likely to be stopped and questioned by police while they engage in survival crimes such as sex work and when ending up behind bars are more likely to face abuse there. Being trans and gender-diverse in jail or prison can leave them exposed to humiliation, physical and sexual abuse, and fear of reprisals. We need to continue to look at ways to ensure stronger protections and create new tools for advocacy focused on trans and gender-diverse people's interaction with the justice system. Given that this bill is brought forward by the hon. Minister of Justice, I am hopeful that this will change.

Combating racism and poverty and uplifting the voices of marginalized people is paramount, even more so for trans and gender-diverse people of colour, who face greatly elevated negative outcomes in every area of life. Racialized trans and gender-diverse people report some of the worst outcomes regarding discrimination in obtaining a job, violence both in the streets and by law enforcement, accessing health care, and homelessness. People in rural communities also face significant barriers in their quality of life. We need to recognize that an intersectional approach and sensitivity is required when policies and advocacy work that seek to address issues critical to trans and gender-diverse people are implemented.

Trans and gender-diverse youth face many challenges at home, at school, in foster care, and in the juvenile justice system, and it should not come as a surprise that many trans and gender-diverse youth feel unsafe at school. I will say that it is not just hostility from peers that fosters these feelings. As we all know and as was previously mentioned, currently there are debates taking place regarding policies in the school boards. It is important for them to know that these students are looking to them to lead the way and provide the safe environment they need to grow. For now providing this environment is entirely under their control, but I ask them to please not fail these students.



Finally, older trans and gender-diverse adults face profound challenges and experience striking disparities in areas such as quality of health and access to health care services, mental health care, employment, housing, and other areas of livelihood. Research has revealed that many trans and gender-diverse elders routinely encounter both a health care system and an aging network that is often ill-prepared to provide care and services that they need and create residential environments that affirm the gender identities and expressions of trans and gender-diverse older people.

Mr. Speaker, discrimination is almost an everyday experience for many trans and gender-diverse people and can affect nearly every area of their lives. The phobias that drive discrimination we can eliminate, and I ask all of you to vote yes to this bill.

Thank you.

**The Speaker:** Under 29(2)(a), the hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Mr. Speaker. I must say that after listening to these words, I am so very, very proud to be one of your colleagues. I think that this is a conversation that we have to have, but we have to have all of the conversation. I kind of felt that maybe there was still something left to say, so I was hoping that the member might be able to finish off those thoughts for us.

**Miranda:** I would only add that another area that I think we need to set our minds to is the issue of voting rights. Voting is a key part of having our voices heard on the issues that affect all of us regardless of who we are. When we're talking about your ability to vote, also the other part that comes into play is identity and pieces of ID. It is important to know that having ID that doesn't match your gender identity or presentation does not affect your right to cast a ballot. In my work with the Select Special Ethics and Accountability Committee, which has been appointed to review the Election Act, this is something that I will be making sure that we look at and take into account.

I would just end at that. Thank you.

**The Speaker:** Are there any comments from the hon. Member for Edmonton-Rutherford?

**Mr. Feehan:** Thank you. Under 29(2)(a) I'd just like to ask the Member for Calgary-Cross: you called for people affected by this to seek out help when they are in need, and I would just like to know if you are aware of some of the resources that are available in Calgary for people who are in need at this time.

**The Speaker:** Hon. member, please proceed.

**Miranda:** Thank you. I do believe that there is one umbrella group that is called Calgary Outlink. They have a Facebook page, and also they are on Twitter. It's the one place that many people can reach out to and actually have access to many, many resources, including a suicide prevention line. They also help with providing the safe spaces that are needed throughout the city, actually, for people to gather in a safe environment to be able to interact with one another and learn from one another. That's just the beginning. But, of course, anybody who asks, wanting to have more information: I hope they can reach out to the MLA offices throughout the province. I know that all of us here are committed to ensuring that we provide those resources for people who need them and that we would be more than happy to help with that. I'm certain of that.

So there you go.

**The Speaker:** Any other questions for the Member for Calgary-Cross under 29(2)(a)?

Hearing none, I would recognize the Member for Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Mr. Speaker. As a shadow minister for Justice for the Wildrose I'm pleased to rise in the House today to voice my support for Bill 7, the Alberta Human Rights Amendment Act, 2015. I would first like to thank the government for introducing this legislation, which clarifies what rights are protected under the Alberta Human Rights Act. This is important work as it clarifies into law what is already understood by the courts.

As many members in this House know, something that is set in legal precedent may not be fully understood by the larger community. The impact of a disconnect between the legal judgment and a person impacted by the interpretation of the law can be overwhelming. Just because human rights lawyers know that gender is interpreted to mean gender identity and expression doesn't mean Albertans do.

This is important not only for those who might be discriminated against but for the employers and landlords who might not know that these grounds are prohibited. Let's face it. Most Albertans don't open their days reading case law.

Clarity and certainty are very important for Albertans and our laws. This is a complex, relatively new area, and the real benefit of this bill is that it lets all Albertans be more clear on what is unacceptable in discrimination. In this particular instance, the amending of the Alberta Human Rights Act by adding gender identity and gender expression to the list of prohibited grounds for discrimination is an important landmark for transgender and gender-variant people within our province.

Mr. Speaker, I'd like to take this opportunity to share some of the stark facts about what transgender people face in their day-to-day lives. Transgender individuals continue to be a highly marginalized and discriminated group within our society. A study released this year by researchers at Western University in London, Ontario, found that 35 per cent of trans people seriously consider suicide over a 12-month period and that 11 per cent try to kill themselves. This is a far higher rate than the general population. One in 167 Canadians try to kill themselves each year, but for transgender people that number goes to 1 in 9. We know legislators and Wildrose MLAs work for all Albertans equally and must work to protect all Albertans.

**10:40**

Transgender Albertans deserve the same inclusivity and acceptance as all other Albertans. It is my true hope that with this communication and clarity in legislation those alarming suicide-attempt statistics will drop. What do these numbers have to do with this legislation? By clarifying what the rights are, protected under the Alberta Human Rights Act, we ensure that this clarification is circulated to the LGBTQ community. While it may seem like a technicality, it is not. This could be a significant step that would make a significant difference in transgender Albertans' lives. The fact of the matter is that one life lost because a transgender or gender-variant person feels as though their rights aren't protected is not acceptable, and one is too many. I am hopeful that, as was stated to me in the briefing on this legislation, should it receive royal assent, the big thing will be education to the community impacted by the change about their rights.

Thank you for this opportunity to speak about this legislation. I am confident that it will be passed with support from all parties in this Legislature.

**The Speaker:** Are there any questions under 29(2)(a) for the Member for Bonnyville-Cold Lake? The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you. I'd just like to ask the Member for Bonnyville-Cold Lake. I know you are the Justice critic for your party. I'm just wondering if you feel that your views, that you've expressed today, represent the whole of your party and if this is the position that all of the Wildrose will be taking.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.  
The hon. Member for Calgary-North West.

**Mr. Feehan:** He's got to answer the question.

**The Speaker:** Do you choose not to respond to the question, hon. member?

Do you have a question under 29(2)(a) for the Member for Bonnyville-Cold Lake?

**Mr. Connolly:** Yes.

**The Speaker:** Please proceed.

**Mr. Connolly:** Thank you, Mr. Speaker. I thank the member for his comments. I was just wondering if one of the other three members of his party who decided to come and debate this bill would like to speak on the bill as well?

**Dr. Starke:** Point of order.

**The Speaker:** Point of order noted.

#### Point of Order

#### Referring to the Absence of Members

**Dr. Starke:** Mr. Speaker, once again – and we're getting used to the rules, I understand – you cannot refer to the presence or absence of members either directly or indirectly within the House. It's against House rules and should not be brought up in either an indirect or a direct manner.

**The Speaker:** That has been my understanding.

I'd also tell the House that it's my understanding that a member can choose not to respond. I hope I've interpreted that correctly.

I'm not sure if you can get two questions under 29(2)(a).

**Mr. Connolly:** I was just going to respond to the point of order. Was it a point of order that was raised?

**The Speaker:** Oh, I'm sorry. Responding to the point of order: I'm with you now.

**Mr. Connolly:** Thank you. I apologize and withdraw the question.

**The Speaker:** Thank you very much. I appreciate it.

#### Debate Continued

**The Speaker:** Any other questions for the Member for Bonnyville-Cold Lake under 29(2)(a)?

The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Mr. Speaker. I feel like I've been standing up lately and offering a lot of support across the aisle.

I have to say a special thank you to our Justice minister and to the Member for Calgary-Cross, whose words were lovely and filled with emotion. I can really understand how you are feeling today.

To the Member for Calgary-Hawkwood and the Member for Strathcona-Sherwood Park as well: I thank you for your advocacy on this. I think that lived experience in dealing with these issues is something we never had before in our government benches, and I think that's an important thing.

It was 2013 when I had the first meeting that the Trans Equality Society of Alberta had ever had with a government official. It was an incredibly emotional meeting, and it was the first time, the folks from TESA told me, they'd ever sat down in the Legislature and had a conversation about trans and gender-diverse issues.

You know, I remember thinking at the time that there are always going to be folks who have a level of discomfort talking about these issues. I believe that at the end of the day the more we have the opportunity to discuss them, to use the language, to understand the language, to understand what it means to be gender diverse, to understand what trans means, the difference between sexuality and sexual orientation, what gender expression and gender identity mean and why they are different from each other, when we have those conversations, for the folks that have a hard time wrapping their head around some of these things, that's when we'll move forward.

I have to say that when I was the minister responsible for these issues and we put out the first transphobic bullying fact sheets, we had an opportunity to really start to have that discussion, layering that information and that education with people. It was, to me, a wonderful moment when we were able to begin talking about a wish list with TESA and with folks from the trans community about what they wanted to see going forward.

What you are doing here today was on my wish list. Our government didn't get it done, but you are getting it done, and I could not be more thrilled to support this bill. I speak on behalf of all members of our caucus, who felt it was important to be here today to honour this discussion, to listen, to be educated, and to take part in something that changes the face of this province. I want to thank you for doing this work and to tell you that we are here to take part in the discussion any time it is warranted. We couldn't be more happy about it.

Thank you very much.

**The Speaker:** The hon. Minister of Education on 29(2)(a).

**Mr. Eggen:** Yes. I just would like to thank the hon. member for her kind words. I know that this was a difficult circumstance, part of a larger difficult circumstance that she lived through and worked through, and I'm really proud of how she came around and helped, ultimately, in the pursuit of equality and social justice.

I'd like to ask her as well just how Bill 7 might help us to develop coherent and province-wide policy in regard to GSAs and LGBTQ policy at a school board level.

**Ms Jansen:** I'm happy to take that question and happy to continue this conversation with our Education minister, whom I had a chance to sit down with and talk about these very things. They are hugely important to me. We know we have seen news stories in the last little while where, clearly, that conversation has not hit home with all the folks that really need to have it. We are struggling with some boards. We have a patchwork of policies across the province right now when it comes to dealing with LGBTQ issues. As I advised our Minister of Education, I think that it is time – and, certainly, I've had this conversation with the Member for Calgary-Elbow as well, who has a motion, I believe, that will not likely hit this session but is a really important piece around talking about what a province-wide LGBTQ policy would look like.

10:50

I believe that at the end of the day when we have that policy – we have some amazing people. I know that you're working with those stakeholders right now. I've worked with those stakeholders in the past. We have a lot of wonderful people in the province who want to help articulate what that policy could look like. It makes it easier for school boards if they don't have to sit down and try to carve through something they may not have a high degree of comfort with. But I think that at the end of the day something like this is an opportunity, that this discussion is an opportunity for people to become more comfortable with the issue, and as they become more comfortable with the issue, it can inform province-wide policy going forward.

This is an important place to be. This is an indication to folks in the province who still haven't wrapped their heads around it that this is where we are in Alberta in 2015. I think that means that going forward, any kind of a province-wide policy that school boards will adopt, hopefully, will flow from that.

So I think this is an excellent place to start. I believe at the end of the day what we will get is a province-wide policy for school boards that really changes the way that we view education in this province.

**The Speaker:** The hon. Minister of Education.

**Mr. Eggen:** Thank you. Further to that, Mr. Speaker, I believe that the hon. member had a very insightful comment in the beginning of her speech, which was that as we work through, we become more comfortable with the language and the ideas around LGBTQ issues and GSAs, so it becomes an educative process by which people can use those things. Rather, sometimes, I believe as a teacher, people can work through and own the policies that they develop over time and internalize those policies so that they can in turn become educators in each of their 61 jurisdictions so that we have not just coherent policy but that people have internalized and used that policy to teach the general population right across the province.

I would just ask the hon. member if, you know, the application of her first concept might be a way by which we can do this and, of course, just remind her that, as she knows, I have in fact set a March 31 deadline. It's perhaps some kind of mind meld between the hon. member and myself and Calgary-Elbow that that is indeed happening, and the clock is ticking right now.

Thank you.

**Ms Jansen:** I want to thank the Minister of Education for that. You know, when we talk about education – and I know that the Minister of Education views his job through the lens of his background as a schoolteacher, and I view my job through the lens of my background as a communicator and a former journalist.

**An Hon. Member:** And a mom.

**Ms Jansen:** And a mom. That's true.

**The Speaker:** Please. Are your comments finished? You can proceed.

**Ms Jansen:** I would just say that if we have the opportunity – and I've mentioned this to the Education minister – to put this into the curriculum, to have comprehensive sexual health education, to include LGBTQ education in that, that would be wonderful.

**The Speaker:** Thank you.

The hon. Member for Calgary-Bow.

**Ms Drever:** Thank you, Mr. Speaker. Thank you. I appreciate the time here to speak in support of Bill 7. Firstly, I would like to recognize that as a cisgendered woman – and for those who are not familiar with that term, it just simply means one's gender corresponds with their biological sex – I have a lot of privilege. I want to recognize that when I speak out about the importance of recognizing gender expression and gender identity as a human right, it is as an ally.

Four words. Four words, Mr. Speaker: "gender identity" and "gender expression." To many that may not seem like a lot, but adding those four words to the Alberta Human Rights Act will change lives for some of our fellow Albertans. I am so proud of this government for this bill, and I would like to congratulate the hon. minister for bringing it forth.

In Alberta many people have shared heartbreaking stories of discrimination and violence because of their self-identity. Loss of work, isolation, homelessness, assault, and, in too many cases, death are all realities for transgendered and transvariant people.

[The Deputy Speaker in the chair]

Madam Speaker, 70 per cent of young trans people have reported sexual harassment, 36 per cent have been physically threatened or injured, two-thirds reported self-harm, and more than one-third have attempted suicide in the past year. Because we only recognize binary expression of gender, so often people are forced to prove themselves and their gender in humiliating and degrading ways.

We need to do better to help these Albertans. Again, I'm very proud of this government for flying the transgender flag on the Legislature Grounds for the first time in this province's history for the international Transgender Day of Remembrance.

What this bill shows our transgendered and gender-variant Albertans is that we as a Legislature are your government and that we as a Legislature will stand with you.

Thank you very much.

**The Deputy Speaker:** I'll recognize, first, the leader of the third party. Thank you.

**Mr. McIver:** Thank you, Madam Speaker.

**The Deputy Speaker:** My apologies, hon. member. I neglected to do 29(2)(a). Was that what you were responding to?

**Mr. McIver:** No. I'll wait.

**The Deputy Speaker:** Okay. Were there any questions for the hon. Member for Calgary-Bow under 29(2)(a)? The hon. health minister.

**Ms Hoffman:** Thank you, Madam Speaker. I'm just wondering if the hon. member has had constituents reach out to her office and give feedback or in what way she'll be helping us to gather feedback from her riding to help inform further actions that we can take to support the inclusion of transgendered individuals in government initiatives?

**Ms Drever:** Yes. Over the summer I have been reaching out to many different stakeholders. I've had constituents come in. I'm just trying to find ways to help and to find these resources within my constituency and within Calgary to point them in the right direction like the suicide helpline for Calgary Outlink, for example. Those are the types of things I've been doing over the summer, and I will continue my work.

**The Deputy Speaker:** Any other questions or comments under 29(2)(a)?

Then I'll recognize the hon. leader of the third party.

**Mr. McIver:** Thank you, Madam Speaker. I'm happy to rise on this today. I'm not as conversant as some members of this House are. The Member for Calgary-Hawkwood – I was listening carefully – is obviously a lot more conversant than I am. But when our caucus discussed this legislation when it came forward, after all of the discussion it came down to some simple principles. Everybody in Alberta is equal. Everybody deserves to be able to live and work and find homes and get medical care without discrimination and without exception. Since we're in a place where transgender people are still experiencing that discrimination, then it just becomes obvious that the answer is to support this legislation.

Other people can use better words than I can and probably a more sophisticated description of the issue, but for us and for me it's a principle-based decision. Albertans are equal. Discrimination should never be tolerated in our province. Our caucus and I will be supporting this legislation.

**The Deputy Speaker:** Questions or comments under 29(2)(a)? The hon. minister of economic development.

**Mr. Bilous:** Thank you very much, Madam Speaker. I thank the member for his comments, also the Member for Calgary-North West, and for the fact that the whole PC caucus will be supporting this bill.

There is a part of me, though, that has to get up and ask this question because for years, while I was a member in this House, I spoke in favour of amending our human rights legislation, with our current Premier as well for many years, asking the former government to do such a thing. I'm wondering, after 44 years, why the previous government didn't make amendments. Why suddenly this change of heart?

11:00

**Mr. McIver:** Well, Madam Speaker, I think it's a good question. I've been here since 2012. You know what? You're government. Someday, when you're not in government anymore – and hopefully that won't be too long. [interjections] But I will answer the question because it's a fair question. You'll find that there's work still undone, and I don't think it's any more complicated than that.

**The Deputy Speaker:** Any further questions or comments under 29(2)(a)?

**Cortes-Vargas:** Yes.

**The Deputy Speaker:** Go ahead.

**Cortes-Vargas:** It's an interesting comment to me, and I want to refer this to you. When I was watching our Premier stand up and ask in this House for this to be included in the Human Rights Act, the answer by the minister was simply no. It is that arrogance of feeling that it was not supported and not important that created that feeling of marginalization in our community, that was advocating for it so thoroughly. It's not just a recognition that it just wasn't done, but there was a feeling generally from the previous government that only a few people truly supported it, and that is the experience of the transgender community, being marginalized. To say that it was just not done – there was a bigger issue at play, and it's a systemic issue. It is something that our government is quite different on. Not only do we have members in the community that know the community, know the feelings, and know who to reach out to and how to do that, but we're willing to follow through. We're willing to listen.

I would like to know, because the question was asked multiple times. I watched all of those videos. Sometimes it was just simply,

“No, we will not do it; you've asked that question before,” and they sat down. That's hurtful – hurtful – to a community that experiences such high levels of suicide, hurtful to a community that shows so much courage, courage in everyday existence to be themselves. Yet the former government was unable to do that. It has to be more than that it just wasn't done. My question is: why didn't you take action?

**Mr. McIver:** Madam Speaker, I thank the hon. member for the question. You know what? I think there was probably an element of a lack of understanding, a lack of appreciation. You know, in fairness, a lot of us either don't talk to a transgendered person on a regular basis or we're not aware we do, and I'm sure there was an element of a lack of appreciation in the past of the importance. I think your question is fair, but it's before the House now, and we're supporting it. We think it's the right thing to do. In fact, we don't think it's the right thing to do; we know it's the right thing to do. For me, again, I've said that I'm not as conversant in all the finer details of what's going on, but I'm very solid in my belief in the principle that Albertans are all equal, that discrimination should never be tolerated, and I'm pretty comfortable with that.

**The Deputy Speaker:** Any other questions or comments?

I'll recognize the hon. Member for Calgary-Mountain View, then.

**Dr. Swann:** Thank you very much, Madam Speaker. I'm honoured to speak to Bill 7 today. It's a great day in the Legislature. I'm proud to rise today and join in the unanimity of this House in support of our transgendered and gender-variant community. Legislation has been a long time coming, and it's an important step towards greater equality and human dignity. It's something I believe in very strongly. Absolutely no one in the province should face discrimination because they are different. No one should face the sickening choice between being who they are and being safe. As we've heard, the transgender and gender-diverse community continues to face that choice on a daily basis in Alberta. The transgender community faces higher levels of violence, unemployment, homelessness, harassment, and, indeed, suicide.

This is why it was important for me to raise the issue with the Justice minister in our first meeting and in letters since. At every point I was delighted to find her every bit the passionate ally that I expected, and I thank her for bringing this bill forward.

Madam Speaker, we don't get the opportunity to push forward important human rights legislation often. It's an exciting and important honour to be part of it. Make no mistake: this legislation is historic and a first step in creating a safer and more inclusive society for transgendered and gender-variant Albertans. However, it's just a step. I'll end my comments with a quotation I'm quite fond of by former federal Liberal leader Michael Ignatieff. He's a great writer, a great thinker, and a great Canadian, in my view, and I quote from the book called *The Rights Revolution*.

Rights are something more than dry, legalistic phrases. Because they represent our attempt to give legal meaning to the values we care most about – dignity, equality, and respect – rights have worked their way deep inside our psyches. Rights are not just instruments of the law, they are expressions of our moral identity as a people. When we see justice done . . . we feel a deep emotion rise within us. That emotion is the longing to live in a fair world. Rights may be precise, legalistic, and dry, but they are the chief means by which human beings express this longing.

I would add, Madam Speaker, that this is more than principle. This is about relationship, this is about people, and this is about the care that we share for one another and that we must find the means to express in very tangible ways: in the ways we listen, in the way we ask, in the way we contribute to honest conversations, in the

way we work together to solve relationship issues and conflicts and signs of mental illness and addiction in our community. This is a sign of real, deep respect for the human condition.

Thank you, Madam Speaker.

**The Deputy Speaker:** Any questions or comments for the hon. Member for Calgary-Mountain View?

Seeing none, I'll recognize the hon. Member for Strathcona-Sherwood Park, followed by Edmonton-Centre.

**Cortes-Vargas:** As I wrote my notes, Speaker, I started off by asking myself why I need to include in that your gender in order to identify you. I asked myself this question before I even came into this Legislature and was asked to identify my gender so *Hansard* could put that into the transcription. I have always battled with gender identity, gender expression, and I continue to do so. A lot of the time I don't have the answers to who I am, why I act this way, why I dress this way, but I do know this: I do know that I'm a person, that I deserve rights, and that anything less than that is unacceptable.

Gender, Speaker, plays a role in everyone's life, but for the trans community and for the gender-variant community it's magnified to a level that creates high suicide rates, high unemployment rates, high levels of work in the sex trade because people are shunned. People feel like they cannot be themselves without continuously having to explain to people that, hey, maybe I'm a boy and maybe I'm a girl. It shouldn't matter. If the way I look confuses people, I love it. I will always continue to challenge that the way I look needs to define anything about me, because at the end of the day, when I look in the mirror, I say: "For the first time in my life, when I cut my hair, when I chose different wardrobes, when I challenged my cultural identity as a Hispanic woman, hey, maybe I don't need to wear heels, and maybe I don't need to have long hair just because that's what is expected and that's what's considered beautiful. I think I'm a beautiful person."

**11:10**

Today is a marker of a historic decision, historic but not because it's new. It isn't new, and frankly I've been waiting far too long for this. We do need action, and we do need education, so that's why I was hoping to hear more voices from the other side. To truly make a difference in education, we need to have those voices heard, to make sure that we know that people are looking for something different, that people are hearing from the community that they've never heard from before, that people are reaching out. In order to do that, we need to hear your voices in the Legislature.

I'm humbled by the work that has been done by so many members and by, I always say, the courage, because it is a thing that at home you have to decide whether you're going to be true to yourself or not. To look in the mirror and to see something that doesn't represent you is heartbreaking, and that is a real experience of this community. To know that a society has accepted this as a way of being, as an acceptable law – yes, there were cases that made it so that everyone was welcoming. But to say that a community that has been marginalized to such an extent has to learn how to read law in order to defend their rights is unacceptable.

To the people present in the stands: it is your work, your continuous courage that I stand for here, and it is this government, that creates such a welcoming atmosphere for every single person in Alberta, that I stand with and that I know I am supported by. It is not an individual that is fighting for this, but it is a collective decision. That's what is needed.

My colleague spoke of the definitions, which I think are very important to know what we're talking about. If we're going to

present legislation that affects their everyday lives, people have to learn about it in order to really understand themselves. To know what pronouns are, what they mean, to know what gender identity is: those are important to making sure that legislation is filled with education and to know that it was inspired by the community and driven by the community.

While I have my own personal experience that makes me extremely happy to see this happening, I know that there are many more stories, especially for the transgender community that works in the sex trade. It's heartbreaking to know that they're so ashamed, that they're so discriminated against on a level in the workplace, that in order to make ends meet, that is the option that they have. In order to create a society that is truly welcoming and so that we can see the benefits of a diverse culture, we need to be empowering, and that is what this legislation starts.

I've gone through the speech without crying, so I feel like I've accomplished a very good thing. I know it has taken a lifetime for me to understand where I am, who I am to this day, and I will have many more years to really understand whether gender binaries are what define me or whether I choose to decide that I can define gender binaries in the same way it was created by society. That's what I do every day. I ask myself who I am, why I act, and it will not be defined by words like "masculinity" and "femininity" because I will redefine them every single day, the same way that this community does in everything you do. Your support has been integral to my development into a healthy relationship, into a healthy self-esteem, and I am so grateful for the work that has been done before us. It makes it feel like it's a win not just for the government but for the community in an authentic and hard-fought way.

That's all I have to say. Thank you. [applause]

**The Deputy Speaker:** Questions or comments for the hon. member? I will call on the hon. Member for Calgary-Hawkwood.

**Mr. Connolly:** Thank you, Madam Speaker. The member touched on pronouns a little bit. I was just wondering if she could explain to the House how integral the use of pronouns is to many members of the trans and gender-nonconforming community and how using the incorrect pronouns can be triggering for many individuals.

**The Deputy Speaker:** The hon. member.

**Cortes-Vargas:** Thank you. I think pronouns are a concept that's sometimes hard for people to understand. It's reasonable because we teach this from a very young age. People need them to define how they're going to talk to you, how they're going to see you. Pronouns are a way of showing respect to the decisions that they have made, very personal and internalized decisions that they now want to be represented in their external world. That's what pronouns do, and that's what respecting pronouns does. That's why thinking about and asking people what they prefer is truly important and signifies a culture that is accepting of differences and different ways of living.

I think one of the most tangible experiences, I guess, is going to the washroom. The fact that it says, when you walk in, what gender is supposed to be going in there is an experience for a lot of the community because they have to reflect over and over and over again, because of the way our society is built, on whether they're going to enter a washroom that has a pronoun, that has a gender attached to it. When they decide to be called "she" or "he" or "they," to respect that is how we change society. It's how we show respect. It's how we show that we are willing to educate ourselves and we are willing to accept differences amongst everyone.

So thank you for the question because I think that it is truly important and probably one of the first times the importance of pronouns has ever been talked about in this Legislature. You know, I'm being called Member Cortes-Vargas because I don't think it is relevant to know in the transcripts whether I'm a woman or a man. Studies show that there is a difference in the way you interpret information, whether you're a woman or a man, so why does my transcript need to add that? What if I don't know whether I'm a woman or a man? It doesn't matter. I am a person, and Cortes-Vargas is my name, and that's all you really need to know.

**Mr. Westhead:** Well, I really want to thank the member for sharing a powerful story. Her story was so powerful that the majority of the members in this House got up on their feet and gave her a round of applause, although there were some notable absences of people standing. [interjection] I didn't name a member.

**The Deputy Speaker:** Hon. member, I would encourage you to refrain from making those types of comments as it is inappropriate to refer to absences.

**Mr. Westhead:** Okay. I'll retract my statement, then.

I would like to ask the member this. She mentioned how important it would be to hear some voices from across the way. I wonder if she can elaborate on how important it would be to her to hear those comments, especially from someone like the Leader of the Official Opposition.

**Cortes-Vargas:** You know, I think a lot of the times these changes have happened with one or two people pushing it and a bunch more people just accepting that it's happening. The difference is that if they are truly committed to making this change be felt authentically and creating a culture that does not discriminate, hearing your voices to make sure that that's what you're doing is extremely important.

11:20

**Mr. Jean:** I do want to congratulate the member, first of all, for her speech today. It was very moving, and I know many members of this place will congratulate her personally later on. I do think we've made it very clear on this side that we support this.

I spent many years in Alberta arguing the Charter of Rights and Freedoms and the Constitution. I'm very proud of my work in relation to that. I think everybody has the opportunity to be who they are to the fulfillment of what they want to do, and I clearly believe that all Albertans should be protected no matter what choices they make, and I will continue with that.

I do have a question for her, and I would like to say, first of all, that I do have many family members that are in various communities . . .

**The Deputy Speaker:** We are out of time on 29(2)(a).  
Edmonton-Centre was next on the list.

**Mr. Shepherd:** Thank you, Madam Speaker. I'm not sure I have that much I can add after such a powerful statement from the Member for Strathcona-Sherwood Park, but given some of the experiences I've had since being elected, I did want to take a moment to say a few words, you know, acknowledging that as a cisgender heterosexual male I can't say that I understand the experiences of the individuals in the trans community. But I've certainly been very fortunate in having had the opportunity over the last few months to learn from many strong advocates, including these wonderful members here in our own caucus as well as some of the members of my own constituency of Edmonton-Centre.

Earlier this year I had the opportunity to meet with Mr. Mickey Wilson, who joins us here today, executive director of the Pride Centre of Edmonton, and had the opportunity to discuss with him the issues and the challenges that face many LGBTQ individuals. He made specific note of the issues that face many in the trans community here in Edmonton and across Alberta. I'd like to recognize the Pride Centre for their excellent work in being one of the few organizations which is here that provides direct support to people in that community. He made it quite clear in our conversation that trans and gender-variant people in Edmonton and across Alberta face challenges not only in finding acceptance and understanding and support but often just in accessing the most basic human rights, that the rest of us take for granted.

Over the last few months I've also had the opportunity to meet with representatives from the Society for Safe Accommodations for Queer Edmonton Youth, or SAFQEY. SAFQEY's goal is to develop safe housing for LGBTQ youth because, unfortunately, many of these youth find themselves homeless due to discrimination and a lack of support in their home, particularly those individuals who are trans or gender diverse. Once homeless they often face further discrimination, prejudice, and mistreatment, sometimes from staff and sometimes from fellow residents in shelters. In September I had the opportunity to view their documentary *For Want of a Home*, which specifically focuses on the stories of homeless trans individuals here in Edmonton and Calgary. Those were powerful stories, Madam Speaker. They confirmed for me again the deep need for greater awareness and education about the challenges faced by gender-variant and trans individuals here in Alberta.

In the time that I spent when I worked as a writer for Alberta Health, I was also tasked with responding to many inquiries from trans men and women regarding the challenges that they faced in accessing health care in Alberta. As my colleague from Calgary-Hawkwood noted, these men and women often face multiple barriers and prejudices as they seek to access transitional surgeries, hormone treatment, counselling, and even, unfortunately, simple, basic health care with the respect and dignity that we all enjoy and expect.

I also had the honour in early September of accompanying Mickey Wilson and two of my constituents, long-time Edmonton LGBTQ advocates Mr. Murray Billett and Michael Phair, to meet with the hon. Minister of Justice. At that meeting they expressed the clear and present need to amend the Alberta Human Rights Act to include protections for gender identity and gender expression. So, Madam Speaker, I was incredibly pleased to see that the minister did exactly that by bringing forward Bill 7.

Madam Speaker, as I said, I can't speak to the experience of individuals in this community, to the long years of suffering and fighting and advocacy that they've spent to achieve this moment and see this happen here in this House today. I thank our members so much for sharing their stories and giving us the opportunity to hear from them, to learn, and to see the deep passion and, I think, indeed the deep joy that they feel in this moment here today. It's an honour to be a member of this House, to be able to participate in this debate, and to be able to cast a vote in favour of Bill 7.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-North West under 29(2)(a).

**Ms Jansen:** Under 29(2)(a) I would like to ask the member just a quick question triggered by the Leader of the Official Opposition and a comment he made about folks who are trans or gender diverse and the choices they make. I'm wondering if hearing that is a little frustrating when I am given to understand that it's not about making choices; it's about living your authentic life. Can you explain this?

**Mr. Shepherd:** Well, Madam Speaker, I thank the member for raising that point. I would certainly agree with her. I'm sure that, provided the opportunity, the hon. Leader of the Opposition would wish to clarify that statement. I'm sure he understands as we all do that this is not a matter of choice but that this is a matter of who we are. Certainly, as our member expressed earlier, this is an issue of core identity. This is an issue of who people are in their hearts, in their soul, in their mind and body. I'm certainly sure that this is something that he would agree with as well.

**The Deputy Speaker:** The hon. leader.

**Mr. Jean:** Thank you. I did notice the time frame, so I didn't get an opportunity to complete my sentences, as you know. I did want to ask a question of the hon. member because I do have family members that I love very much that are in these different communities, and I have had an opportunity to work with them. Many of them have helped me on my campaigns in the past.

The choices we make are to fulfill who we are and who we believe we are, and there are a series of choices that go with that. I myself make choices every day. Those choices are to fulfill who we are and who we believe we are and who we are in our hearts. I think that that's very, very important.

My interest in this particular decision by the government and the reason why I'm supporting it is along the same lines as, I think, all members that are going to support this particular piece of legislation. It's time. It's necessary. It's past time.

My real, sincere compliments to the government would be on the clarity that it brings to the law and the certainty that it brings to people that have the opportunity to read the law. That's what I would compliment the government on in this particular case because too often citizens of Alberta don't know what they are supposed to do and what their obligations are. I think, clearly, this is one of those opportunities.

I would congratulate the member on that speech and let them know that I myself find – and I have for many, many years – very unacceptable the high suicide rates. Some parts of some communities, their lack of acceptance, I find very discouraging. I think that through education and proper bills like this that we can make the changes necessary to be inclusive to all peoples because that's what we have to be. We have to protect in this place all people. We need to stand up for all people of Alberta. That's what our job is. We have to protect each and every one of them the same way: with passion, with vigour, and with common sense. And this is common sense.

Thank you.

**The Deputy Speaker:** Any further questions or comments under 29(2)(a)?

If not, the next person to speak to the bill is the hon. Minister of Health.

**Ms Hoffman:** Thank you, Madam Speaker. I just have two points to add to what I want to say has been a beautiful debate. First of all, I want to say to the hon. Member for Strathcona-Sherwood Park that she is beautiful and that while many of us have to make decisions every day, we don't have to make a decision about denying our true selves by the clothes we wear or the washroom we use. I think the law that we're passing today will take the world much farther ahead in making sure that people can actually be welcome and will actually make the world a better place.

**11:30**

In 2010, when I was first elected to public office as a school board trustee, that was the summer that the It Gets Better campaign was happening all across North America because so many kids were

taking their lives. It's taken us five years, but we're here today to make it better. We can't just say: it will get better. So I want to thank all hon. members for what I'm sure will be a unanimous vote in actually making Alberta a more welcoming place.

On one other note, an employee from Alberta Health Services contacted me the day the bill was tabled and said: in an unwelcoming world I feel welcome in Alberta.

Thank you, Madam Speaker.

**The Deputy Speaker:** Any questions or comments for the hon. Minister of Health?

If not, the next speaker to the bill.

**Ms Fitzpatrick:** I'm going to keep my comments really short. This bill will take care of the legal part of changing the Alberta Human Rights Act. We have to be supportive in our actions to give definition to this bill, so I hope not just that each of the parties supports the legislation with your vote but that you stand and speak in support of this legislation when you return to your communities.

**The Deputy Speaker:** Any questions or comments for the hon. Member for Lethbridge-East?

Seeing none, do we have another speaker on the bill?

Seeing none, then, the hon. Minister of Justice to close debate.

**Ms Ganley:** Thank you very much, Madam Speaker. It's quite a challenge to speak after so many moving words. I perhaps wish I had spoken up front, but I'll do my best to give credit to this bill.

Over the last few weeks and leading up to the passage of this bill, I think I've had a lot of opportunity to reflect on the purpose of law and what it is and does in our society. I mean, certainly one of the things it does is the obvious thing, and that's to give remedy. In the case of this particular law that remedy was probably already available through case law.

But the reason this is so important, in any event, is because of the educational value that law holds for us in our society. You know, we as lawmakers, we as the people who sit here in this House have a real critical role, to act as the voice of the people and to voice their feelings and their will, if you will. One of the things this bill does is that it sends that signal, that we the people of Alberta stand with the trans and gender-variant community, that we feel that they are entitled to equal rights, that we feel they should not be discriminated against, and that we will stand up for those rights.

I think this signals to the wider population that that is our feeling, that we as lawmakers feel that equal rights are important and that they should be extended to everyone. So I think that that educational value is absolutely instrumental, particularly now, because this bill is, Madam Speaker, in my view, just a first step. This bill signals the government's and the whole House's commitment to move forward on these issues, but more than that it tells the population what it is we're thinking, and it allows us to start taking additional steps and to start having additional conversations.

Oftentimes, people who would speak against a bill of this nature would do so out of fear. It's that fear that ultimately we're here to combat, and the thing that will best combat that fear is education and information. People, unfortunately, often fear change and what they don't know. If I were to speak to those people, what I would say to them is that this small change in society, which they may fear, which may cause anxiety in them, is nothing compared to the changes that members of this community have to experience in their daily lives.

In order to simply be who they are, they have to go through an incredible – incredible – process of recognizing who they are, of being willing to stand up and tell the people around them. You know, I don't think that most of us recognize – and I'm not sure that I understood before we did the consultation with respect to this bill – that simply

standing up each day and having the people around you understand who you are through the expressions that you have of that is a really critical value. To have people misunderstand who you are and to have to stand up to them and to face the fear that they will reject you on that basis, I think, is just an overwhelming demonstration of courage on the part of individuals in the trans and gender-variant community. So I think that when we as a society face a change like this, we need to understand that whatever anxiety people out there may feel, it's nothing compared to what these incredibly brave individuals have gone through just to be accepted as who they are.

One interesting aspect of this bill for me personally is that when I was originally standing for election, one of the very first questions I got asked through my brand new e-mail was about this specific issue, so one of my very first commitments as an individual politician was to this specific issue, to make these amendments. I really think, for me, it's sort of a very moving expression of democracy, to have had a value and to have had the opportunity to now stand in this House and to act on that value and to act to protect Albertans who deserve that protection, who need that protection, who simply want to stand and be who they are. So for me this has been an incredibly moving experience.

I mean, my reasons – and I'm sure everyone in this House has reasons that they stood for election because it's not, as you will be aware, a particularly easy process. My reasons for that were to increase political discourse because I felt that the values that I saw in my fellow Albertans – and I've lived in Alberta my whole life – were not necessarily reflected in the policies of the government of that day. I felt that if Albertans stood together and we discussed our values, we might see that we stood in a different place than where we appeared to the rest of the world to be standing. So it's just a real honour to ultimately be able to stand up and to reflect those values as a government.

You know, one of the things we heard in consultation from people was how welcome they felt here in this Legislature and in this government, and I think that that is absolutely critical. All people should be able to come to this place and feel welcomed. This is the place for the people. To hear that is so incredibly moving, that we would have this opportunity, that I could stand here with my colleagues and have this opportunity to make people feel like they are part of our wider Alberta community and that they are valued within our community. I think that that is just an incredible honour.

I'll move on because apparently I've been speaking for a while. I think one of the critical things to recognize with this and one of the things that I've certainly heard in comments that have been sent to my office or social media is that this is a soft issue, and I just want to make it really clear that this is not a soft issue. I had the opportunity to attend in Calgary the Transgender Day of Remembrance, and I have to tell you, Madam Speaker, that that list of names was long and troubling and disheartening. At the ceremony I attended they read out the ages of the people, and they were as young as 10. These were names of people who had died due to violence because of their gender identity or expression, so I think that this is a really critical issue.

**11:40**

The other thing that I wanted to make absolutely clear is that for this government this is not an end; it is a beginning. In my ministry one of the things we are working on right now is to adopt a best practices policy from other jurisdictions with respect to correctional institutes. Certainly, for anyone who has come into conflict with the law, going into a correctional institute is an overwhelming and difficult process. To then be housed in an incorrect institution because you are identified by a different gender is really, I think,

very, very challenging. The other issues that we'll be working with going forward have to do with access to medical care.

Ultimately, you know, what we really need to work on is changing the views of those around us so that everyone is equally committed, so that everyone, rather than feeling fear when they encounter a trans or gender-variant person, rather than having that experience, should have an experience of feeling the need to support so that people can access housing, doctors, jobs, that they have sort of a comprehensive policy.

I suppose the last thing I will say is that we will as a government be examining our policies with respect to instances in which we require people to identify their gender, because sometimes it can be difficult to change and sometimes it's unnecessary.

I guess, in closing, what I'd like to say is that I'm incredibly honoured to stand here today with this bill, and I am incredibly honoured to have the support of the entire House moving forward. I'm really glad that we finally get the opportunity to get this done.

**The Deputy Speaker:** Thank you, hon. members. I think we've all enjoyed a great deal of education this morning and a wonderful dialogue from both sides of the House. Thank you, everyone.

[The voice vote indicated that the motion for second reading carried unanimously]

[Several members rose calling for a division. The division bell was rung at 11:43 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Aheer	Ganley	Nielsen
Anderson, W.	Goehring	Nixon
Babcock	Gray	Orr
Bilous	Hanson	Payne
Carson	Hinkley	Phillips
Ceci	Hoffman	Piquette
Clark	Horne	Pitt
Connolly	Jansen	Renaud
Coolahan	Jean	Rodney
Cooper	Kazim	Rosendahl
Cortes-Vargas	Kleinsteuber	Sabir
Cyr	Loewen	Schmidt
Dach	Loyola	Shepherd
Dang	Luff	Smith
Drever	MacIntyre	Starke
Drysdale	Malkinson	Strankman
Eggen	McIver	Sucha
Ellis	McKittrick	Swann
Feehan	McLean	Sweet
Fildebrandt	McPherson	van Dijken
Fitzpatrick	Miller	Westhead
Fraser	Miranda	Yao

**12:00**

Totals: For – 66 Against – 0

[Motion carried unanimously; Bill 7 read a second time]

**The Deputy Speaker:** Pursuant to Standing Order 4(2.1) the Assembly stands adjourned.

[The Assembly adjourned at 12:01 p.m. to 1:30 p.m.]







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