

# NOTICE OF LIABILITY FOR DISCRIMINATION AND/OR SEXUAL EXPLOITATION <NAME OF SCHOOL/SCHOOL BOARD>

<DATE>

<YOUR FIRST LAST NAME>

<MAILING ADDRESS>

<EMAIL>

<PHONE>

ATTN: <NAME OF RESPONDANT>, THE <MAN/WOMAN> WHO ACTS SOMETIMES AS <TITLE/ROLE> OF  
<NAME OF SCHOOL/SCHOOL BOARD>

RE: DISCRIMINATION AND SEXUAL EXPLOITATION OF SCHOOL CHILDREN

## NOTICE OF LIABILITY:

This is your first and only official Notice of Liability.

<YOUR FIRST LAST NAME>, a private human living soul, of lawful and legal age of majority presents this notice of liability to <NAME OF RESPONDANT> another private human living soul, of lawful and legal age of majority and acting as <NAME OF SCHOOL/SCHOOL BOARD>. If <NAME OF RESPONDANT> does not rectify the matter of discrimination of <YOUR CHILD'S NAME>, there will be a civil proceeding to seek compensation and another to seek an order for cease and desist of discriminatory and criminal treatment of children in the schools <NAME OF RESPONDANT> to cease and desist the discriminatory actions and criminal exploitation of children at <NAME OF SCHOOL/SCHOOL BOARD>.

## STATEMENT OF FACTS:

1. On Sept 5, 2023, <NAME OF RESPONDANT>, raised the Pride flag on the school's flagpole.
2. On Sept 5, 2023, <NAME OF RESPONDANT>, forced <YOUR CHILD'S NAME> to complete a questionnaire with personal questions.
3. On Sept. 05, 2023, <NAME OF RESPONDANT>, changed the designation of the student's bathrooms on the ground floor from "male" and "female" to "gender neutral".
4. On Sept.5, 2023 <NAME OF RESPONDANT> allows <YOUR CHILD'S NAME>'s Music Teacher to display: "Music Pride" and rainbow-coloured banners in her classroom.
5. On Sept.12 2023, Ms. Pearson forced <YOUR CHILD'S NAME> to choose his pronounce.
6. On Sept. 20, 2023, <NAME OF RESPONDANT> introduced LGTPQ pride awareness day.
7. On Sept.29, 2023 Residential School Remembrance Day is called "Racism Day".
8. Week of Oct. 09, 2023, <NAME OF RESPONDANT> holds 2 assemblies with LGBTQIA2S+ groups handing out leaflets.
9. On Oct. 16, 2023, <NAME OF RESPONDANT> authorized to the teacher and students to interrupt the classroom unexpectedly proclaiming the students to vaccinate.

## HARM CAUSED:

4. <NAME OF STUDENT> suffered discrimination as <NAME OF RESPONDANT> gave the order to raise a LGBTQIA2S+ flag by the Janitor while disallowing any other group to fly a flag at the school.
5. <NAME OF STUDENT> suffered discrimination because <NAME OF RESPONDANT> initiated a LGBTQIA2S+ month without allowing any other group this special privileges.

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6. <NAME OF STUDENT> suffered discrimination and their safety and privacy was violated by removing the washroom gender designation that was female only.
7. <NAME OF STUDENT> suffered trauma by being forced to attend assemblies to discuss external non-qualified groups to discuss sexual subject to sexual programming incited by the World Health Organization/United Nations. Parents were not consulted with such plans that are morally repugnant and criminal. WHO/UN are attempting do this harm through counterfeit international agreements that have no validity in Canada. Any official in Canada that participates in this harm to our children can be sued for breach of duty and criminally charged for pornographic material under section 163(1) of the Criminal Code of Canada.

### THE LAW:

#### 1. CANADIAN BILL OF RIGHTS, S.C. 1960:

Our rights are enshrined in our Canadian Bill of Rights (CBR) and protected by our Constitution, and it clearly creates and ensures that the state respects and protects our human rights and fundamental freedoms. You will notice reference in the preamble of the CBR to “the position of the family in a free society” meaning family members are not subjects of the state. God entrusted children to the care of their parents. Ultimate responsibility for the physical, social, emotional, physiological, moral, and spiritual developments is the full responsibility of the parents. The state is not a partner in the care of the children. The state cannot decide for a free person what their child will be taught in a public school. The state is a creation of the free/sovereign persons of Canada and cannot dictate anything to the free people. There is no consent by parents for the schools to sexualize their children. The people of Canada have only directed the state to protect children through the Criminal Code of Canada (CCC). And the CCC is created through a democratic process and the application of the CCC must be done with due process of law, including adherence to the provisions of the Canadian Bill of Rights.

#### **Canadian Bill of Rights, Preamble:**

*The Parliament of Canada, affirming that the Canadian Nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions; Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;*

*And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a Bill of Rights which shall reflect the respect of Parliament for its constitutional authority, and which shall ensure the protection of these rights and freedoms in Canada:*

**Section 1(b)** the right of the individual to equality before the law and the protection of the law;  
<https://laws-lois.justice.gc.ca/eng/acts/c-12.3/page-1.html>

#### 2. CRIMINAL CODE OF CANADA:

##### **Assault, section 265 (1)**

A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;

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(b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or

### Application:

(2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

### Consent:

(3) For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of

- (a) the application of force to the complainant or to a person other than the complainant;
- (b) threats or fear of the application of force to the complainant or to a person other than the complainant;
- (d) the exercise of authority.

### Obscene materials

**163 (1)** Every person commits an offence who makes, prints, publishes, distributes, circulates or has in their possession for the purpose of publication, distribution or circulation any obscene written matter, picture, model, phonograph record or any other obscene thing.

### Common nuisance

**180 (1)** Every person is guilty of an indictable offence and liable to imprisonment for a term of not more than two years or is guilty of an offence punishable on summary conviction who commits a common nuisance and by doing so

(a) endangers the lives, safety, or health of the public

### Intimidation

**423 (1)** Everyone is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or is guilty of an offence punishable on summary conviction who, wrongfully and without lawful authority, for the purpose of compelling another person to abstain from doing anything that he or she has a lawful right to do, or to do anything that he or she has a lawful right to abstain from doing, uses violence or threats of violence to that person or their intimate partner or children, or injures the person's property;

(a) intimidates or attempts to intimidate that person or a relative of that person by threats that, in Canada or elsewhere, violence or other injury will be done to or punishment inflicted on him or her or a relative of his or hers, or that the property of any of them will be damaged;

<https://laws-lois.justice.gc.ca/eng/acts/c-46/>

### THE CASE LAW:

#### 1. **Authorson v. Canada (Attorney General), 2000 ON Supreme Court of Canada:**

Summary: This case law shows breach of fiduciary duty by public official is a tort if rights under Canadian Bill of Rights are violated.

<https://www.canlii.org/en/on/onsc/doc/2000/2000canlii22731/2000canlii22731.html?searchUrlHash=AAAAQAQIkJpbGwgb2YgUmlnaHRzlgAAAAAB&resultIndex=2>

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### 2. **Implied Bill of Rights: The Bank Taxation Act; The Credit of Alberta Regulation Act; and the Accurate News and Information Act, 1938, Supreme Court of Canada:**

Summary: The Supreme Court of Canada ruled on the Reference re Alberta Statutes that restricted the media from criticizing the government. It found that the Accurate News and Information Act, along with the others submitted to it for evaluation, was ultra vires (beyond the powers of) the Alberta government. In the case of the Accurate News and Information Act, the court found that the Canadian constitution included an "implied bill of rights" that protected freedom of speech as being critical to a parliamentary democracy.

<https://www.canlii.org/en/ca/scc/doc/1938/1938canlii1/1938canlii1.html>

### 3. **Roncarelli v. Duplessis, 1959 Supreme Court of Canada:**

#### Individual Liability

*The proposition that in Canada a member of the executive branch of government does not make the law but merely carries it out or administers it requires no citation of authority to support it.*

*Similarly, I do not find it necessary to cite from the wealth of authority supporting the principle that a public officer is responsible for acts done by him without legal justification. I content myself with quoting the well-known passage from Dicey's "Law of the Constitution", 9th ed., p. 193, where he says*

*... every official, from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizen. The Reports abound with cases in which officials have been brought before the courts, and made, in their personal capacity, liable to punishment, or to the payment of damages, for acts done in their official character but in excess of their lawful authority. A colonial governor, a secretary of state, a military officer, and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorize as is any private and unofficial person.*

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2751/index.do>

### 4. **R. v. Eldorado Nuclear Ltd.; R. v. Uranium Canada Ltd, 1983, Supreme Court of Canada. 1985, Supreme Court of Canada:**

Summary: When a Crown agent acts outside of Crown purposes, and not on behalf of the state, there is no immunity of the Crown agent

*"The conclusion that a Crown agent is personally responsible for an unlawful act still leaves the question whether an act is unlawful. Where the unlawfulness or the wrongfulness of the act arises without any recourse to a statute, the Crown's immunity from a statute, as expressed in s. 16 of the Interpretations Act, is irrelevant. If, for example, the agent commits a tortious act, it is the common law which characterizes it as unlawful. There is no immunity that the agent can claim."*

*"Where the only source of unlawfulness is a statute, however, the analysis is entirely different...the preliminary question...is whether that person is bound by that statute..."*

*"When the agent steps outside the ambit of Crown purposes, however, it acts personally, and not on behalf of the state, and cannot claim to be immune as an agent of the Crown. This follows from the fact that s.16 of the Interpretations Act works for the benefit of the state, not for the benefit of the agent personally."*

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*The Court adopted this approach in the CBC v. The Queen 1983*

*“For all purposes of this Act...” the corporation “was not acting for the purposes entrusted to it under the Act... when the Corporation exercises its powers with a view to carrying out the purposes ...it acts as agent of Her Majesty and only as agent of Her Majesty. But, when it exercises its powers in a manner inconsistent with the purposes of the Act, it steps outside its agency role.*

*“The position at common law is not that those under de jure control are entitled to Crown immunity, but rather that immunity extends to those acting on behalf of the Crown.”*

<https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/2486/index.do>

### 5. **Chamberlain v. Surrey School District No. 3, 2002 SCC:**

#### Role of the School Board

*At para, 154 As developed at length above, it is well established in Canadian law that parents have the primary authority and responsibility for the moral and religious education of their children, and that responsibility is then delegated to teachers, administrators and schools: the state’s interest is secondary. In the context of the case at bar, the School Board is an instrument by which, in the absence of an already clearly developed consensus at the provincial level (whether pertaining to curriculum subject matter or to education resource materials), consensus is developed locally, a reflection of what parents deem is in their children’s best interests. These determinations must be consistent with the framework of the curriculum developed by the province, and, in my view, also complement that framework by permitting a more localized evaluation, based upon an individualized parental examination of their children’s needs.*

[https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2030/index.do?fbclid=IwAR10RaVd10FILLiCrYsCftbqKLbqLR1\\_httcuqA15kC3I98EBAIw4Oc2lgSM](https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2030/index.do?fbclid=IwAR10RaVd10FILLiCrYsCftbqKLbqLR1_httcuqA15kC3I98EBAIw4Oc2lgSM)

### 6. **Persaud v. Toronto District School Board, 2009 HRTO 1728 (CanLII)**

#### *General Principles*

At paragraph: [181] The relevant principles that apply in cases where an allegation of racial discrimination has been raised have been usefully summarized as follows:

- (a) The prohibited ground or grounds of discrimination need not be the sole or the major factor leading to the discriminatory conduct; it is sufficient if they are a factor;
- (b) There is no need to establish an intention or motivation to discriminate; the focus of the enquiry is on the effect of the respondent's actions on the complainant;
- (c) The prohibited ground or grounds need not be the cause of the respondent's discriminatory conduct; it is sufficient if they are a factor or operative element;
- (d) There need be no direct evidence of discrimination; discrimination will more often be proven by circumstantial evidence and inference; and
- (e) Racial stereotyping will usually be the result of subtle unconscious beliefs, biases and prejudices.

<https://www.canlii.org/en/on/onhrt/doc/2009/2009hrto1728/2009hrto1728.html>

#### **RECTIFICATION:**

1. If <NAME OF RESPONDANT> publicly calls for immediate cessation of these discriminatory and criminal practices at <NAME OF SCHOOL BOARD> and complies with the following demands within 7 business days, this matter will be considered resolved:

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<NAME OF SCHOOL/SCHOOL BOARD>**

1. **<YOUR CHILD'S NAME>** will not engage in any discussions regarding sexual orientation or gender ideology while attending **<NAME OF SCHOOL>** in any capacity.
2. **<NAME OF SCHOOL>** will strike from his school records all materials and content in any format including, print, video, audio, and/or digital that is related to his sexual orientation or gender ideology.
3. **<YOUR CHILD'S NAME>** will NOT participate in any program, activities, "celebrations", etc that is related to sexual orientation or gender ideology in any capacity while attending **<NAME OF SCHOOL>**.
4. **<YOUR CHILD'S NAME>** will NOT answer any questions regarding his gender nor is sexual identity to anyone at **<NAME OF SCHOOL>** at any time, with no exceptions.
5. **<YOUR CHILD'S NAME>** will be excused from all discussions regarding immunizations on **<NAME OF SCHOOL>** property. If there is a presentation regarding this subject the presenter will ask **<YOUR CHILD'S NAME>** to leave prior to the presentation commencing or **<YOUR CHILD'S NAME>** will leave on his own accord as to not be subjected to this content.
6. **<YOUR CHILD'S NAME>** will have in his cell phone on his possession at all times while on **<NAME OF SCHOOL>** property in order to have direct access to **<ENTER CONTACT NAME(S)>** should **<YOUR CHILD'S NAME>** feel threatened, coerced or intimidated to participate in activities related to sexual orientation and gender ideology as noted above.
7. Return the main floor bathrooms to be gender specific; female for girls and male for boy and designate a single bathroom that is gender neutral for those students that want to access it.
8. Confirmation that will be no negative repercussions toward my child by anyone who is employed, volunteers, presents at or is associated with **<NAME OF SCHOOL>**.

**LACK OF RECTIFICATION:**

**<YOUR FIRST LAST NAME>** hereby gives notice if rectification as described above is not established after the allotted time, **<YOUR FIRST LAST NAME>** will pursue compensation in the amount of:

1. \$5,000 for discrimination by giving preferential treatment of one group of students over another group.
2. \$5,000 for breach of duty by failing to regard the safety and security of all students.
3. \$5,000 for negligence for not exercising care of duty of **<YOUR CHILD'S NAME>**.
4. \$5,000 for criminal exploitation by means of exposure of inappropriate and/or content that sexual in nature and/or adult themed.
5. \$5,000 for assault through coercion by threats, intimidation and acting in excess of authority.

**TOTAL CLAIM = \$25,000**

As well, **<YOUR FIRST LAST NAME>** will seek a court order to remedy this ongoing rights violation by **<NAME OF RESPONDANT>**.

Signature: \_\_\_\_\_  
Signature of Claimant

Date: \_\_\_\_\_