

Commissioner's Report.

EMSB seeks leave to appeal Bill 21 to the Supreme Court of Canada

The English Montreal School Board intends to ask the Supreme Court of Canada to hear an appeal in the case of Bill 21, An Act respecting the laicity of the State.

On April 10 the Council of Commissioners voted to mandate the law firm, Power Law, to file on its behalf an application for leave to appeal to the Supreme Court of Canada and, if granted, an appeal of the Québec Court of Appeal's judgment of February 29, 2024 on Bill 21.

The EMSB is challenging provisions of Bill 21 on the basis that they violate minority language education rights under Section 23 of the Canadian Charter of Rights and Freedoms, as well as gender equality, protected under Section 28 of the Charter.

Previously, the EMSB had successfully argued before the Québec Superior Court that Bill 21 violated the section 23 right to management and control, by preventing English-language school boards from hiring teachers wearing religious symbols. That was struck down by the Québec Court of Appeal.

Bill 21 came into force in 2019 and bars public-school teachers, government lawyers, judges and police officers from wearing religious symbols while at work.

Regards,
Joe

Joseph Lalla

School Commissioner, Ward 2 / Commissaire, Circonscription 2
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English Montreal School Board / Commission scolaire English-Montréal