

## CCDI condemns Alberta's use of notwithstanding clause to override Charter rights

**Toronto, ON – November 26, 2025** – The Canadian Centre for Diversity and Inclusion (CCDI) condemns the Alberta Government's use of the notwithstanding clause to override constitutional protections for transgender and non-binary youth. This unprecedented move marks the first time in Canadian history that the clause has been invoked to restrict access to healthcare.

The three bills collectively ban gender-affirming healthcare for youth under 16, require parental consent for students to use chosen names and pronouns at school, and prohibit transgender girls and women from fully participating in sports that match their gender-identity. When governments can suspend constitutional rights for one group, the democratic foundation that protects all of us is compromised.

The evidence is clear: transgender and non-binary youth face heightened mental health risks, and access to affirming care is lifesaving. A [2022 study by the Canadian Medical Association Journal](#) found that they are five times more likely to consider suicide and over seven times more likely to attempt it than their cisgender peers. [Statistics Canada data](#) reveals that nearly 30 percent of 2SLGBTQIA+ individuals report their mental health as fair or poor, compared to only 9.1 percent among non-2SLGBTQIA+ individuals. Research consistently demonstrates that access to gender-affirming care significantly reduces rates of depression, anxiety, and suicidality among transgender youth. Restricting that care will cost lives.

The government's justification exposes a fundamental contradiction. It claims to protect parental choice while simultaneously restricting parents' ability to make medical decisions with their child and physician. This contradiction extends to the medical profession itself. The [Canadian Medical Association strongly opposes these bills](#), calling them "unprecedented government intrusion into the physician-patient relationship [that] requires doctors to follow the law rather than clinical guidelines, the needs of patients and their own conscience." By undermining clinical autonomy and evidence-based care, these bills prioritize ideology over the health and safety of young people.

The question now is whether we will allow this precedent to stand.

"When a government uses the notwithstanding clause to strip away rights, it's not just targeting one group. It's attacking the very foundation of our democracy. When the human rights of one group are attacked, they attack us all," said Marni Panas, Board Chair of CCDI. "Yesterday it was teachers. Today it's trans people. Tomorrow it could be women's health, reproductive rights, racial minorities, or anyone who doesn't fit a government's ideology. If one group's rights can be erased, then no one's rights are safe."

To the transgender and non-binary community in Alberta and across Canada: CCDI remains steadfastly committed to equipping Canadians with the knowledge and resources to build communities and workplaces where you can thrive with dignity, equality, and respect. Your rights matter. Your lives matter.

For CCDI, the path forward is unequivocal.

"In moments like this, when governments reach for the notwithstanding clause to weaken hard-won rights, education becomes one of our most powerful tools," said Sartaj Sarkaria, CEO of CCDI. "We must be absolutely clear: Inclusion and human rights are not optional. Every organization and individual needs access to the resources, language, and expertise to stand up for inclusion, and protect the rights and dignity of all people."

The rights of marginalized communities are the rights of all Canadians. CCDI calls on employers, educators, policymakers, and every Canadian to speak out against this use of the notwithstanding clause and to support organizations like [Egale Canada](#) and [TransAction Alberta](#) that are leading the fight for trans rights and dignity.

## About CCDI

The Canadian Centre for Diversity and Inclusion (CCDI) is a national charity established in 2013 with the mandate of building a more inclusive Canada. Through bilingual education, certification programs, and a comprehensive knowledge repository, CCDI supports almost 700 Employer Partners across the country in advancing diversity, equity, inclusion, and accessibility. CCDI has developed evidence-based tools and resources to help organizations create inclusive, equitable

workplaces and communities, and to shape the national dialogue towards a more just society for all. Learn more at [ccdi.ca](https://ccdi.ca).

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