

September 5, 2018

**Dear New Democratic Party Members of Parliament,**

**I want to apologize for being unable to translate this letter and documents into French. I wanted to get this letter to you as quickly as possible and did not have access to the resources necessary to translate the documents.**

I am writing to you on behalf of 67 former Saskatchewan NDP Members of Parliament and former Members of the Saskatchewan Legislature regarding the federal leader's decision to disallow Erin Weir from re-joining caucus and to disallow him from being a candidate for our party in the next federal election. Erin received this decision by email last night Tuesday, September 4, 2018 at 9:26 PM.

By way of background, we think you should know the following:

**1)** On May 7, 2018, we sent a letter to the federal leader outlining our concerns about the leader's handling of Christine Moore's email regarding Erin Weir. Every living former Saskatchewan NDP MP signed the letter. Premiers Romanow and Calvert were not asked to sign the letter nor were presently elected MPs and MLAs. I have attached the letter, which lays out in detail our collective concerns regarding the leader's actions.

We were absolutely stunned when the leader did not follow the normal procedure for harassment allegations (which would require an actual formal written complaint). Instead, he appointed an investigator based on hearsay and had an email sent to all staff asking that any alleged harassment complaints be sent to the investigator. This process the leader undertook goes against the House of Commons policy and the collective agreement.

**2)** We also have written legal opinions from our former Justice Minister Eric Cline and legal scholars that the leader lacked the constitutional authority to suspend elected Members of Parliament, given the disciplinary procedures set out in the constitution of the federal party and the fair and balanced process set out in the anti-harassment policy of the NDP recently adopted by the federal party, which was completely ignored. I have attached two opinions for your information.

**3)** As soon as Erin was expelled from caucus, he worked with the trainer who was suggested by the Chief of Staff to the leader. The leader's office agreed that the investigator's report could be shared with the trainer. During May 2018, Erin read and studied suggested resource materials and met with the trainer. The trainer concluded that Erin "gets it." The trainer agreed to be available for follow-up sessions if needed. I have attached the trainer's report.

4) Once the training was completed, a meeting with the leader was requested. I was present at that June 21 meeting in Ottawa. Erin went into the meeting with three concrete actions as he realized he needed to make amends. First, he wanted to apologize to Tom Mulcair. Second, he wanted to apologize to Charlie Angus. Third, he wanted to apologize to the complainant who had spoken to the CBC. He had previously publically apologized to the other complainants.

During the meeting, the leader indicated that there were other actions Erin would need to take including speaking to Sheila Malcolmson, speaking to the women's committee of the federal party, and having a women's group support his return to caucus. It was agreed, after Erin completed all the other actions, there would be a further discussion about the women's group.

The leader indicated that, as Erin's expulsion from caucus was a "unanimous" decision of caucus, the caucus would have to be consulted if Erin were to return. We have since learned from several MPs that there was never a vote taken in caucus so there was never a unanimous decision.

5) Erin undertook as best he could every action discussed in the meeting with the leader including an attempt to apologize to Tom Mulcair and the complainant who spoke to the CBC. I have attached Erin's letter to the leader outlining his attempts to make amends and apologize.

6) Finally, the leader indicated yesterday (i.e. the Tuesday following a statutory holiday Monday) that the President of the staff union sent a letter "this week" indicating that Erin's reintegration into caucus "would put staff at risk." This letter was quite timely as it apparently arrived on the same day the leader's office was getting the leader's letter to Erin. We note that the President of the staff union works as a press secretary to the leader. We would also point out that at no time has any of Erin's staff accused him of harassment, nor has there ever been a complaint brought forward against him through the staff union.

Saskatchewan had not elected an NDP MP since 2000. In the last election, Saskatchewan New Democrats felt fortunate to add 3 new members to the federal caucus, including Erin Weir. Thousands of party members worked hard and donated their time and money to accomplish these 3 wins.

A quick characterization of Erin's alleged behaviour causing people to feel unsafe is totally inconsistent with an actual examination of the complaints elicited as a result of a broad solicitation, the investigator's findings or the trainer's conclusions. This is not to suggest that Erin's conduct is perfect in every way, just as none of us can say that we do not regret some aspects of our own behaviour on occasions when we have interacted with others.

A fair and objective examination of the details involved simply does not support either the leader's characterization of the conduct complained of or the extreme

harshness of the public shaming and banishment deemed by the leader to be fair and appropriate responses.

The generalized finding of “sexual harassment” was in the context of standing too close and not getting the social cues when the conversation had ended. There were no findings of unwanted touching, leering, explicit sexual remarks, etc. (It is noteworthy that the investigator did not determine whether this invasion of personal space applied to both genders.)

All of this is quite apart from considerations of whether the leader has the authority to unilaterally suspend an elected member of the caucus and why the party’s recently formulated anti-harassment policy was ignored in the process. It is also quite apart from a comparison of the manner in which at least one other complaint was dealt with and speedily resolved.

We also note that the leader and the officials from the party have not once reached out to the Regina-Lewvan Constituency executive about Erin’s removal from the federal NDP caucus. It is the constituency that ultimately decides who they will nominate to be their representative in the 2019 federal election.

It should be remembered that silence or indifference in the face of an inappropriate usurpation of power and unfair treatment can lead to a precedent that sometimes comes back to haunt the complacent. We need to ask ourselves how we would feel if similarly dealt with on the basis of the unchecked and unaccountable whims of a single individual.

Yours Sincerely,

Patricia (Pat) Atkinson  
On behalf of 68 former Saskatchewan MPs and MLAs