

Ottawa, November 30, 2020

Dear Members of the House of Commons Standing Committee on Justice and Human Rights,

I am writing you on behalf of the Centre for Israel and Jewish Affairs, the advocacy agent of the Jewish Federations of Canada and a human rights organization. I wanted to share with you our position on C-6, *An Act to amend the Criminal Code (conversion therapy)*.

LGBTQ2+ People Do Not Need ‘Fixing’

Our premise is simple. For us, LGBTQ2+ rights are human rights.

Our LGBTQ2+ siblings, parents, children, friends, neighbours and colleagues do not need to be ‘fixed’. They do not need to be ‘converted’ into something – or someone – they are not. They need our acceptance. Our understanding. Our embrace. And our love.

Conversion Therapy Should Be Banned In Canada

You have been made privy to numerous studies, and heard from many witnesses, indicating that conversion therapy does not work. I will not waste your time repeating those here.

Worse, not only does conversion therapy not work, it is harmful. It is wrong. And, to be blunt, it should be banned.

In short, we unequivocally support the objectives of Bill C-6.

Suggested Friendly Amendment

Allow me to be somewhat more personal.

I have been in your place.

I sat on this very Committee during the debate on same sex marriage many years ago. I was then, and still am, a strong proponent of full equality for LGBTQ2+ people.

With the adoption of same sex marriage in Canada, our LGBTQ2+ community members felt more included, more respected, more heard more understood and more equal. But some groups were worried about the impact of same sex marriage on their institutions.

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This is the reason I drafted the only amendment to the bill that was adopted; an amendment that protected the Charter rights of those who did not believe in same-sex-marriage. It took the form of a 'For greater certainty' amendment.

This amendment, coming from one of the defenders of equal marriage, allowed a measure of clarity and assuaged fears that had been expressed. And yet, the substance of the bill did not change. Parliament recognized marriage equality in Canada.

If we are to ban conversion therapy in Canada – again, an objective we strongly support --, we believe a similar approach should be taken.

When, on March 9th, 2020, Justice Minister Lametti tabled Bill C-8 (which is the exact same piece of legislation as the current C-6), he said:

These new offences would not criminalise private conversations in which personal views on sexual orientation, sexual feelings or gender identity are expressed such as where teachers, school counsellors, pastoral counsellors, faith leaders, doctors, mental health professionals, friends or family members provide support to persons struggling with their sexual orientation, sexual feelings, or gender identity.

It is a position CIJA entirely agrees with. This is why CIJA suggests the following amendment to s. 5:

For greater certainty, this definition does not include:

- *Private conversations in which personal views on sexual orientation, sexual behavior, sexual identity or sexual expression, feelings or gender identity expressed by parents, legal guardians, family members, friends, teachers, school counsellors, pastoral counsellors, faith leaders, religious leaders or healthcare professionals.*
- *Conversations with pastoral counsellors, faith leaders or religious leaders about sincerely held beliefs and the expectations flowing therefrom.*

This proposed amendment does not change the substance of the bill - the harmful practice of conversion therapy would still be illegal in Canada. It would, however, calm worries expressed by many parents, educators and religious leaders.

We urge you to adopt Bill C-6, with the proposed amendment, to protect LGBTQ2+ people while also respect fundamental freedoms, including freedom of religion and conscience.

We should ban conversion therapy in Canada. And we should do it right.

Respectfully submitted,



Richard Marceau
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