

November 12, 2020

To: Marc-Olivier Girard, Clerk of the Standing Committee of Justice and Human Rights

Dear Mr. Girard,

I am writing to you to express to the Standing Committee some reservations I have regarding Bill C-6, An Act to amend the Criminal Code (conversion therapy). At the outset, I want to express that I am against the practice of conversion therapy understood as a practice or treatment that seeks to change someone sexual orientation. However, the definition of conversion therapy in Section 320.101 of the code is, in my opinion, too broad and could possibly criminalize other activities that should not be criminalized.

The first case I find problematic is the inclusion of gender identity issues in the Act. At the outset, I want to state I cannot imagine the struggles and suffering that minors or adults who experience gender identity issues endure. It is an area where we, as a society, need to be more understanding and supportive. But to say that it is criminal to advise a minor or adult to be cisgender seems unreasonable. Pre-teenage and teenage years are years of lots of physiological and emotional change and development. To say that it is wrong for a parent to advise their minor child against gender-reassignment surgery seems like it is a suppression of a parent's right to advise their child and over-reach of government's mandate. Just yesterday I read about a ruling from the BC Supreme Court which temporarily stopped a gender-reassignment surgery from occurring on a 17-year old because the mother was not informed (<https://www.cbc.ca/news/canada/british-columbia/judge-blocks-double-mastectomy-for-transgender-teen-after-mother-sues-1.5795848>). I see in this the court respecting the parent's right to have a crucial say in the welfare of their child. Also, I have read on reliable news websites (The Atlantic) that there have been several adults who have transitioned but find no improvement in the quality of life and some have reversed the change. Considering this outcome, to advise an minor or adult to seek other means to improve their quality of life instead of gender-reassignment surgery (which may not help them) should not be criminalized.

My second concern regards religious freedom. If religious communities support those minors or adults who wish to freely - without coercion- abide by religious norms which call them to remain cisgendered or abstinate, will those actions still be deemed conversion therapy under this act and thus criminal? There seems a risk of religious communities being punished for merely stating their beliefs and aiding those who freely choose to live by those beliefs.

Consequently, I ask that the definition of conversion therapy be fine-tuned to include coercive acts or those targeting minors, remove the mention of gender identity from the bill, respect the rights of religious communities to express their religious beliefs, and express that parents have the right to make decisions for the welfare of their children.

I thank you for reading this message and allowing me to express my concerns to the Committee.

Yours sincerely,

Ben Lazarus