

Monday, November 23, 2020

Dear Members of the Justice Committee,

I am writing to express my concern about the language employed in Bill C-6 to define “conversion therapy.” I agree that coercive, degrading actions that seek to change a person’s sexual orientation or gender identity are dehumanizing, and that such shame- or fear-based approaches are without foundation in science or psychology, and frequently leave the participants traumatized. For this reason, coercive and degrading strategies should absolutely be banned.

However, Bill C-6 bans far more. It applies the label “conversion therapy” to a broad range of practices and even private conversations, going far beyond what most people think of when they hear the term. The proposed definition states that conversion therapy is “a practice, treatment, or service designed to change a person’s sexual orientation to heterosexual or gender identity to cisgender, or to repress or reduce non-heterosexual attraction or sexual behaviour.”

Such a definition does not just apply to efforts to change a person’s sexual orientation. It could also ban many different kinds of advice and counsel from parents, teacher, and guidance counselors encouraging children to reduce their sexual behaviour. It also bans any kind of counsel that might be given to those who have found their current sexual behaviour leading to undesired mental, physical, emotional or spiritual consequences. It implicitly assumes, in fact, that all sexual urges must and should be obeyed, and that all counsel to the contrary is repressive – a premise that stretches the truth to the breaking point.

Additionally, this definition inconsistently presumes that a practice, treatment, service, or private conversation that aims to encourage a person to adjust their self-understanding toward a non-heterosexual orientation or a non-cisgender identity is acceptable, while condemning any counsel in the opposite direction. This is most certainly an overstep of the government into matters of personal conscience. It assumes that every individual who might hold and advocate for an ideological position other than the one enshrined in the proposed legislation, no matter how compassionate, respectful, supportive and non-coercive in practice, is morally deficient and even criminal. Such a judgment not only accepts current philosophical dogma about sexual orientation and gender identity as settled scientific fact (a question that is most certainly still in dispute), but it encroaches on religious liberty and personal conscience. It makes the assertion that the present government knows better than many religious communities in our great nation, and can thus criminalize any conversations that do not conform to the government’s position.

What if an individual discovers that the choices they made have not led to greater personal health, deeper fulfillment, or the settling of confusion? As it is currently written, Bill C-6 threatens anyone who might seek to offer a listening ear, compassionate counsel, or religious perspective that does not align with the ideology enshrined in the proposed legislation. If passed, Bill C-6 would make it much more difficult for LGBTQ2 Canadians to make choices concerning sexuality and gender. It silences any professional or spiritual support they would freely choose in their efforts to limit sexual behaviour or de-transition. It effectively tells all Canadians that if they decide, for any reason, to explore non-heterosexual behaviour, or to adopt a non-cisgender

identity (even to the point of medical intervention), or adopt sexual behaviour that becomes destructive (e.g. pornography or sexual addiction), and later realize this was not the right choice for them, they must anticipate making the transition back to a more heteronormative existence alone, without the spiritual, professional, or even medical assistance they need. After all, any such counsel could be seen, under this proposed legislation, as illegal and indictable “conversion therapy.” In my view, this is as coercive, degrading, and isolating as the extreme conversion therapy approaches that Bill C-6 aims to ban.

For this reason, I would humbly but strongly request that Bill C-6 be amended to affirm the following:

- Coercive, degrading, manipulative, shame- or fear-based practices that are designed to enforce or impose a change of a person’s sexual orientation or gender identity *in either direction* (both toward or away from non-heteronormative sexual orientation or gender identity) should be banned.
- Ensure that no laws discriminate against by Canadians by limiting what services they can receive based on their sexual orientation or gender identity.
- Allow parents to speak with their own children about sexuality and gender, and set house rules about sex and relationships.
- Allow free and open conversations among consenting adults about sexuality and sexual behaviour.
- Not criminalize professional and religious counseling on these topics that has been voluntarily requested and consented to by LGBTQ2 Canadians.

Thank you for your kind consideration.

Sincerely,

*Tim McCarthy*

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