



December 6, 2020

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

The Toronto Bi+ Network is writing today to share our position on Bill C-6, An Act to amend the Criminal Code (conversion therapy). We are a small, grassroots community organization that, among other services, provides peer support groups for people who are bisexual, pansexual or otherwise attracted to more than one gender.

We support - and applaud - the passing of Bill C-6 as it is written.

The Canadian Criminal Code is meant to prevent any hurt or injury to a person that interferes with the health or comfort of the person. You have already heard from several witnesses that have expressed the hurt and injury imposed upon them by conversion therapy in Canada. Diversity and inclusion are amongst Canada's greatest strengths, and safety in expressing one's identities without fear of harmful and degrading "therapy" should be of priority within our Criminal Code, regardless of the age of a citizen.

In 2013, the American Psychiatric Association (APA) issued a position statement which reinforced scientific findings and stated no trustworthy "research evidence exists that any mental health intervention can reliably and safely change sexual orientation; nor, from a mental health perspective does sexual orientation needs to be changed".¹ This position was again reiterated in November 2018. As the largest psychiatric association in the world, this position statement merits deep consideration by the House of Commons Standing Committee on Justice and Human Rights. A four-point summary follows below:

APA POSITION:

1. APA reaffirms its recommendation that ethical practitioners refrain from attempts to change individuals' sexual orientation.
2. APA recommends that ethical practitioners respect the identities for those with diverse gender expressions.
3. APA encourages psychotherapies which affirm individuals' sexual orientations and gender identities.
4. APA encourages legislation which would prohibit the practice of "reparative" or conversion therapies that are based on the a priori assumption that diverse sexual orientations and gender identities are mentally ill.²

Conversion therapy practices are rooted in cisnormative and heteronormative attitudes about 2SLGBTQ+ people. As a diverse and inclusive society, we are all accountable to ensure that all lives and identities are considered valuable and worthy of respect, and that all citizens are afforded the right of affirming care. By criminalizing unethical and harmful conversion therapies

¹ Wells, K. (2019). Conversion therapy in Canada: The roles and responsibilities of municipalities. Edmonton, AB: MacEwan University.

² American Psychiatric Association. Position Statement on Issues Related to Homosexuality. URL: <https://www.psychiatry.org/File%20Library/About-APA/Organization-Documents-Policies/Policies/Position-2013-Homosexuality.pdf>. Accessed December 4, 2020.



in Canada, Canada will be affirming that 2SLGBTQ+ lives are worthy of the same rights, the same respect, the same freedoms as heterosexual or cisgender persons.

You have also heard and will hear from others that Bill C-6 interferes with religious freedom. Religious freedom is, of course, an important part of our Charter of Rights and Freedoms. But religious freedom does not override other charter rights. We do not allow other religious practices such as underage marriage that are demonstrably damaging to the health and well-being of children. Conversion therapy for sexual orientation or gender identity are demonstrably damaging to children and non-consenting adults.

The religious and personal rights of consenting adults have been well-respected in the writing of this bill, as is stated explicitly in the legislative summary: “the bill does not criminalize the provision of conversion therapy to a consenting adult if no money or other material benefit is received for providing such therapy. Furthermore, it does not make it a criminal offence for a consenting adult to seek or receive conversion therapy.”³ The bill only criminalizes the imposition of conversion therapy on children and on non-consenting adults.

By following in the footsteps of many Canadian provinces and cities who have already passed legislation banning conversion therapy, this amendment to the Canadian Criminal Code ensures that all Canadians, regardless of where they are in Canada, are afforded the same rights and protections.

We urge members of the standing committee to pass Bill C-6.

Sincerely,

Julie Bowring

Tara Schorr

On behalf of the volunteers and members of the Toronto Bi+ Network

³ Phillips, Karin and Julian Walker, “Legislative Summary of Bill C-6: An Act to amend the Criminal Code (conversion therapy)”, Publication No. 43-2-C6-E, Government of Canada. URL: https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/LegislativeSummaries/432C6E. Accessed 2020-12-04.