

**[BY EMAIL]**

The Honourable Erin O’Toole  
Leader of the Conservative Party of Canada  
Leader of the Opposition  
Member of Parliament (MP) for Durham, Ontario  
[Erin.OToole@parl.gc.ca](mailto:Erin.OToole@parl.gc.ca)

Re: Conservative Party of Canada Position on Conversion Therapy Ban

Mr. O’Toole,

We write to you in respect of the Conservative Party of Canada’s (CPC’s) position on the issue of a conversion therapy ban.

We are a group, of LGBTQ2SI+ organizations and individual citizens from British Columbia (BC) concerned with conversion therapy practices in our province and the rest of Canada. We have followed closely the legislative consideration of the former Bill C-6, *An Act to amend the Criminal Code (conversion therapy)*, as well as provincial and municipal enactments seeking to ban conversion therapy. We are particularly concerned with the need for a national conversion therapy ban, as no province-wide ban exists presently in BC.

First, we write requesting a clarification on your party Platform’s<sup>1</sup> stated position on a conversion therapy ban. Second, we request clarification on what steps, if any, were or will be taken in response to MP Tamara Jansen’s conduct during the legislative consideration of Bill C-6. Finally, we will ask your party’s BC candidates (who we have copied to this letter) to confirm their commitment to passing a conversion therapy ban.

CPC Platform Position

On a conversion therapy ban, the CPC Platform states:<sup>2</sup>

“Banning conversion therapy

- Conservatives have been clear in our opposition to conversion therapy and attempts to forcibly change a person’s sexual orientation.
- We will implement the ban promised by the Trudeau Liberals but repeatedly delayed by them for political reasons.

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<sup>1</sup> “Canada’s Recovery Plan” (CPC, Summer 2021), <https://cpcassets.conservative.ca/wp-content/uploads/2021/08/25132033/5ea53c19b2e3597.pdf> (CPC Platform).

<sup>2</sup> CPC Platform, pg. 147.

° Using the Justice Department’s explanatory language about the intention of the ban, we will clarify that the ban does not criminalize non-coercive conversations, giving comfort to parents and others who fear that legitimate conversations might be criminalized.”

We are glad to see a formal commitment to passing a conversion therapy ban. However, your platform position is unclear on several important regards and is also misleading in others. We hope you will clarify these ambiguities and stop using misleading spin to characterize your party’s and other parties’ past efforts. The issue of banning harmful conversion therapy practices should be beyond politicking. A vast majority of Canadians support a conversion therapy ban,<sup>3</sup> and they deserve clear answers on how your party intends to “implement” a ban free from political rhetoric. We have followed the Bill C-6 legislative process closely, which has informed their questions and concerns. Our view is that the language of Bill C-6 as it passed in the proposed s. 320.102 of the *Criminal Code* that penalizes “everyone who knowingly causes a person to undergo conversion therapy without the person’s consent”, in effect, tailors the scope of the ban only to coercive conversations and actions aimed at LGBTQ2SI+ individuals.

The statement “Conservatives have been clear in our opposition to conversion therapy and attempts to forcibly change a person’s sexual orientation” is simply untrue. Most of your parliamentary caucus (63 of 119 members) voted against Bill C-6, that is far from clear support for a conversion therapy ban.

This split amongst your caucus also prompts the question, by “implement the ban promised by the Trudeau Liberals” do you mean that you will hold a whipped vote amongst your entire caucus once elected? Given, the previous opposition from your caucus, a whipped vote would be the only way you could ensure a conversion therapy ban is implemented. Similarly, we also request clarification on whether caucus members that fail to follow a future whipped vote on this issue would face party discipline. We are concerned that several of your caucus members who voted against Bill C-6 and who vehemently opposed the bill previously would not comply with a future whipped vote.

We further take issue with the statement “promised by the Trudeau Liberals but repeatedly delayed by them for political reasons”. This is once a gain untrue political spin, unreflective of the fact that many of your parliamentary caucus members engaged in delay tactics during Bill C-6’s second and third readings (including BC MP Tamara Jansen of Cloverdale-Langley City). Xtra Magazine, a LGBTQ2-focused digital publication, previously reported on the “concern trolling” of several members of your parliamentary caucus.<sup>4</sup>

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<sup>3</sup> 56% of Canadians according to a December 2020 Research Co. and Glacier Media poll reported on by Business in Vancouver. See “More than half of Canadians and Americans say ‘conversion therapy’ should be banned: poll”, (Business in Vancouver, December 3, 2020) <https://biv.com/article/2020/12/more-half-canadians-and-americans-say-conversion-therapy-should-be-banned-poll>.

<sup>4</sup> “Canada’s bill to end conversion therapy stalled by Conservative ‘concern trolling’”, (Xtra Magazine, April 19, 2021), <https://xtramagazine.com/power/conversion-therapy-bill-c-6-canada-198893>.

Clarification is also required on your timeline for implementation of a conversion therapy ban. The Liberal Party of Canada (LPC) and the New Democratic Party (NDP) have both pledged to enact bans “within the first 100 days in office” and “immediately”.<sup>5</sup> Given that your platform objects to the LPC delays in enacting a ban, we call upon you to provide a timeline for your implementation as other parties have done.

The CPC Platform’s discussion of the clarifications to a future conversion therapy ban are also unclear. You state you will use the “Justice Department’s explanatory language about the intention of the ban” to “clarify that the ban does not criminalize non-coercive conversations”. We request clarification on what specific language in Bill C-6 creates concern that non-coercive conversations will be criminalized? Also, there is no express language in the former Bill C-6 that characterized a conversation as conversion therapy. Since the CPC is now taking issue with the language of the legislation, it is incumbent on your party to clearly articulate your intended revisions.

We would further welcome you to explain your position on several other substantive aspects of the bill. Specifically, the LPC has confirmed that they will ban conversion therapy clearly now for individuals who are 18+ as well. The Green Party of Canada (GPC) has committed to banning conversion therapy “in all its forms”.<sup>6</sup> Is the CPC committed to doing the same?

We would further request your confirmation that the CPC will include gender identity and gender expression, in addition to just “sexual orientation” in any conversion therapy ban. The CPC Platform includes no mention of gender identity or expression in its discussion of the conversion therapy ban (or at all), which is necessary to ensure that trans and non-binary individuals are protected from conversion therapy.

We have also advocated in the past for designated funding for conversion therapy survivors to obtain mental health supports. What is the CPC position on committing to providing funding to these survivors?

### The Lack of Repercussions for the Conduct of MP Tamara Jansen

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<sup>5</sup> “Forward For Everyone”, (LPC, September 2, 2021), <https://liberal.ca/wp-content/uploads/sites/292/2021/09/Platform-Forward-For-Everyone.pdf> (LPC Platform) pg. 38; “Ready for Better: New Democrats’ Commitments to You”, (NDP, August 12, 2021), <https://xfer.ndp.ca/2021/Commitments/Ready%20for%20Better%20-%20NDP%202021%20commitments.pdf> (NDP Platform) pg. 97. We note that the Green Party of Canada (GPC) does not appear to have released any platform position on a future conversion therapy ban, however, its parliamentary caucus all voted yes on Bill C-6.

<sup>6</sup> “Tackling Identity-Based Hate”, (GPC, September 7, 2021), <https://www.greenparty.ca/en/platform/just-society#tackling-identity-based-hate> (GPC Platform).

We are, further, particularly concerned by the past conduct of one of your caucus members from BC in opposing Bill C-6, MP Tamara Jansen of Cloverdale-Langley City. We request certain investigation and disciplinary actions be taken against MP Jansen.

From a review of MP Jansen's conduct responding to Bill C-6, including a review of parliamentary voting records, Hansard, and independent news reports, we have identified several disturbing instances informing our requests about MP Jansen.

These include:

- i) Her comments responding to LPC MP Rob Oliphant, with a biblical quote from Matthew 23:27, that suggested "lesbian activity" was "unclean" and implied that supporters of a conversion therapy ban were hypocrites;<sup>7</sup>
- ii) Her reported failure to apologize publicly for those remarks;<sup>8</sup>
- iii) Her failure to respond to several constituents' inquiries about her remarks and her subsequent blocking of those constituents on her public social media;<sup>9</sup>
- iv) Her submission of eight petitions opposing conversion therapy, which were misleading and sought to reduce trans and non-binary individuals access to conversion therapy;<sup>10</sup>
- v) Her alleged use of public funds to support an independent group's pro-conversion therapy video;<sup>11</sup> and
- vi) Her abstention on the second reading and voting no on the third reading of Bill C-6.<sup>12</sup>

The negative comment suggesting that lesbians were unclean was hurtful and attacked the dignity of LGBTQ2SI+ Canadians. It was a disgraceful remark for an MP to make. It may well have also violated provincial and federal human rights laws. We note that cloaking an insult against LGBTQ2SI+ individuals in scripture does not automatically immunize a commenter from human rights laws' scrutiny.<sup>13</sup>

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<sup>7</sup> "Tory MP uses term 'unclean' while expressing opposition to conversion therapy ban", (Global News, April 16, 2021), <https://globalnews.ca/news/7764478/tory-mp-conversion-therapy-ban/>.

<sup>8</sup> "Letter to Tamara Jansen Re: Lesbophobic and Homophobic Comments", (Qmunity, BC's Queer, Trans, and Two-Spirit Resource Centre, April 26, 2021), <https://qmunity.ca/news/letter-to-tamara-jansen-re-lesbophobic-and-homophobic-comments/>.

<sup>9</sup> "After defending conversion therapy, BC MP blocks concerned constituents", (City News 1130, April 25, 2021), <https://www.citynews1130.com/2021/04/24/langley-mp-blocks-constituents/> ; "Cloverdale-Langley City MP draws criticism over conversion therapy debate comments", (Coverdale Reporter, April 25, 2021), <https://www.coverdalereporter.com/news/cloverdale-langley-city-mp-draws-criticism-over-conversion-therapy-debate-comments/>.

<sup>10</sup> Petition to the House of Commons – e-2760, (House of Commons, December 9, 2020), <https://petitions.ourcommons.ca/en/Petition/Details?Petition=e-2760>); Petitions- Search for a Petition, (House of Commons), <https://petitions.ourcommons.ca/en/Petition/Search?parl=43&type=19&keyword=188824&sponsor=105774&status=&Text=&RPP=20&order=Recent&Page=1&category=All>.

<sup>11</sup> "Conservative MPs Produced Video Highlighting Benefits of Professional Counselling to 'Challenge' Gay 'Sexual Behavior'", (Press Progress, June 10, 2021), <https://pressprogress.ca/conservative-mps-produced-video-highlighting-benefits-of-professional-counselling-to-challenge-gay-sexual-behaviour/>.

<sup>12</sup> Vote No. 175, 43<sup>rd</sup> Parliament, 2<sup>nd</sup> Session, (House of Commons, June 22, 2021), <https://www.ourcommons.ca/members/en/votes/43/2/175>.

<sup>13</sup> *Saskatchewan (Human Rights Commission) v Whatcott*, 2013 SCC 11 para. 199.

The inappropriateness of MP Jansen's quote was compounded by her failure to issue a public apology, which was specifically requested by BC's largest LGBTQ2SI+ resource centre, Qmunity.<sup>14</sup>

To make matters worse, MP Jansen then dodged several of her local constituents' queries about her remarks, including taking the radical step of blocking them from her public social media accounts. We note such conduct by politicians in the United States has been found unconstitutional.<sup>15</sup> A similar incident involving Ottawa's mayor blocking constituents resulted in a lawsuit being filed and the mayor eventually reversing his position.<sup>16</sup> Does the CPC support Canadians free expression and democratic rights, and if so, will it discipline this conduct and ensure other caucus members avoid blocking constituents from their social media?

Alarming, it was reported by Press Progress that MP Jansen (along with MP Garnett Genuis of Sherwood Park-Fort Saskatchewan) had potentially used public funds to finance the production of a third party's video, which challenged a conversion therapy ban. If true, this is a gross ethical and rules violation and party discipline would be appropriate. We are unaware if any investigation has been conducted at the party level, as the MPs reportedly declined to comment on this point, and we request that a thorough investigation be conducted into the MPs behavior. If such an investigation shows that public funds were misappropriated for the video production, party discipline would be warranted.

We note that in the last provincial election in BC, BC Liberal candidate, and MLA, Laurie Throness ultimately resigned following several controversies, one of which was his refusal to guarantee that he would not continue advertising in Light Magazine, a publication known to promote conversion therapy advertisements.<sup>17</sup> Several BC Liberal MLAs also previously advertised in the magazine using public funds but had agreed not to do so in the future.<sup>18</sup> MLA Throness eventually would lose his seat of Chilliwack-Kent. We view the potential misuse of public funds for the anti-conversion therapy ban video as substantially the same as the Light Magazine incident.

MP Jansen's conduct, when viewed collectively, suggests a pattern of behavior that is targeted and repressive of the rights of LGBTQ2SI+ Canadians and her constituents generally. We are of the opinion that she should resign. Frankly, we are surprised she was renominated by the CPC given that all this information about MP Jansen's conduct was publicly available (albeit perhaps not assembled in one complete and damning report like the one found in this letter).

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<sup>14</sup> We note it was self-reported to the media that MP Jansen apologized privately to MP Oliphant and offered an apology to the House as a whole, however, we have no information that either apology occurred. See "Letter to Tamara Jansen Re: Lesbophobic and Homophobic Comments", (Qmunity, BC's Queer, Trans, and Two-Spirit Resource Centre, April 26, 2021), <https://qmunity.ca/news/letter-to-tamara-jansen-re-lesbophobic-and-homophobic-comments/>.

<sup>15</sup> *Knight First Amendment Institute et al v Donald J. Trump*, No. 18-1691 (2d Cir. 2020), <https://knightcolumbia.org/documents/a07ecc2a26>.

<sup>16</sup> "Mayor Watson makes peace in Twitter war, says he will unblock people", (Ottawa Citizen, November 2, 2018), <https://ottawacitizen.com/news/local-news/mayor-watson-makes-peace-in-twitter-war-says-he-will-unblock-people>.

<sup>17</sup> NDP MLA wants Laurie Throness removed from BC Liberal caucus over 'anti-LGBTQ views', (Global News, July 15, 2020), <https://globalnews.ca/news/7180676/ndp-mla-wants-laurie-throness-removed-from-bc-liberal-caucus-over-anti-lgbtq-views/>.

<sup>18</sup> "BC Liberals ran ads in Christian magazine that features content opposed to trans rights, assisted death", (CBC News, June 30, 2020), <https://www.cbc.ca/news/canada/british-columbia/bc-liberals-ads-the-light-christian-anti-sogi-123-christian-west-coast-accord-1.5632685>.

If MP Jansen does not tender her resignation, we request that a thorough and transparent investigation be launched into her conduct and that party discipline, including potential expulsion from caucus, be utilized if all these allegations are confirmed.

In any event, an immediate public apology from MP Jansen and the immediate unblocking of her constituents from her public social media is warranted.

### The Position of Current CPC Candidates in BC

Given the lack of clarity in the CPC Platform, most of your parliamentary caucus voted against Bill C-6, and the inappropriate behavior of MP Jansen and others, we think it is imperative that all LGBTQ2SI+ individuals and their allies know of each of your BC candidates individual positions on a future conversion therapy ban. This will be necessary to assess the likelihood they would 'break the whip' on any whipped vote, or, if a conscience vote on a ban is held, what their ultimate position would be.

Accordingly, we ask that each of the copied BC candidates indicate to us at [insert preferred email address], whether:

- 1) They would support a conversion therapy ban identical to Bill C-6, whether on a whipped or free vote;
- 2) Alternatively, if they do not support a ban identical to Bill C-6, what form of a ban, if any, would they support?

We appreciate that many Canadians are voting early this election, whether on advance poll days or by mail, and would appreciate prompt responses from you and your BC candidates as soon as is possible. We welcome the opportunity for discussion on any of the requests or concerns specifically identified.

Sincerely,



Aaron Purdie, Executive Director, Health Initiative for Men (HIM)

No Conversion Canada

Dustin Klaudt, Co-Chair of the Canadian Bar Association of BC (CBABC) Sexual Orientation and Gender Identity Community section and former Chair of the CBABC Equality and Diversity Committee (in his personal capacity and not on behalf of these organizations)

Ryan Clayton, Activist who assisted with the development of a BC private member's bill to ban conversion therapy

Yogi Omar, former member of City of Vancouver LGBTQ2+ Advisory Committee and proponent of Canada's first municipal conversion therapy ban

Travis Salway, Assistant Professor, Faculty of Health Sciences, Simon Fraser University and Centre for Gender & Sexual Health Equity research scientist studying the scope and nature of conversion therapy

CC:

Ed Fast, CPC Candidate for Abbotsford

Kelsey Shein, CPC Candidate for Burnaby North-Seymour

Likky Lavji, CPC Candidate for Burnaby South

Todd Doherty, CPC Candidate for Cariboo Prince George

Dan Albas, CPC Candidate for Central Okanagan-Similkameen-Nicola

Mark Strahl, CPC Candidate for Chilliwack-Hope

Tamara Jansen, CPC Candidate for Cloverdale-Langley City

Katerina Anastasiadis, CPC Candidate for Coquitlam-Port Coquitlam

Mary Lee, CPC Candidate for Courtenay-Alberni

Alana Delong, CPC Candidate for Cowichan-Malahat-Langford

Garry Shearer, CPC Candidate for Delta

Laura Anne Frost, CPC Candidate for Equimalt-Saanich-Sooke

Dave Hayer, CPC Candidate for Fleetwood-Port Kells

Frank Caputo, CPC Candidate for Kamloops-Thompson-Cariboo

Tracy Gray, CPC Candidate for Kelowna-Lake Country

Rob Morrison, CPC Candidate in Kootenay-Columbia

Tako Van Popta, CPC Candidate in Langley-Aldergrove

Brad Vis, CPC Candidate in Mission-Matsqui-Fraser Canyon

Tamara Kronis, CPC Candidate in Nanaimo-Ladysmith

Paige Munro, CPC Candidate in New Westminster-Burnaby

Shelley Downey, CPC Candidate in North Island-Powell River

Mel Arnold, CPC Candidate in North Okanagan-Shuswap

Les Jickling, CPC Candidate in North Vancouver

Marc Dalton, CPC Candidate in Pitt Meadows-Maple Ridge

Nelly Shin, CPC Candidate in Port Moody-Coquitlam

Bob Zimmer, CPC Candidate in Prince George-Peace River- Northern Rockies

Alice Wong, CPC Candidate in Richmond-Centre

David Busch, CPC Candidate in Saanich-Gulf Islands

Claire Rattee, CPC Candidate in Skeena-Bulkley Valley

Helena Konanz, CPC Candidate in South Okanagan – West Kootenay

Kerry-Lynne Findlay, CPC Candidate in South Surrey-White Rock

Kenny Chiu, CPC Candidate in Steveston-Richmond East

Tina Bains, CPC Candidate in Surrey Centre

Syed Mohsin, CPC Candidate in Surrey-Newton

Harry Cockell, CPC Candidate in Vancouver Centre

Mauro Francis, CPC Candidate in Vancouver East

Kailin Che, CPC Candidate in Vancouver Granville

Carson Binda, CPC Candidate in Vancouver Kingsway



Brad Armstrong, CPC Candidate in Vancouver Quadra

Sukhbir Singh Gill, CPC Candidate in Vancouver South

Hannah Hodson, CPC Candidate in Victoria

John Weston, CPC Candidate in West Vancouver-Sunshine Coast-Sea to Sky Country