

Issue

Sexual orientation and gender identity and expression change efforts (SOGIECE) are deeply harmful, scientifically discredited practices that target vulnerable LGBTQ2 Canadians.

To protect people from this fraudulent, cruel treatment **all levels of government should work to undermine the efforts of people and organizations conducting SOGIECE** through both legislative bans and positive, affirming programs or campaigns.

Additionally, governments can better support survivors of SOGIECE, as well as funding research and community-led movements aiming to better understand the reach of conversion efforts in Canada.



SEX NOW SURVEY 2019 QUICK FACTS



20 per cent of sexual minority men report having experienced SOGIECE



Proportionately more **younger men** report SOGIECE exposure, as well as **trans and non-binary** respondents



SOGIECE prevalence was high (15 per cent or greater) in **all provinces and territories**



8 per cent of total men surveyed report experiences of conversion therapy



SOGIECE exposure was associated with various psychosocial outcomes—such as **depression, anxiety, social isolation** and **delayed coming out**



More than **7,200 sexual minority** men in Canada responded to the survey

SOGIECE vs. "Conversion Therapy"

Part of the challenge of ending SOGIECE is defining what the term means.

The more commonly used term of "conversion therapy" (also known as "reparative therapy" or "reintegrative therapy") is any form of treatment which attempts to change or direct someone's sexual orientation, gender identity or gender expression. This involves organized, sustained efforts.

However, in some cases these conversion efforts are not well organized or delineated.

For example, a teenager who expresses distress about their gender identity or sexual orientation may go to (or be taken to) a counselor, healthcare provider, church leader or other person of authority for advice on the matter. This person may intentionally give direction or advice that would delay or impede the teenager from relating back to their gender identity or sexual orientation in an affirming, positive way.

Even when informal and infrequent, these moments can do significant damage to LGBTQ2 people. While not "conversion therapy," these broader set of practices are what is known as **sexual orientation and gender identity and expression change efforts**, or **SOGIECE** (pronounced "soj-ee-se"). Conversion therapy, then, is a type of organized SOGIECE.

International consensus

SOGIECE has been widely denounced by dozens of major medical and human rights organizations around the world, including:

- World Health Organization
- World Psychiatric Association
- World Professional Association for Transgender Health
- Pan American Health Organization
- Canadian Psychological Association
- Canadian Psychiatric Association
- Canadian Paediatric Society
- Canadian Association of Social Workers
- Canadian Professional Association for Transgender Health
- American Medical Association
- Human Rights Campaign
- Amnesty International

GENDER IDENTITY

Your personal sense of your own gender. It can correspond with the sex assigned at birth or differ from it.

SEXUAL ORIENTATION

Your romantic or sexual attraction in relation to others' gender(s)—be it the same, opposite or both.

GENDER EXPRESSION

The ways you express your masculinity or femininity—typically through your appearance, dress or mannerisms.

The Effects of SOGIECE¹

There is no credible research that indicates you can change a person's sexual orientation or gender identity.

Rather, research does tell us that these so-called change efforts can have devastating impacts on its victims, including increased anxiety, depression, self-hatred, compromised mental health, post-traumatic stress disorder, suicide or suicidal thoughts and many other lifelong psychological and social issues.

Current SOGIECE in Canada

While there are no official reports tracking conversion therapy in Canada, community-led projects—such as the Sex Now Survey and Trans PULSE Survey—are working to fill that gap. For instance, interim Sex Now 2019 results show that as many as **one in five** sexual minority men in Canada have experienced SOGIECE.

Of them, **40 per cent** (or as many as 47,000 GBT2Q men) have experienced conversion therapy.² Similarly, 2019 Trans PULSE results found that 11 per cent of trans and non-binary respondents underwent conversion therapy in an attempt to make them cisgender.³

There is also international consensus in the medical community that SOGIECE not only doesn't work but is cruel and unhealthy.

These practices are unethical because they imply that LGBTQ2 lives are less valuable, less desirable and less worth living than those of heterosexual and cisgender persons. Ultimately, proponents of SOGIECE believe that being an LGBTQ2 person is a disorder, sin or disease that must be fixed, cured, healed or repaired.

Sex Now 2019 also found that reported exposure to SOGIECE was:

- Higher among **younger men**, as well as trans and non-binary respondents
- High in **all provinces and territories**
- Associated with **depression, anxiety, social isolation**, and **delayed coming out**



PARTICIPANTS AT THE 2019 VANCOUVER SOGIECE DIALOGUE. PHOTO: RACHEL TAYLOR

1 https://www.cbrc.net/conversion_therapy_in_canada_the_roles_and_responsibilities_of_municipalities

2 https://www.cbrc.net/sex_now_survey_results_reveal_prevalence_of_change_efforts

3 <https://transpulsecanada.ca/results/quickstat-1-conversion-therapy/>

Reported Canadian Examples of Conversion Therapy

Journey Canada, formerly called Living Waters, is a Vancouver-based, non-denominational ministry that offers “discipleship” programs, which are 18-weeks long, for adults facing various relational and sexual experiences, including what they call “unwanted self-identified same-sex attraction.” Though Journey Canada states they do not practise conversion therapy because they focus on reducing same-sex actions, versus same-sex attraction, this is just a rhetorical side-step that ignores the foundation of the program: the belief that a healthy life, relationship and family can only be built between a man and a woman. In 2018, the organization ministered to more than 9,100 people in 39 cities across Canada according to its annual report.⁴

Generous Space Ministries became a Canadian corporation and received charitable status in 1985 under the name New Beginnings and later New Direction for Life Ministries of Canada. From 1985 until 2004, the organization employed therapists who practiced conversion therapy. The organization ran ex-gay

support groups that encouraged conversion therapy until the mid 2000’s—with hundreds of Canadians going through their programming. Since then, the organization has shed its old name and ties and began creating a space safe for LGBTQ Christians and their families.⁵

The Child Youth and Family Gender Identity Clinic at Toronto’s Centre of Addiction and Mental Health’s (CAMH) conducted intensive assessments and encouraged alignment with sex assigned at birth instead of the current and emerging best practices that favour education and supporting the parents to affirm the child’s gender expression. Though the organization is reluctant to identify its former clinic as conversion therapy or SOGIECE, pressure from community advocates and Ontario’s 2015 legislation to ban conversion therapy likely played a role in closing the clinic the same year. Today, CAMH’s Gender Identity Clinic for adults affirms gender expansive, trans and non-binary identities, but the organization has not reopened a youth clinic.

Ending SOGIECE: A Joint Responsibility

In recent years, changing social norms and the bravery of survivors have increasingly put conversion therapy and SOGIECE in the Canadian spotlight—with growing calls for the efforts to be banned or undermined. In fact, a July 2019 opinion poll highlights how most Canadians oppose conversion therapy.⁶

Ultimately, **all levels of government** have important roles to play when it comes to ending SOGIECE in Canada and protecting LGBTQ2 communities. For instance:

Municipal governments can amend existing, or create new, bylaws that reflect the values, beliefs, safety and well-being of their community.

Provincial and territorial governments can pass legislation to change health regulations to ensure no licensed health practitioner or mental health provider can provide SOGIECE as a regulated public health or counselling service. They can also review provincial billing codes to ensure conversion therapy cannot be funded as part of public or private health care, as well as amending provincial laws to allow social workers to intervene to prevent SOGIECE-related harm in a minor’s life.

The federal government can introduce new legislation and make amendments to the Criminal Code of Canada to ensure that anyone who practices conversion therapy, no matter where it is conducted, will be committing a criminal offense and may be subjected to incarceration. The federal government can also

revoke the charitable status of any organization that practices conversion therapy, which is an affront to Canadian values.

Along with these legislative efforts, education is needed to help the public understand that conversion therapy is still being practiced in Canada and causes great harm to people.



CBRC’S JOSE PATIÑO-GOMEZ DURING SUMMIT 2019 IN VANCOUVER. PHOTO: KEVIN HURREN.

4 <https://indd.adobe.com/view/d018112a-1ad4-46b8-8832-40320b34e76e>

5 <https://www.ourcommons.ca/Content/Committee/421/HESA/Brief/BR10439056/br-external/GenerousSpaceMinistries-e.pdf>

6 <https://www.coastreporter.net/majority-of-canadians-oppose-conversion-therapy-1.23892625>

Limitations of Bans

When it comes to SOGIECE, the legislative focus has been largely on putting in place “bans.”

These bans are **important, necessary** parts of reducing the reach and effectiveness of organizations that conduct SOGIECE—but their limitations should be considered when developing legislation, such as:

APPROACH IN BAN	LIMITATIONS
Preventing health professionals from billing for the service or receiving public funds	Any professionals practicing SOGIECE would not bill for anything resembling “conversion therapy”—making it harder to track and report. Instead, practitioners would likely bill for other mental disorders.
Banning minors from undergoing SOGIECE	Efforts to change one’s sexual orientation, gender identity or gender expression are as damaging as to adult as it is for minors—and supports should be put in place for all LGBTQ2 people, regardless of age.
Ending any and all services relating to gender identity	In any legislation, it is important to differentiate between SOGIECE and treatments that help affirm gender identity—such as gender affirming surgeries or consensual hormone therapy.
Focusing a ban on medical practitioners or counsellors	Any licensed or certified professional—such as teachers, coaches or trainers, for instance—who practices or advertises SOGIECE has engaged in unprofessional conduct and should be subject to discipline by their licensing or certifying board, or by the government if no such board exists.
Focusing a ban on professionals	SOGIECE is incredibly damaging—regardless of who leads it. Legislation in Germany, for instance, makes it clear that parents or legal guardians who attempt to “cure” their children could face punishment for gross violations of their duty of care.

Together, these limitations should not deter legislators and policymakers from taking these actions; rather, they are outlined to emphasize the importance of multiple approaches to eradicating conversion therapy.

Florence Ashley, a Canadian jurist and a former fellow of the McGill University Research Group on Health and Law, has developed a

model law for legislators interested in tackling SOGIECE in a way that circumvents some of the above limitations.⁷ Central to the model law and the work of advocates across Canada is the belief that bans should be deterring behaviour rather than providing for sanctions once the harm has already been done. Enforcement after the fact cannot undo harm.

7 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3398402

At-a-Glance: Existing Legislation (AS OF MARCH 12, 2020)

Municipally:

ROCKY MOUNTAIN HOUSE (ALBERTA): bans conversion therapy through a business license bylaw.

ST. ALBERT (ALBERTA): prevents businesses from obtaining a licence if they perform conversion therapy.

STRATHCONA COUNTY (ALBERTA): banned the practice for minors and restricted use of county funds to organizations that practice or promote conversion therapy.

EDMONTON (ALBERTA): prohibits the practice and promotion of conversion therapy within city limits.

WOOD BUFFALO (ALBERTA): banned the licensing and promotion of conversion therapy.

VANCOUVER (BRITISH COLUMBIA): has passed a law restricting businesses from offering conversion therapy.

Provincially:

ONTARIO: banned conversion therapy on minors and forbids it from being funded by public dollars.

MANITOBA: taken some steps to prevent health professionals from offering conversion therapy.

NOVA SCOTIA: made it illegal for health professionals to provide conversion therapy on minors.

PRINCE EDWARD ISLAND: banned conversion therapy for minors and prohibited the use of public funds to provide the practice.

Global Examples (*not inclusive of all*):

MALTA: as the first European country to ban SOGIECE, Malta has one of the most far-reaching laws where anyone who tries to “change, repress or eliminate a person’s sexual orientation, gender identity or gender expression” will be fined or jailed. This includes a provision that enshrines in law that no sexual orientation, gender identity or gender expression be portrayed a disorder, disease or shortcoming of any sort.

GERMANY: has introduced legislation, which parliament is expected to pass by the summer of 2020, that will punish violations with imprisonment of up to one year or a fine of up to 30,000 euros. The proposals in Germany go far beyond other existing laws, which have only sought to restrict therapy for people under 18.

Though no ban exists across Canada, in March 2020 the federal government introduced a bill that would add five new provisions to the Criminal Code related to conversion therapy, including: causing a minor to undergo conversion therapy; removing a minor from Canada to undergo conversion therapy abroad; causing a person to undergo conversion therapy against their will; profiting from providing conversion therapy; and advertising an offer to provide conversion therapy.

Legal Challenges to SOGIECE Bans

Some groups that support or conduct SOGIECE argue it is their religious right to promote and encourage a lifestyle in line with their faith. In fact, places that ban conversion therapy or similar SOGIECE practices have had their laws tested in courts as a violation of religious freedom or freedom of expression. However, to date all these laws have been upheld.

While the Canadian constitution does protect a citizen’s right to free expression, there are limits, such as those banning certain forms of hate speech or violent threats.

Legislation prohibiting conversion therapy would most likely be upheld by the courts under the equality provisions of the Canadian

Charter of Rights and Freedoms (s. 15), and as a reasonable limitation on the freedom of religion (s. 2), due to the lack of research demonstrating its effectiveness and the known harms and dangers of these associated practices on vulnerable people. For instance, in 2018 the Supreme Court of Canada ruled in favour of “proportionate and reasonable” limits religious rights in order to ensure open access for LGBTQ students to a British Columbia-based evangelical Christian university.⁸

Moreover, many faith leaders condemn conversion therapy, as indicated by the more than 350 Canadian pastors who have signed on to the pledge, Pastors Stopping the Harm.⁹

8 <https://www.cbc.ca/news/politics/trinity-western-supreme-court-decision-1.4707240>

9 <https://www.generousspace.ca/pastors-stopping-the-harm>

Looking Beyond Bans

Bans are an important part of undermining SOGIECE in Canada—but they are only one of many tools governments can use to support and protect vulnerable LGBTQ2 people.

For instance, right now there are thousands of SOGIECE survivors who are struggling with the effects of the pressure. Governments should **allocate funding to support counselling, therapeutic support groups, community education and community networking opportunities** for these survivors.

Additionally, one of the reasons people are pushed by their family—or willingly sign up—for SOGIECE is because the idea of living a happy, healthy life is incompatible with their understanding of minority sexuality or gender identity.

This is particularly the case for parents who, out of love and concern for their child, will enlist the help of SOGIECE providers to “correct” a characteristic that they believe will prevent their child from having a family, remaining healthy or being successful.

As such, while legislative bans work to limit the reach of those providers, work should also be done to **create sexual and gender minority-affirming supports and services**, such as awareness campaigns, support groups, gender-sexuality alliances in schools and more. As people are educated on the positive effects of embracing one’s sexuality or gender identity or expression—the less likely they are to believe the only path to fulfillment is to deny or repress their true selves.

Conclusion

There are a few fundamental truths we know about sexual orientation and gender identity and expression change efforts.

First, SOGIECE is happening in Canada. While governments have historically neglected to regulate or collect data on the practice, survivors and community organizers are mobilizing to tell their stories and pull back the curtain on a hidden industry.

Second, SOGIECE is having harmful psychological effects on people. Hundreds of scientists, researchers and clinicians have proven that it is not possible to change someone’s sexual orientation or gender identity—and that the process of trying will either drive those subjected to suicide or cause lasting, harmful social and mental consequences for survivors.

And third, SOGIECE is preventable. Municipal, provincial and federal leaders all have tools at their disposal to mitigate SOGIECE in different spaces and in different ways. From health care and education to advertising and recruitment, governments can step in to not only prevent SOGIECE from taking place—but also to help people embrace their identity, or the identity of their family members.

In the absence of affirming and inclusive environments, LGBTQ2 people can become scared and confused. Through SOGIECE, that vulnerability is used to cause irrevocable harm. This cycle of shame, denial and pain needs to stop, and it can—but only by working together and calling SOGIECE out for what it is.

Terms Used

LGBTQ2 – “lesbian, gay, bisexual, trans, queer/questioning, Two-Spirit.” An umbrella term used by the Government of Canada to describe the community of people whose sexual orientation or gender identify is different from the heterosexual, cisgender majority.

Cisgender – someone whose gender identity (the gender they consider themselves as) corresponds to their sex assigned at birth.

Sex Now Survey – The Community-Based Research Centre’s principal community-based research initiative and Canada’s largest and longest running survey of GBT2Q men’s health. Often referred to as “the gay census,” Sex Now has become

an essential source of data on the health and well-being of GBT2Q in Canada, and is widely used by community, public health, research and policy stakeholders.

Trans PULSE Survey – a community-based research project created to respond to problems identified within Ontario trans communities regarding access to health and social services.

Timeline of SOGIECE Advocacy in Canada

(AS OF MARCH 12, 2020)

2015

- Canadian Psychological Association issues a statement that it “opposes any therapy with the goal of repairing or converting an individual’s sexual orientation, regardless of age.”

MAY 2015

- Manitoba’s government takes steps to ensure that conversion therapy is not practised in the province’s health-care system.

JUNE 2015

- An Ontario bill making it illegal to attempt to change the sexual orientation or gender identity of someone aged 18 and under through therapy passes.

2012

- The World Health Organization issues a statement affirming this type of treatment as a “severe threat to the health and human rights of the affected persons.”

2016

DECEMBER 2016

- Malta becomes the first country in the European Union to ban conversion therapy.

2018

JUNE 2018

- The City of Vancouver in British Columbia prohibits businesses from providing conversion therapy to minors.

SEPTEMBER 2018

- Nova Scotia makes it illegal for health professionals to provide conversion therapy for minors.
- Alberta activist Devon Hargreaves starts a petition asking the federal government to ban conversion therapy, particularly regarding minors.
- NDP MP for Saskatoon West, Sheri Benson, presents this petition in the House of Commons in February, 2019.

2019

MARCH 2019

- The federal Liberal government rejects the petition, with more than 18,000 signatures, calling for a national ban. It said that, “conversion therapies are immoral, painful, and do not reflect the values of our government or those of Canadians,” but added that it felt conversion therapy was largely a provincial and territorial issue.

APRIL 2019

- Liberal Senator Serge Joyal tables Bill S-260 seeking to amend the Criminal Code to ban conversion therapy advertising to minors and to criminalize receiving a financial or material benefit from the practice.

MAY 2019

- The Green Party in British Columbia introduces legislation to ban conversion therapy for minors in the province.
- Alberta’s United Conservative Party cancels a gay conversion therapy ban working group started by the previous NDP provincial government.

JUNE 2019

- Federal Justice Minister David Lametti sends letters to provincial and territorial governments, urging the provinces to take steps to halt conversion therapy.

AUGUST 2019

- The city council of Montreal, Québec, votes to condemn conversion therapy and ask the province to ban it.

SEPTEMBER 2019

- Strathcona County, Alberta, bans conversion therapy and restricts the use of county funds to organizations that practice or promote it.

OCTOBER 2019

- The City Council of Spruce Grove, Alberta, directs city administration to prepare a report on the potential of banning the use of conversion therapy.
- The federal Liberal, NDP and Green parties all included references to a federal conversion therapy ban in their 2019 election platforms.

NOVEMBER 2019

- Prince Edward Island bans conversion therapy for minors and prohibits the use of public funds to provide the practice.
- In Vancouver, a first-of-its-kind SOGIECE dialogue meeting takes place — convening more than 30 survivors, researchers, healthcare providers and community leaders to share experiences and ideas with SOGIECE in Canada.

DECEMBER 2019

- Liberal Prime Minister Justin Trudeau issues a mandate letter to Minister of Justice and Attorney General David Lametti directing the ministry “to amend the Criminal Code to ban the practice of conversion therapy and take other steps required with the provinces and territories to end conversion therapy in Canada.”
- Two Alberta cities, Edmonton and St. Albert, prohibit the practice and promotion of conversion therapy within city limits.
- The It Gets Better Canada petition to end conversion therapy gets more than 71,000 signatures.

2020

JANUARY 2020

- Wood Buffalo, Alberta, votes to ban the licensing and promotion of conversion therapy.

FEBRUARY 2020

- The city council of Calgary, Alberta, votes unanimously to draft a bylaw prohibiting the practice of conversion therapy.
- Rocky Mountain House, Alberta, bans conversion therapy through a business license bylaw.
- In Newfoundland and Labrador, St. John’s city council instructs staff to find ways to “eliminate or curtail” conversion therapy in the city.
- The city council in Lethbridge, Alberta, votes to ask the provincial government to ban the practice, as well as directs administration to draft a bylaw banning conversion therapy in the city.
- The city council in Saskatoon, Saskatchewan, requests a report outlining how the city can ensure conversion therapy is banned or prohibited within city limits.

MARCH 2020

- New Brunswick debates a bill that would prohibit all health professionals from providing conversion therapy to minors.
- The federal government proposes a bill that would amend the Criminal Code to make the advertisement and financial or material benefits of conversion therapy an indictable offence, as well as causing a minor to undergo conversion therapy.
- The city council in Red Deer, Alberta, debates a motion to condemn conversion therapy.

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