



January 6, 2022

Bill C-4 is a federal law that amends the *Criminal Code* to ban conversion therapy. It comes into effect on January 7, 2022. This is a short summary of how Bill C-4 and how it might affect our pastors and churches. In short, it is a very concerning new criminal law.

It is now a criminal offence to cause a person to undergo conversion therapy, to promote or advertise conversion therapy, or obtain a benefit from it. Conversion therapy is broadly defined as any “practice, treatment or service designed to”:

- a. change one’s sexual orientation to heterosexual, or gender identity/expression to the one they were born with; or
- b. repress or reduce either someone’s non-heterosexual attraction or sexual behaviour, or their gender identity/expression if it does not conform to the one they were born with;

On conviction, penalties can include up to 5 years in jail.

Generally speaking, the more formal or repetitive the activities are, the more a church or pastor risks running afoul of violating this law. The federal government has stated Bill C-4 is intended to address more formalized interventions that are at least semi-publicly offered. However, a major concern is that the words “service” and “practice” are open to broader interpretations.

This is what Bill C-4 means in practice for churches and pastors:

- **Preaching.** It should be permissible for pastors to publicly express traditional Christian views and interpretation of Biblical texts that pertain to the human sexuality and gender expression. Communicating Biblical views on homosexuality or gender identity in a public setting is not likely to be seen as a “service” or “practice” by itself. However, churches should be aware that advertising programs, materials, services, or courses in respect of addressing same-sex sexual attraction, same-sex sexual conduct or changing gender expression could run afoul of the law.
- **Private, Informal Conversations.** It should be permissible for church staff to privately express the Christian understanding of gender identity or homosexuality if it is done in an informal setting. This is not likely a “service” or “practice”. However, the line may be crossed if church staff advance views in these areas in a repeated and/or formal manner. For example, church staff should be aware that having regular or repeated meetings with individuals to help them live out their religious convictions in these areas may no longer be possible.
- **Counselling.** It is not permissible for pastors or churches to help another person in a counselling, mentoring, or other formal setting to repress or reduce homosexual attraction or behaviour, or to modify non-traditional gender expression. This holds true even this occurs upon someone’s invitation or with consent. Counselling or mentoring that designed to assist a person with abstinence from all sexual activity or is intended to eliminate sex addiction or criminal sexual behaviour (i.e., sexual abuse) should be permissible under this law.

- **Church classes or Bible study materials.** Because these are more formal settings, churches may run afoul of this law if their publications seek to repress or reduce homosexual attraction or behaviour, or to modify non-traditional gender expression. This means that if sexuality and/or gender expression forms a substantive part of a publication or class in respect of having individuals conform to traditional Christian teachings, the publication or class may run afoul this criminal law.

The law is new and we cannot tell how it will be interpreted and applied by the police, Crown counsel and the courts. We know that it is very broad and poses a significant risk for pastors, elders, churches and others that may try to assist others in repressing or reducing homosexual behaviour or non-traditional gender expression.

