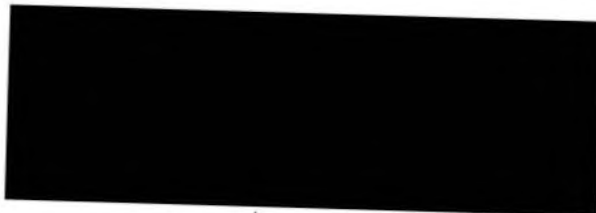



Solicitor General
of CanadaSolliciteur général
du CanadaAndré Chénier
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MAR 27 1986

Dear Mr. 

Thank you for your letter of January 29, 1986, concerning the report of the Parliamentary Committee on Equality Rights and, in particular, its recommendations prohibiting discrimination on the grounds of sexual orientation. I would like to respond to the concerns raised in your letter by describing, first, the circumstances surrounding the preparation of this report and, second, the response made by the Federal Government to its recommendations.

The Parliamentary Committee on Equality Rights, chaired by Mr. Patrick Boyer, M.P., was established by the Standing Committee on Justice and Legal Affairs in order to study the Discussion Paper on Equality Issues in Federal Law. In the course of its study, the Boyer Committee reviewed federal statutes, regulations, policies and programs to ensure their conformity with Section 15 of the Canadian Charter of Rights and Freedoms. As part of its mandate, the Committee held a series of hearings that enabled its members to ascertain the views of approximately two hundred and fifty organizations and individuals. In addition, five hundred and fifty written submissions were presented to the Committee. The report of the Committee, Equality for All, was released in October, 1985.

As you are aware, the Committee recommended that sexual orientation be added as a prohibited ground of discrimination in the Canadian Human Rights Act, and expressed the view that sexual orientation should be considered as included in the list of grounds in section 15 of the Charter of Rights and Freedoms.

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In Towards Equality, its response to the Committee's report, the Federal Government has stated that it "will take whatever measures are necessary to ensure that sexual orientation is a prohibited ground of discrimination in relation to all areas of federal jurisdiction". The Department of Justice has agreed with the interpretation placed upon section 15 of the Charter of Rights and Freedoms by the Boyer Committee. The Minister of Justice, however, has indicated that he is not yet certain whether the Canadian Human Rights Act needs to be amended. The Canadian Human Rights Act is currently being reviewed in light of both the Equality for All report and the Equality Now report, which had been prepared earlier by the Parliamentary Committee on the Participation of Visible Minorities in Canadian Society.

Although, in the past, the R.C.M.P. have stated that they have valid reasons for excluding individuals from their ranks on the basis of sexual orientation, their policies will now have to conform to the Government position outlined in the Government response to Equality for All. In this response, the Government states that "no one should be denied opportunities for reasons that are arbitrary or irrelevant". I am currently discussing the implementation of the Government response with the Commissioner of the R.C.M.P. to determine how current policies and practices must be modified.

I very much appreciate that you took the time to write on this important question. Please be assured that your views will be given every consideration.

Sincerely,

Original Signed by
HON. PERRIN BEATTY
a signé l'original

Perrin Beatty