


December 19, 1986

MEMORANDUM FOR RAY PROTTI

From: Lisette Lafontaine

CHRA Review 

The purpose of this note is to address the issues you raised yesterday in relation to amendments to the CHRA.

Ontario Debate on Sexual Orientation

The amendment was voted after a strong debate. The detail of the vote by political party is the following:

	<u>FOR</u>	<u>AGAINST</u>
PCs	4	41
Libs	39	4
NDPs	<u>21</u>	<u>0</u>
	64	45

Other provinces legislation

Quebec and Ontario are the only provinces which recognize sexual orientation as a ground of discrimination. However, they include 62% of the Canadian population. Amending the CHRA to include sexual orientation would extend to matters under federal jurisdiction the protection of rights which are already guaranteed to 62% of the Canadian population in matters falling under provincial jurisdiction. Regardless of what provinces are doing, the federal commitment to do so is quite clear (see our October 24 note to the PM attached to the note on CHRA letter).

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Delaying the CHRA Legislation

The reasons for not delaying are the following:

- the review was formally announced on March 4, 1986 in Toward Equality;
- Justice has held an extensive round of consultation over spring and summer both inside and outside government. As a result, many pressure groups are expecting the tabling of the legislation in the near future;
- in speeches, Mr. Crosbie had promised the legislation would be introduced before the end of 1986.

Therefore, failure to introduce the legislation in the coming months will raise questions as to the government's intentions in relation to CHRA, and may be embarrassing to the government. This embarrassment, however, must be weighed against the embarrassment that could result from the discussion of the legislation.

MERRY CHRISTMAS