

OUTWORDS



CLGRO

Coalition for Lesbian and Gay Rights in Ontario
Coalition pour les droits des lesbiennes et des personnes gaies en Ontario

AGE OF CONSENT

FOR IMMEDIATE RELEASE
24 October 2007

YOUTH AND YOUTH ADVOCATES SPEAK OUT AGAINST CONSERVATIVE AGE OF CONSENT BILL

Youth advocates and young people are voicing their opposition to the Harper Conservative government's latest attack on youth rights. The new Bill C-2, which purports to be "Tackling Violent Crime", is a rehashed version of old legislation that Parliament has already failed to pass.

Despite fierce opposition from all the youth consulted at the Justice Committee, Harper has brought back the old Age of Consent Bill which attempted to criminalize consensual youth sexuality.

As groups ranging from the Canadian Federation for Sexual Health and Egale Canada to Justice for Children and Youth and the B.C. Civil Liberties Association have pointed out over the past year, the Harper Conservatives' Age of Consent legislation was flawed and threatened the access of young people to sexual health information and education.

Youth groups were completely shut out of initial invitations to Justice Committee hearings on the original Age of Consent bill. After intense pressure from a variety of

organizations, the Age of Consent Committee was the only youth-led committee admitted to the hearings.

"This bill is an attack on the ability of youth to get the information they need," said Nick Dodds, youth activist. "Even the federal Department of Justice said in 2006 that an increase to the age of consent is a poor way of addressing sexual abuse and exploitation." Now, with the re-introduction of this bill with other law and order agenda items, there are even more flaws. The new bill now contains a permanent exception for couples who are married. "The Conservatives are sending contradictory messages by treating sexual activity differently if it takes place within marriage," said Andrew Brett, youth activist. "Essentially, they are only criminalizing sex out of wedlock."

The Age of Consent Committee opposes these measures and will be seeking allies and coalitional support in order to fight the Tory Agenda to increase the age of consent in Canada along with their paternalistic approach to crime that disproportionately affects youth from marginalized communities.

The Age of Consent Committee was founded in the spring of 2006 in response to the Conservative government's threats against youth sexuality and education. Our members consist of students, youth workers, sexual health educators, and most importantly, young people themselves.

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December 2007

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HUMAN RIGHTS

Human Rights Transformation Forum

CLGRO was represented at the Human Rights Transformation Forum in London, Ontario on November 8th, 2007. This was the first of four sessions to be held across the province. The presenters were Barbara Hall of the Human Rights Commission, Michael Gottheil of the Human Rights Tribunal and Helena Birt of the Human Rights Legal Support Centre.

The Forum provided an update on progress made by Ontario's Ministry of the Attorney General towards implementation of the Human Rights Code Amendment Act, 2006. The launch date for implementation of the changes is set for June 30th, 2008.

Currently the Human Rights process is handled by the Ontario Human Rights Commission, which processes Human Rights complaints. These are referred as appropriate to the Human Rights Tribunal for a hearing. In practice, this means that complaints

are often investigated twice, once by the Commission and once by the Tribunal, when they cannot be resolved at the Commission level.

The significant backlog of cases is a concern, as are the duplication of effort and inability of the Commission to concentrate on policy matters, and on the need to be proactive.

It is the intention of the Act to remove the initial investigation of complaints from the Commission. The Commission will retain the ability to involve itself in individual cases, and make representations to the Tribunal.

Complaints will be directed to the Human Rights Tribunal in the first instance, thus avoiding the need for complainants to prepare presentations for the Commission, and later for the Tribunal if they reach that stage. It will be a one-stop process. There will be a significant increase in the number of cases going before the Tribunal, from a current level of about 150 to an anticipated 3,000. The Tribunal emphasised the need to minimise legal wrangling and delay – the parties will not be allowed to delay the process. The core values of the Tribunal were stated as:

- Accessibility, both physically and functionally
- Fairness
- Transparency
- Timeliness
- Opportunity to be heard

The Tribunal will encourage mediation, and anticipates 70% to 80% of issues will be settled voluntarily. Mediation will be used when and if the Tribunal senses a likelihood of success. The approach was described as Integrated Mediation, an opportunity to be heard in a meaningful way by someone with competency and expertise. The intention is to avoid imposing emotional and financial pressures to mediate. The mediation process is expected to use the “activist

adjudicator model”, narrowing the issues if possible, and maintaining flexibility.

The Human Rights Legal Support Centre is new, and will advise complainants on legal issues prior to, and during, the complaint process. It is in this area that the Ministry’s thinking is in the most flexible state. The Centre anticipates 2,400 of the 3,000 cases going to the Tribunal will involve their resources.

During the Forum, it was stated that 75% of cases currently handled by the system originate in the Greater Toronto Area. This is recognised as a sign of weakness – an indication that human rights in Ontario are not equally protected throughout the province.

The drive for change is generated in large part by the lack of proactivity in the process. It will be the Commission’s responsibility to develop a more proactive approach, and to add a policy development process to the mix. Currently the sheer volume of individual complaints is forcing the Commission to take a reactive stance. It is finding there are systematic barriers to moving the Human Rights process into more positive areas. It was emphasised the Commission will intervene as appropriate in individual cases going before the Tribunal (with the complainant’s permission), but will not always do so – the need to intervene will be generated by policy development concerns and the like.

The introduction of the Human Rights Legal Support Centre is a significant move forward, in that individual complainants will have access to legal advice without cost throughout the process. Both lawyers and paralegals will staff the Centre. Complainants will receive advice on the chances of success if the process is taken to the Tribunal. They will be directed elsewhere if it is felt the Tribunal is not the appropriate resource in an individual case – there

will be no guarantee of free legal advice if the case goes outside the Human Rights process.

The Support Centre recognises the geographical challenge, the need for greater support outside the GTA. It is anticipated there will eventually be Centres and Tribunal hearings in 10 locations province-wide. The attendees at the Forum were particularly anxious to see this handled better than currently.

The budget for the process is covered by an additional \$8 million, of which \$3 million is allocated for the 2007 year. This is 22% above the previous levels.

(One wonders how many lawyers, paralegals and Support Centres can be effectively funded by these comparatively limited funds. Maybe one of the root causes of the current backlog is lack of adequate funds, maybe as significant as inappropriate process.)

HEALTH

RHN Explores Gender Variant Services

The Rainbow Health Network (RHN), an advisory group of CLGRO, is currently exploring what health and social services currently exist for gender variant people (including children and youth). Through a series of focused meetings with members of the trans communities and service providers, it has been determined that there are few services that exist, with most located in Toronto. Furthermore, not all of these services are necessarily affirmative in their approach to assisting gender variant people to live their lives as they fundamentally feel they should.

The direction of these discussions and current strategy is to work with both queer-oriented and mainstream services to encourage them to take an affirmative approach that encourages self determination on the part of gender variant service recipients in a non-judgmental and non-conformist way. Because of RHN's meager resources, it is extending itself as a partner to assist any organizations that are willing to provide such services.

LONDON ONTARIO

London Area Rainbow Coalition (LARC) is continuing its fundraising activities. It continues to hold movie nights, and held a social (dance) at Aeolian Hall for the first time on November 10th, raising almost \$1,800 towards a future community centre. Ongoing activities can be found at the LARC website (<http://www.londonarc.com/>). Commercial gay operations in London continue to be limited. Club 181 still dominates. While Buck Wilds bar attached to the Central Spa on York Street had to close its doors, Seven Night Club at 347 Clarence is reopening the building most recently known as the Annex, which has been a gay bar under various names over the years. This was a Halloween treat for the gay community in the city.

MINUTES SUMMARY

CLGRO Steering Committee Meeting, Toronto September 8, 2007

No objections were received to the decisions of the Annual General Meeting on May 5, 2007 so those decisions were ratified. We are attempting to proceed on efforts to challenge the government's restrictions on charitable status and have requested a student from Pro Bono Canada to help with research. A person has been hired to update our website. Financially we are holding

our own now that we are no longer paying for an office. Flyers were prepared and distributed regarding CLGRO's position on issues in the provincial election.

We continue to monitor police issues, including wire tapping, police checks and the investigation of the Special Investigations Unit. We also continue to monitor the Age of Consent issue in case it is raised again after the Throne Speech. We will be attending the Transformation Forum of the Ontario Human Rights Commission to monitor how that develops.

We discussed the Rainbow Health Network Annual General Meeting, the development of the Ontario Rainbow Health Resource Centre and the development of services for gender variant people. We participated in the International Day Against Homophobia and the Pride Parade.

After the provincial election we plan to research and develop a brief to become more proactive in educational issues and homophobia in the schools.

ILGA

International Lesbian and Gay Association (ILGA)

Some notes from the minutes of the XXIII ILGA World Conference 27th March – 3rd April 2006

- It was confirmed that Quebec will host the 2008 ILGA World Conference, organized by Yvan Lapointe Coalition Gaie et Lesbienne du Quebec, Canada (CLGQ, Canada).
- The Conference voted to establish a Trans Secretariat. The organization RUNA (Peru) will hold the interim Trans Secretariat until the next World Conference.
- Philipp Braun (LSVD, Germany) is elected new male Secretary General of ILGA. Replacing Kursad

Kahramanoglu who has stepped down from the post after seven years.

ILGA welcomes new Executive Director

Trevor Cook joins the International Lesbian and Gay Association (ILGA) as new Executive Director made possible through the financial contribution of development agency HIVOS. ILGA is also supported by Oxfam Novib, SIDA, the Swedish International Development Cooperation Agency and IBM, whose support has enabled the organization to grow.

Read more at

http://www.ilga.org/news_results.asp?LanguageID=1&FileID=1117&FileCategory=6&ZoneID=7

PLANNED GIVING

Have you considered planned giving to CLGRO? Planned giving means leaving a bequest in your will for a donation to be made from the proceeds of your estate once you have passed on. It's an easy and effective way of ensuring that a group and a cause you have supported during your lifetime can continue to thrive. Including CLGRO in your planned giving would be a tangible way for you to leave a lasting legacy and to ensure that the movement to advance the liberation of gays, lesbians, and bisexuals will continue. The amount you choose to leave as a gift would be up to you - and you should talk to a lawyer or financial advisor about that. As for CLGRO, we would be enormously grateful to receive a bequest of any amount and would be certain to put it to good use!

**CLGRO
Steering Committee
Meeting**

January 5, 2008
(This is a change from the
originally announced January 26
date)
Saturday, 12-5 pm

Location:
519 Church Street Room 23
Toronto Ontario

Access:
The 519 Church Street building is
accessible.

If you have any queries, please
contact the office. We'll be glad
to help.

Contributors: Richard Hudler, Nick Mulé, David Smith, Brent Southin, Tom Warner

About the newsletter

Outwords is published three times a year by CLGRO, the Coalition for Lesbian and Gay Rights in Ontario. Except for editorials, the views expressed in *Outwords* are those of the authors and do not necessarily reflect the official position of CLGRO or its member organizations. Articles may be accepted at the discretion of the editor. The purpose of the newsletter is to keep the membership informed about CLGRO activities and other matters of interest.

Newsletters are mailed free to CLGRO members. Join CLGRO by completing the membership form below!

About CLGRO

CLGRO is an organization composed of groups and individuals committed to working towards feminism and lesbian, gay, and bisexual liberation by engaging in public struggle for full human rights, by promoting diversity and access within our communities, and by strengthening cooperative networks for feminism and lesbian, gay, and bisexual activism.

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I want to be part of CLGRO!

Enrol me as a member right away!

- Here's my 40.00 one-year membership fee.
 I'm a student or unwaged so here's my \$20 membership
 I'd like to donate \$ _____ to CLGRO
 I'd like to donate \$ _____ to CLGRO's trustfund.*
 I'd like to join CLGRO's monthly giving program and donate \$ _____
each month by postdated cheques (enclosed) or credit card.
 Please charge to visa mastercard
Number _____ Expiry date _____
Signature _____
Name _____ Telephone _____

Address _____

Town/Province/Country _____ Postcode _____

E-mail _____

*interest only is used for operating expenses.