

March 21, 2014

VIA ELECTRONIC MAIL

TWU Submissions
Policy Secretariat
Law Society of Upper Canada
Osgoode Hall
130 Queen Street West
Toronto, ON M5H 2N6

To Whom It May Concern:

Re: Accreditation of Trinity Western University's School of Law

As benchers of the Law Society of Upper Canada (LSUC) you are uniquely placed to defend and advance Canada's proud history of equality. Such an opportunity will present itself on April 10 and April 24, 2014, when convocation will meet to determine the accreditation of Trinity Western University's (TWU) School of Law. On behalf of the HIV & AIDS Legal Clinic Ontario, I respectfully request that the LSUC act in accordance with established principles of equality and not accredit TWU's School of Law, pursuant to s.7 of LSUC By-Law 4.

TWU is unwilling to accept gay/lesbian students. Students are required to sign a "Community Covenant Agreement" stating that all TWU community members will abstain from same-sex sexual intimacy. TWU threatens to expel students caught in same-sex sexual intimacy because such behaviour offends its interpretation of the Christian Bible. Like all TWU students, law students would be governed by the same "Covenant."

A decision to accredit TWU's law graduates would effectively provide an endorsement of a school that actively discriminates against gay/lesbian students. As noted by the Supreme Court of Canada in *Trinity Western University v. British Columbia College of Teachers*, [2001] 1 S.C.R. 77: "The proper place to draw the line in cases like the one at bar is generally between belief and conduct... The freedom to hold beliefs is broader than the freedom to act on them." Barring students from a law school is action, not belief. In addition, and in any event, the British Columbia College of Teachers case did not deal with the equality rights of prospective students under s.15 of the *Canadian Charter of Rights and Freedoms*.

By accrediting TWU's School of Law, the LSUC would sanction a discriminatory quota system whereby fewer placements would be available for gay/lesbian students than for heterosexual students.

TWU's accreditation application should not be approved because of its overt discrimination on the basis of sexual orientation.

Canada should move forward, not backward. I urge benchers to vote against the accreditation of TWU's School of Law.

Thank you for your attention to this matter.

Sincerely,

HIV & AIDS Legal Clinic Ontario

per:

A handwritten signature in black ink, appearing to read 'Ryan Peck', written in a cursive style.

Ryan Peck

Barrister & Solicitor

Executive Director