



**Submission by Cardinal Thomas Collins, Archbishop of Toronto
Committee Hearing Re: Bill C-51 – October 30, 2017**

Good afternoon.

I am pleased to be with you. I serve as the Archbishop of Toronto, home to 225 Catholic Churches, 2 million Catholics and Mass celebrated weekly in more than 35 languages. Toronto is also home to hundreds of churches, mosques, temples and synagogues.

I appear today with Bishop Gendron of the Canadian Conference of Catholic Bishops to convey our grave concern that Parliament is suggesting that Section 176 of the Criminal Code (see clause 14 of Bill C-51) is no longer required. I would respectfully submit the opposite – more than ever, we need to legislate protection for religious communities and the services conducted every day across Canada.

This is the only section of the Criminal Code that explicitly references protection for religious communities. Some have suggested the definition of clergyman may be too restrictive, perhaps implying that only Christian communities would be protected. We submit that the term clergyman is wide enough to include all faith leaders.

In a specific way, section 176, especially points 2 and 3, capture conduct which is not otherwise clearly reflected in the Criminal Code. We must recognize that there are ways to “willfully disturb” a religious service without screaming or shouting. A silent protest, unfurling a banner, blocking a procession, etc. can all prevent communal prayer and worship from taking place.

Section 176, especially points 2 and 3, add clear and direct protection to the integrity of religious worship services. They are a unique part of the code and removing it would leave religious communities vulnerable.

We accept the right of people to peacefully demonstrate and protest in public spaces – however Parliament has drawn the line at conduct which willfully, not recklessly or accidentally, but intentionally disturbs the solemnity of a religious service. Congregations across the country have a right to do so without being impeded in their assembly and worship.



This section has been referenced in court cases in the past where judges have recognized that freedom of assembly and freedom of association, rights protected in the Charter, could be rendered meaningless without the protection of section 176, especially points 2 and 3.

Places of worship should be sanctuaries of peace, prayer and community. The bishops of Canada gathered just a few weeks ago in Ottawa to celebrate the 150th anniversary of confederation, among other milestones. The service was disrupted by protesters, something we see happening with greater regularity. While anytime our churches are targets of protest, we see an arrest as a last resort. We always endeavor to deescalate the situation – however to foster a safe environment for the faithful, those who disrupt services should be subject to the criminal code if they refuse to cease and desist.

Moreover, the removal of such protection would send a disturbing message from Parliament to faith communities. Divine worship services of all denominations as well as the important contributions of faith communities should hold a special place in our heritage and our laws.

Canada's faith communities make vital contributions to strengthening our nation. We don't expect or demand that every Canadian practice a particular religion. However we do expect that our religious celebrations will be protected, now and always.

Thank you.