

VIA EMAIL TO: [jvarro@lsuc.on.ca](mailto:jvarro@lsuc.on.ca)

**March 26, 2014**

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

Dear Policy Secretariat:

**RE: Accreditation of Trinity Western University's ("TWU") Proposed Law School Program**

We write regarding TWU's proposed law school program application. We understand that TWU has received: (i) conditional approval from the Federation of Law Societies of Canada's Approval Committee for its proposed program; and (ii) approval from the British Columbia government. We further understand that the Law Society of Upper Canada ("Law Society") will meet to determine the Ontario accreditation of TWU with respect to its graduates who may practice law in Ontario.<sup>1</sup>

The purpose of this letter is to request that the Law Society deny the accreditation of any legal education programs, recognized for admission to the bar in Ontario, that are discriminatory.

At BMO, diversity and inclusion are part of our core values. It is BMO's view that the TWU Community Covenant, which is required to be signed by all TWU faculty, staff and students, is discriminatory. We understand that the Community Covenant requires abstention from "sexual intimacy that violates the sacredness of marriage between a man and a woman".<sup>2</sup> We believe the Community Covenant discriminates against individuals on the basis of sexual orientation and gender expression.

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<sup>1</sup> See Trinity Western University Accreditation, The Law Society of Upper Canada, online: <http://www.lsuc.on.ca/twu/>.

<sup>2</sup> See the TWU Community Covenant, Trinity Western University, online: <http://twu.ca/studenthandbook/university-policies/community-covenant-agreement.html>.

We urge the Law Society, during its review to determine the Ontario accreditation of TWU, to carefully consider the following:

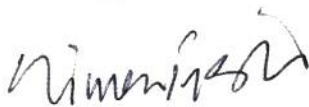
- 1) *Charter of Rights and Freedoms*;
- 2) human rights legislation;
- 3) Canadian law;
- 4) spirit of the legal profession;
- 5) protection of public interest;
- 6) core values of Canadians; and
- 7) whether the reduction of opportunity for gay, lesbian and bi-sexual students and the imposition of a quota system on these individuals is acceptable.

It is our belief that, after a thorough review of the TWU application, the Law Society accreditation process, and the above noted points that the Law Society should strongly consider the submissions of the Ontario Bar Association to:

- 1) require all legal education programs, recognized for admission to the bar in Ontario, provide equal opportunity without discrimination (on the basis of sexual orientation, gender expression or identity, race, national or ethnic origin, colour, religion, sex, age, mental or physical disability) for students, applicants, faculty and employees in currently accredited legal programs or proposed new programs;
- 2) codify a non-discriminatory requirement into any existing or forthcoming national accreditation requirement under the purview of the Federation of Law Societies of Canada; and
- 3) withhold or rescind accreditation for legal education programs that do not meet this requirement on a without prejudice basis to students currently enrolled or admitted to accredited law schools that lose their accreditation.<sup>3</sup>

We thank the Law Society for the opportunity to provide written submissions for consideration by Convocation about the accreditation of TWU.

Yours truly,

A handwritten signature in black ink, appearing to read "Nimish", is written over a horizontal line.

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<sup>3</sup> See Ontario Bar Association letter, dated March 24, 2014, online:  
<http://www.lsuc.on.ca/uploadedFiles/TWUOntarioBarAssociationMarch24.pdf>.