

# Legal Affairs Update

## June 2023 Update

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### Introduction

Your ministry plays a vital role in building a better society, promoting the common good, and sharing the hope of our faith. The CCCC Legal Department works diligently to ensure there is a favourable environment for faith-based charities like yours to operate in, with a view to what is good for the sector as a whole. We advocate for a healthy and robust charitable sector and work to represent you—Christian charities—accurately, wisely, and effectively. Read more to find out what we've been doing.

### Advocacy and Communication

#### Charitable Status

We continue to be vigilant and monitor for any activity regarding [federal challenges to charitable status](#). We are pleased that no legislation to implement the [proposed amendments](#) to the *Income Tax Act* to make “anti-abortion organizations that provide dishonest counselling to pregnant women” ineligible for charitable status has been tabled in Parliament. Yet, we want to be diligent, proactive, and prepared to respond quickly to any such politicization of charitable status as it puts all charities at risk. That message has been clearly conveyed through multiple channels and letters to the federal government.

**What's happened?** In our November 2022 Update, we talked about an Access to Information Package (ATIP). This ATIP, requested by an unknown third party, confirmed [CCCC letters](#) had been received by the Minister of Finance and circulated within the Canada Revenue Agency. In another ATIP (also requested by an unknown third party), we were encouraged to see that language from our sample letters and key issues document were reflected in letters written by the public. For future advocacy efforts, internal government communication made it clear that the Department of Finance leads policy development on this issue and that “the direction the CRA will take must be provided” by Finance.

**What we are doing:** We [publicly shared our concerns](#) and continue to meet and engage with other stakeholder groups (see our [interview with the Evangelical Fellowship of Canada](#)). Collaborating allows us to share knowledge, be prepared, and coordinate our efforts should the government choose to move ahead. At the time of writing, we received the contents of our CCCC-initiated ATIP request and, at your time of reading this update, will be working our way through the 800+ page document. We'll be sure to share any insights in our next Legal Update!

## Issue Monitoring: Courts & Culture

An important (but unseen) part of our job is to monitor court decisions and cultural developments. For court decisions, we regularly add summaries to our Knowledge Base to set out the key issues, legal analysis and how it impacts you, our members. This is also one way we identify cases that could merit intervention.

For cultural developments, it is often less straightforward. These issues arise in different contexts, have different levels of seriousness, and have different potential impact. Items of interest are regularly shared through the Quick Picks section of our Bulletin. Others require significant time and effort to develop an effective response. One such issue is euthanasia, or medical assistance in dying (“MAID”) as it is called in the *Criminal Code*. Recent polling indicates that a not-insignificant proportion of Canadians would support [legalizing MAID solely due to poverty](#) (27%), homelessness (28%), mental illness (polls range 31%, 43%), or for any reason whatsoever (20%). These are deeply troubling trends that will almost certainly renew pressure on a greater swath of faith-based health care organizations and institutions to provide MAID. Building on [prior work](#) of CCCC Legal staff, we are actively considering how to effectively advocate for and maintain freedom of conscience for religious organizations.

## Government Consultation

We continue to participate in Canada Revenue Agency’s [Technical Issues Working Group \(TIWG\)](#), which meets to discuss forthcoming guidance and existing documents, challenges, and successes with CRA programs and platforms, and to raise emerging or long-standing issues that need attention. We participated in a January 2023 meeting and have another meeting this month, June 2023. While the TIWG provides a direct and early opportunity to provide substantial input on CRA guidance documents, CCCC also made submissions on CRA’s draft guidance, CG-032, registered charities making grants to non-qualified donees through the open consultation forum.

## Other Sector Representation

We also actively engage in other ways. CCCC participated in a charitable sector gathering hosted by Imagine Canada in Ottawa to discuss the next federal budget, shared priorities, and opportunities to collaborate. CCCC’s Ryle Cameron and Deina Warren participate in Ontario Bar Association (OBA) Section Executives: the Charity and Not-for-Profit section, the Constitutional, Civil Liberties and Human Rights section, and the Labour and Employment Law section. These forums allow CCCC to not only be on top of the latest developments but also bring a faith-based perspective to the issues.

Deina has co-authored a paper on the importance of freedom of conscience as an independent protection, particularly in the context of physicians and a rapidly expanding MAID regime. It is part of a collection entitled [Medical Assistance in Dying \(MAID\) in Canada: Key Interdisciplinary Perspectives](#), scheduled to be published in July 2023.

Thank you for taking the time to read our Legal Affairs Update. Your membership with CCCC helps to protect our strong voice in the sector.

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