

Dr. Christopher Milburn
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Via Fax to (902) 422-7476 & Email to shaywood@cpsns.ns.ca

Dr. Keri McAdoo
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Suite 400 – 175 Western Parkway
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Dear Dr. McAdoo:

I acknowledge receipt of your letter dated February 24, 2020 referencing my Facebook posting of February 14. You requested that I provide my explanation and thoughts concerning my post.

I was rather surprised to learn that a social media post defending lesbian rights and safety somehow became an issue for the College of Physicians and Surgeons of Nova Scotia. It is unclear from your letter whether this is based on a complaint, or whether the College has taken it upon itself to police my opinions.

Since there is no reference to a formal complaint filed by anyone in particular, and since it is my understanding that anonymous complaints may not be filed, I can only assume that this investigation is taken on your own initiative. While I appreciate that this is permissible under the *Medical Act*, College investigations are supposed to address issues of incapacity, professional misconduct, conduct unbecoming, and incompetence (see section 30). Your letter does not indicate how my political opinions are connected with any of these concerns.

It is also my understanding that the College exists not to police my thoughts or political views, but to make sure I provide appropriate care to patients. Particularly given that my perspective on this subject is shared by a majority of people in Canada, as opposed to being a fringe or extremist view, I am frankly shocked to have to justify it. If my political views aligned precisely with your own, I assume I would not have been asked to explain them.

Let me first put my Facebook comment in the proper context. An article appeared in the British paper, *The Guardian*, on February 10, concerning a lesbian teenager in France

who had posted about her homosexuality on Instagram and was subjected to hateful remarks from a Muslim commenter, who called her a “dirty lesbian” and a “dirty whore”. In response, she impetuously recorded a rant about Islam, for which she received death threats, was forced out of school and accused of “blasphemy”. The article may be found here:

<https://www.theguardian.com/world/2020/feb/12/macron-wades-into-french-girls-anti-islam-row-saying-blasphemy-is-no-crime-mila>

Her behaviour was defended by the French president, Emmanuel Macron, who said that “blasphemy was no crime.” According to the article, this issue “sparked a furious public debate in France, a strictly secular republic with a large Muslim population.”

In some countries her statements would be illegal under blasphemy laws - Iran, Pakistan and others, but France has no such laws. In modern countries like Canada or France with human rights codes, individuals are free to practice their religion, but they are not free to threaten those who criticize their religion. In fact, freedom to practice their religion, freedom NOT to practice a religion, and freedom to criticize religion, are significant reasons why many people flee countries like Iran, Saudi Arabia and Pakistan to come to Canada (including some physicians in Nova Scotia with whom I work).

As President Macron said (and as I essentially said in my Facebook post), “The law is clear: we have the right to blaspheme, to criticise, to caricature religions. The republican order is not a moral order ... what is outlawed is to incite hatred and attack dignity.”

In Canada, we are (or at least *were*) free to criticize religious practices that we consider wrong. Some examples of practices that I (and many) would roundly criticize would be prohibitions against abortion, female genital mutilation, homophobia, or the restriction of women from positions of power. None of these is acceptable to me, and I believe it is important to speak out against them. Threatening a young girl's life because she is a lesbian and “committed blasphemy” is not only unacceptable to me personally, but also clearly against the law in Canada and other modern countries.

Since our legislature in Canada recently passed a non-binding motion (M-103) effectively condemning criticism of Islam, the point of my Facebook post was to suggest that the young woman would have been accused of Islamophobia if she did so in Canada.

I shared my own views, as shared by French President Macron: “No religion should be a ‘sacred cow’ singled out for protection. We already had freedom of religion long before M-103 made being a Muslim somehow more special and worthy of protection. All people should be free to practice their religion, but not all religious practices are worthy of

respect, and some are worthy of criticism and even derision and ridicule. Even if that hurts some people's feelings."

That, I would submit to you, is a rational, widely held view in this country. In fact, an opinion piece in the *Montreal Gazette*, written by a Montreal doctor who hails from the Middle East, said much the same thing:

<https://montrealgazette.com/opinion/columnists/opinion-canadians-should-oppose-the-anti-islamophobia-motion-m-103>

With respect, and without knowing your own political views Dr. McAdoo, I can only assume your concern is that adherents to Islam with extreme anti-LGBT views might be offended by my post. Or, perhaps it might be Liberal party voters who supported M-103 who might be offended. Maybe you are concerned that I have offended those who have a different view on the balance between the rights of lesbians to safety versus the rights of fundamentalist Muslims not to be criticized. As you have not made it clear, I can only speculate as to what you may have found sufficiently concerning that I needed to justify my opinions to my professional regulator.

If the College chooses to investigate this matter further, please note:

- i) I have retained legal counsel from the Justice Centre for Constitutional Freedoms to ensure that my fundamental freedoms of thought, belief, opinion and expression, guaranteed to me and all Canadians under section 2 of the *Canadian Charter of Rights and Freedoms* are protected at all levels of the discipline process;
- ii) My counsel will be seeking to have the investigation made public, given that there is no patient confidentiality concern involved;
- iii) My counsel has prepared submissions (enclosed) on the main complaint to the College, detailing the law on freedom of expression and the bounds of professional discipline by a regulator, which are relevant to this matter as well;
- iv) Yasmine Mohammed, the author of "[Unveiled: How Western Liberals Empower Radical Islam](#)" has offered to provide me a letter of support;
- v) It is deeply offensive and unsettling to me that my professional regulator is moving in this Orwellian fashion toward policing the political views of physicians in this province;
- vi) As a highly conscientious and professional physician, having a disciplinary matter hanging over my head is highly stressful;

vii) As an emergency room physician who is facing the immediate prospect of an overburdened emergency department, threats to my own life and health and that of my co-workers, and the general stress of providing frontline health care during a severe pandemic that is shutting down the entire globe, this matter seems to be a most unreasonable distraction; and

viii) There is no objective of the College that would be served by further pursuing an investigation or disciplinary process against me.

For all of the foregoing reasons, it is my respectful submission that this matter should be withdrawn or dismissed, and no further action taken. I look forward to your prompt response.

Yours truly,

Dr. Christopher Milburn

cc. Lisa Bildy JD, Justice Centre for Constitutional Freedoms