

# **JAMES S.M. KITCHEN**

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October 17, 2023

*VIA EMAIL*

Shaun Hanna  
Board Member  
Southwest Saskatchewan Pride  
P.O. Box 4008  
RPO Plaza  
Swift Current, SK S9H 0T4  
Email: swiftcurrentpride@gmail.com

Dear Mr. Hanna,

**RE: Your Recent Defamatory Statements Regarding Dr. Anne Gillies**

I write as counsel for Dr. Ann Gillies, whom you have publicly defamed in your comments to the media.

On or around September 29, 2023 you commented to the Swift Current Online (article enclosed) that Dr. Gillies has been “denounced by both the courts and by the Psychological Association of Alberta as being an unaccredited, unlicensed individual spouting openly hostile, transphobic garbage”. These false comments are defamatory and therefore actionable at law.

You further commented publicly in the enclosed that Dr. Gillies’ purported “use of terms like “affirmation therapy” co-opt the language of legitimate transgender health care, aligning it instead with the tactics of conversion therapy. This kind of bait and switch represents a public safety concern”.

Dr. Gillies has not been “denounced” by the courts or the Psychological Association of Alberta. Such a statement is not a mere matter of fair, but wrong comment; it is demonstrably false, intended to harm Dr. Gillies’ reputation, and is therefore defamatory.

Further, Dr. Gillies is not an “unlicensed” professional—she is a retired counselor who holds a Ph.D. in counselling. To practice a regulated profession without the appropriate license from a regulatory body is unlawful in Canada. Doing so can result in court orders the person cease such practice on pain of jail time. Falsely accusing someone of committing unlawful acts is a classic example of a defamatory statement.

Further still, Dr. Gillies is not “transphobic” as she does not hate or fear individuals who identify as transgender. Your statement that Dr. Gillies utters “transphobic” content is perceived by reasonable

people to be an accusation that she hates individuals who identify as transgender, which is a false accusation that is harmful to Dr. Gillies' reputation and therefore also defamatory.

Lastly, your outrageous accusation that Dr. Gillies is somehow a "public safety concern" is also demonstrably false and clearly intended to harm Dr. Gillies's reputation.

Dr. Gillies insists you cease making any public statements identical to or substantiality similar to the above. In the event you fail to do so, she will consider further legal action without notice to you, including the filing of a Statement of Claim in the Court of King's Bench.

You say you "firmly believe in freedom of expression", but what you appear to act in accordance with is "free speech for me, but not for thee". Instead of attempting to silence Dr. Gillies by defaming her through false, *ad hominem* accusations of hate, Dr. Gillies suggests you exercise your free expression to oppose her *ideas*, instead of attacking her as a person. You may detest Dr. Gillies's ideas, but that does not entitle you to defame her character and to attempt to censor her by falsely claiming her expression is hate speech. If you truly cherished free expression, you would debate Dr. Gillies's ideas, not defame her or attempt to cancel her.

Regards,

A handwritten signature in black ink, appearing to be 'JK', with a long horizontal flourish extending to the right.

James S.M. Kitchen  
Barrister & Solicitor

JK/rd

Encl.