

**CANADIAN HUMAN RIGHTS TRIBUNAL TRIBUNAL CANADIEN DES DROITS DE  
LA PERSONNE**

**MICHELINE MONTREUIL**

**Complainant**

**- and -**

**CANADIAN HUMAN RIGHTS COMMISSION**

**Commission**

**- and -**

**CANADIAN FORCES**

**Respondent**

**RULING**

MEMBER: Pierre Deschamps 2007 CHRT 41  
2007/10/16

[1] The respondent is asking the Tribunal to recognize Dr. Christiane Dufour as an expert in psychology and sexology. The complainant objects to Dr. Dufour being qualified as such on the grounds that she does not have the required qualifications to be recognized as an expert in psychology and sexology. As for the Commission, it also objects to qualifying Dr. Dufour as an expert and contends that she should only be considered as a fact witness for her involvement in the complainant's assessment in May 2006.

[2] The Tribunal heard Dr. Dufour regarding her qualification as an expert. According to Dr. Dufour's testimony, she has a doctorate in psychology obtained in 2002 from the Université de Montréal and she is a member of the Ordre des psychologues du Québec. Dr. Dufour does not have any postdoctoral education, apart from attending a few scientific activities - a conference and a professional development course. She does not have any scientific publications to her credit in psychology or sexology, or any scientific presentations in these areas for scientific conferences. She does not have any professional affiliations other than her membership with the Ordre des psychologues du Québec.

[3] Indeed, Dr. Dufour is a clinical psychologist in private practice. She testified at the qualification proceeding that since 1998 she has seen a number of people for gender dysphoria disorders, first as a psychotherapist-sexologist, then as a psychologist-sexologist. She also testified that for over 10 years she has worked as a volunteer for a half-day every week at the Human Sexuality Clinic at the Montreal General Hospital, supervised by Dr. Pierre Assalian.

[4] According to Dr. Dufour, these consultations accounted for approximately 60% of her professional practice. On this point, Dr. Dufour states that she sees between 30 and 40 people with gender dysphoria disorders in group therapy every two weeks. These people come from the program implemented by the Montreal General Hospital's Human Sexuality Clinic, supervised by Dr. Pierre Assalian. Moreover, she says that every week she sees between 10 to 15 people with gender identity disorders. In the course of her practice, Dr. Dufour says she has seen between 400 and 500 persons with gender identity disorders.

[5] To be recognized as an expert, individuals must establish that they have a particular expertise in a given field. This expertise must be supported not only by a solid professional practice but also scientific knowledge establishing that the professional is capable of critical and reasoned thinking in regard to different points of view that may prevail in a given field.

[6] In this case, the Tribunal considers that Dr. Dufour's academic career and professional profile are inadequate for her to be recognized as an expert in the field of human sexuality or sexology, disciplines which indeed do not have specific professional training as there is no agency responsible for overseeing this professional field. However, the Tribunal does recognize that Dr. Dufour has extensive experience in treating individuals who are afflicted with gender dysphoria and who have sexual identity disorders. On this point, the Tribunal recognizes that Dr. Dufour has *specific knowledge* of the clientele that consults her regarding these disorders.

[7] It is the Tribunal's opinion that Dr. Dufour has the qualifications necessary to testify not only with respect to her assessment of the complainant in May 2006 but also to share her clinical experience with the Tribunal in the areas of gender dysphoria and sexual identity disorders and to comment on her assessment of the complainant in light of this experience. Dr. Dufour is not however authorized to give opinions on the subject or to comment on the literature on gender dysphoria, transsexualism, transgenderism, transvestism and other disorders relating to sexual identity.

[8] The Tribunal therefore recognizes Dr. Dufour as a psychologist-sexologist having *specific knowledge* from her practice with persons afflicted with gender dysphoria or with sexual identity disorders, such as transsexuals and transvestites, and authorizes her to offer testimony not only about her involvement in the complainant's case but also about her own experience in treating people who consult her for sexual identity or gender dysphoria disorders. However, she cannot offer opinions in regard to the scientific literature and scientific hypotheses relating to gender dysphoria or sexual identity disorders, because the Tribunal does not recognize her as an expert.

Pierre Deschamps

OTTAWA, Ontario  
October 16, 2007

#### PARTIES OF RECORD

TRIBUNAL FILE:	T1047/2805
STYLE OF CAUSE:	Micheline Montreuil v. Canadian Forces
RULING OF THE TRIBUNAL DATED:	October 16, 2007

APPEARANCES:	
Micheline Montreuil	For herself
Ikram Warsame	For the Canadian Human Rights Commission
Guy Lamb / Claude Morissette	For the Respondent