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April 4, 2008

Ms. Valerie Smith
P.O. Box 90598
Markham Eglinton Post Office
Toronto, Ontario
M1J 3N7

Dear Ms. Smith:

Thanks for your letter of March 6th. I will forward your letter to the Museum developers for their files, as this is a topic which might be researched as part of the content of the Canadian Museum for Human Rights. I applaud your efforts to advance the rights of women, obviously, and thank you for bringing these issues to my attention.

Yours very truly,

Gail Asper, O.M.
Campaign Chair
The Canadian Museum for Human Rights
GSA/sc

Copy: Friends of the Canadian Museum for Human Rights, Regional Offices
Fred de Koning, President, Friends of the Canadian Museum for Human Rights
Beth Atcheson, Chair, Women's Legal Education and Action Fund
Stephen Burri, Past President, Egale
Professor Kathleen Mahoney, Faculty of Law, University of Calgary
Professor Constance Backhouse, University of Ottawa
David Matas

March 6, 2008

Ms Gail Asper
Campaign Chair
Canadian Museum for Human Rights
1504 Canwest Global Place
201 Portage Avenue
Winnipeg, Manitoba R3B 3K6

Dear Ms Asper:

Re: Lack of protection for women/girls under *Criminal Code* hate propaganda law

Thank you for your prompt response to my letter of January 7. I am encouraged by your promise to look into the issue, and believe that this situation falls within the CMHR mission “to advance understanding and support for human rights in Canada and throughout the world”. Women and girls in this country are being denied a very basic human right, the right to be protected from hate propaganda, and support from the Museum could turn the tide.

This week, the Ontario Public School Boards’ Association (OPSBA) Violence in the Media Coalition released an open letter addressed to the leaders of the four major political parties criticizing their inaction in amending the *Criminal Code* hate propaganda law to extend protection to girls and women. The Media Coalition includes the following groups:

- Canadian Centre for Abuse Awareness
- Elementary Teachers' Federation of Ontario
- Ontario Catholic School Trustees' Association
- Ontario English Catholic Teachers' Association
- Ontario Federation of Home & School Associations
- Ontario Principals' Council
- Ontario Secondary School Teachers' Federation
- Ontario Student Trustees' Association
- Ontario Teachers' Federation

I enclose the letter along with coverage from the Toronto Star, and a follow up news release issued by the Elementary Teachers’ Federation of Ontario (ETFO). The ETFO headline minces no words – ***Criminal Code Omission Endangers Girls and Women*** – and is entirely accurate. Enclosed, as well, is a Hansard transcript from March 5 indicating the defeat, once again, of Private Member’s Bill C-254, a Bill which seeks to change the hate propaganda law to extend protection to girls and women. Jay Hill, Conservative Party Whip, was one of the MPs who voted against it, as he did previously on April 19, 2007. Few people would consider this an appropriate way for the federal government to mark International Women’s Day.

With regard to your comment that you thought there were sufficient laws in place to protect women, I enclose a decision issued by the Ontario Human Rights Commission in which they refuse to take action against HMV Canada Inc. for selling hate rap music. In their decision, the Commission describes the material in question as “misogynist”, but actually commends HMV for displaying it in a tasteful manner, and notes that the “misogynist material bears warning labels”.

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Ms Gail Asper
March 6, 2008

As you know, Ms Asper, we do not "label" hate material in this country, we generally take action to suppress it unless, of course, it targets women, in which case it is allowed to circulate freely, poisoning society and promoting violence and discrimination against half the Canadian population.

The complaint against HMV was filed by me, with legal assistance provided pro bono by Watson Labour Lawyers, a small law firm with a big heart. Their responses to the OHRC were brilliant and I would encourage you to read them on my web site in the Hate Propaganda section at www.thefreeradical.ca.

In Ontario, which is home to one-third the population of Canada, women have no protection under the human rights legislation from the widespread dissemination of hate material. If a company poisons a woman's immediate environment, the OHRC will act. However, if a company poisons society at large, the OHRC feels it has no jurisdiction, and with no protection under the *Criminal Code*, we are sitting ducks.

Sincerely,

A handwritten signature in black ink, appearing to read 'Valerie Smith', with a stylized flourish at the end.

Valerie Smith

cc Friends of the Canadian Museum for Human Rights, Regional Offices
Fred de Koning, President, Friends of the Canadian Museum for Human Rights
Beth Atcheson, Chair, Women's Legal Education and Action Fund
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