

March 7, 2008

Ms Johanne Senécal, Chief of Staff
Ms Katie Telford, Deputy Chief of Staff
Ms Paddy Torsney, Deputy Principal Secretary
Ms Leslie Swartman, Communications Director
Ms Dahlia Stein, Senior Policy Advisor
Office of the Leader of the Official Opposition
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms Senécal, Ms Telford, Ms Torsney, Ms Swartman and Ms Stein:

Re: Refusal by politicians to include women/girls under *Criminal Code* hate propaganda law

I have been working with Borys Wrzesnewskij for the past year trying to get his Private Member's Bill C-254 passed. This Bill would extend the protection of the *Criminal Code* hate propaganda law to include women and girls. Changing this law is fundamental to the human rights and safety of the female half of the population, and, for that reason, I have spent over 16 years lobbying to have the law amended. You can find more information about this issue on my web site, www.thefreeradical.ca, in the Hate Propaganda section.

While Mr. Wrzesnewskij's commitment and perseverance have impressed me, I have been greatly disappointed by Mr. Dion's failure to make this issue a Liberal priority. I have yet to hear him make even one public statement in support of Bill C-254, although *six of his MPs* appeared at a press conference on Parliament Hill last April, along with Shannon Hogan and David Clegg from the Ontario Public School Boards' Association (OPSBA) Violence in the Media Coalition, and Joy Lang from the University of Western Ontario's Centre for Research on Violence Against Women and Children. Mr. Dion's lack of action on this critical issue stands in sharp contrast to his frequent, public statements alleging his commitment to women's equality.

I am therefore writing to all of you to request that you use your considerable influence to impress upon Mr. Dion the importance of both speaking out on this issue and aggressively pursuing legislation to remedy this harmful, not to mention, unconstitutional, injustice.

This week, the 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 protect girls and women. The Coalition includes the following groups:

- Canadian Centre for Abuse Awareness
- Elementary Teachers' Federation of Ontario
- Ontario Public School Boards' Association
- 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

Continued ...2

I enclose their 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. It is completely inexcusable that politicians have allowed this situation to continue for so long.

Enclosed, as well, is a Hansard transcript from March 5 indicating the defeat, once again, of Bill C-254. Mr. Wrzesnewskyj is doing everything he can to see this law changed. It is now time for Mr. Dion to step up to the plate and make this a *Liberal party priority*.

There are a number of actions the Liberals can take to promote this legislative change:

1. Include amending the law in Liberal party policy. Last April, the OPSBA Violence in the Media Coalition met with Martha Hall Findlay in her capacity as chair of Liberal policy outreach and updated her on the situation.
2. Request that the Standing Committee on Justice and Human Rights initiate a study of the *Criminal Code* hate propaganda laws to determine why only select "identified groups" are offered protection, since this is in blatant contravention of Section 15 of the *Charter*
3. Request that the Standing Committee on the Status of Women call the Justice Minister and Minister of Public Safety to appear before the Committee to explain why the Conservatives keep blocking efforts to have Bill C-254 passed since, as ETFO quite correctly states, this ***Criminal Code omission endangers girls and women***.
4. Use a Liberal Opposition Day to move this legislation forward

Those are a few suggestions from an ordinary citizen -- I'm sure policy advisors can come up with a few more. As one MP told me some time ago, "If the Liberals want this to happen, it will happen." So far it hasn't, and this voter is more than disappointed.

Sincerely,



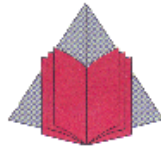
Valerie Smith

CC: Canadian Centre for Abuse Awareness
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University of Western Ontario, Centre for Research on Violence Against Women and Children

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News Release



Communiqué

March 4, 2008

FOR IMMEDIATE RELEASE

Open Letter to the Rt. Hon. Stephen Harper, Stéphane Dion, Jack Layton and Gilles Duceppe

Toronto, March 4, 2008 -

Gentlemen:

As your parties examine policy positions and determine platforms in anticipation of the next Federal election, we urge you to address a vital public safety issue affecting half the population of Canada that can no longer be ignored. We are referring to the omission in the Criminal Code provisions on Public Incitement of Hatred that result in the complete exclusion of girls and women as a group entitled to protection from such crimes. This puts the Criminal Code at odds with Section 15 of the Charter of Rights and Freedoms which specifically mandates that equal access to the protection of Canadian laws be granted to girls and women. Currently, the Criminal Code provisions on Public Incitement of Hatred only protect those identified by colour, race, religion, ethnic origin and sexual orientation.

Public incitement of hatred is prohibited in the Criminal Code because it is an acknowledged contributing factor in encouraging violence and discrimination against a target group. Omitting girls and women from the list compromises their safety. There is no justification for it. It is a stark piece of "unfinished business" and one has to seriously wonder why it is taking so long to deal with it. Despite our longstanding advocacy in this area we have yet to hear a rationale, plausible or otherwise, from any political party for the reluctance to take action.

In his book *Race Against Time*, Canadian humanitarian Stephen Lewis wrote, "I would argue that this is what always happens where the rights and needs of women are concerned: an inexplicable willingness to let things slide, an inescapable drift to inertia."

Will Canada continue to let this slide? The next Federal government has a unique opportunity to right an egregious wrong. Making this change to the Criminal Code sends a strong message that we as a society will no longer tolerate this failure to protect half of our citizens.

As a cross-sectoral coalition of organizations concerned with media violence including the mistreatment of girls and women in the guise of "entertainment," we urge you to make a public commitment to amend the Criminal Code so that women and girls, as a group, are included in the provisions dealing with public incitement of hatred.

We request a written response from each party leader outlining what action they will take on

this issue if they form the next government of Canada.

We have identified our member groups below as well as groups that are on record as advocates for this legislative change.

Respectfully submitted

Violence in the Media Coalition

Members of the Violence in the Media Coalition:

- 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 Public School Boards' Association
- Ontario Secondary School Teachers' Federation
- Ontario Student Trustees' Association
- Ontario Teachers' Federation

Adding women to the Public Incitement of Hatred provisions of the Criminal Code has been recommended and/or supported by:

- Polish Canadian Women's Federation (2007)
- Canadian Teachers' Federation (2007)
- Ontario Federation of Labour (2007)
- Liberal MPs Yasmin Ratansi, Don Valley East (Ontario), Chair, Status of Women Committee, Judy Sgro, York West (Ontario), Past Chair, Status of Women Committee, Sue Barnes, London West (Ontario), Past Critic Public Safety, Sukh Dhaliwal, Newton-North Delta (BC), Lloyd St. Amand, Brant (Ontario), Omar Alghabra, Mississauga-Erindale (Ontario), Critic for Citizenship and Immigration (2007)
- Bloc MP Nicole Demers, Laval (Quebec) (2007)
- Liberal MP Borys Wrzesnewskyj, Etobicoke Centre (Ontario), introduced Private Member's Bill C-254 (2006, 2007)
- James Flaherty, Progressive Conservative, Attorney General of Ontario (2000)
- Michael Bryant, MPP, Ontario Liberal Party Attorney General Critic (2000)
- Senior Legal Counsel, B'nai Brith League for Human Rights (1994)
- Raymond Hnatyshyn, Minister of Justice (1987)
- Law Reform Commission of Canada (1986)
- Canadian Advisory Council on the Status of Women (1985)
- Special Committee on Pornography and Prostitution (1985)
- National Action Committee on the Status of Women (1983)

- 30 -

For more information, please contact:

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HATE LAWS

Protection for females demanded

Mar 05, 2008 04:30 AM

KRISTIN RUSHOWY
 EDUCATION REPORTER

A coalition of students, academics and educators is appealing to federal politicians to change the Criminal Code so females are protected under hate laws.

In an open letter to Prime Minister Stephen Harper and opposition party leaders Stéphane Dion, Jack Layton and Gilles Duceppe released yesterday, the Violence in the Media Coalition urges them to "address a vital public safety issue affecting half of the population of Canada that can no longer be ignored."

Currently, the hate law covers individuals by colour, race, religion, ethnicity and sexual orientation.

"Omitting girls and women from the list compromises their safety," the letter says. "There is no justification for it. It is a stark piece of unfinished business' and one has to seriously wonder why it is taking so long to deal with it."

Peter Jaffe, of the University of Western Ontario and the group's spokesperson, said the coalition has been trying, unsuccessfully, to get politicians' attention.

"We wrote the open letter to the federal leaders hoping that they'd work together on this."

Jaffe said two recent reports on the sexual harassment and assaults that young females encounter in Ontario's high schools is a sign of the negative impact hateful images can have in the media.

"Whether you are looking at video games or music videos or if you look at pornography ... there are more violent images" and you begin to think these are acceptable ways to treat women, he said.

In 2007, the coalition – which includes the province's elementary and secondary teacher unions, both public and Catholic, student trustees, school boards and the Canadian Centre for Abuse Awareness – held a news conference to say children are being exposed to too much violence and to ask for limits on violent programming on television after 9 p.m., among other things.

The group says current federal Finance Minister Jim Flaherty, as Ontario's attorney general, supported adding women to the Public Incitement of Hatred provisions.

Ontario Education Minister Kathleen Wynne has asked a group of experts to study ways to prevent sexual harassment, gender-based violence and homophobia in schools. The Centre for Addiction and Mental Health reports one-third of female high school students it polled were victims of unwanted sexual touching at school.

Saturday is International Women's Day.

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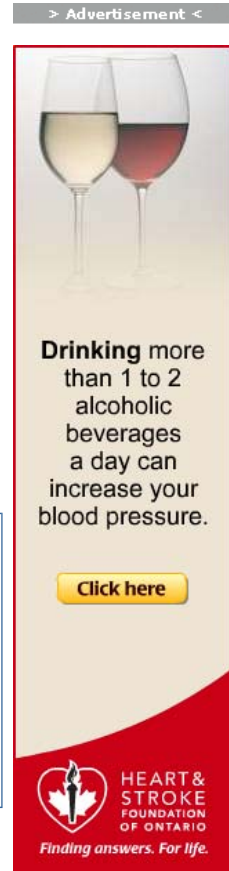
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Attention News Editors:

Criminal Code Omission Endangers Girls and Women

TORONTO, March 6 /CNW/ - On March 8 during International Women's Day Canadian women will be among those who will be demanding that their governments act to protect them against hatred and violence.

"It is a national scandal that the safety of Canadian girls and women continues to be compromised by Canada's Criminal Code," said David Clegg, President, Elementary Teachers' Federation of Ontario.

Clegg is referring to an omission in the Criminal Code provisions on Public Incitement of Hatred that results in the complete exclusion of girls and women as a group entitled to protection from such crimes.

The omission puts the Criminal Code at odds with Section 15 of the Charter of Rights and Freedoms which specifically mandates that equal access to the protection of Canadian laws be granted to girls and women. Currently, the Criminal Code provisions on Public Incitement of Hatred only protect those identified by colour, race, religion, ethnic origin, and sexual orientation.

Clegg pointed out that public incitement of hatred is prohibited in the Criminal Code because it is an acknowledged contributing factor in encouraging violence and discrimination against a target group. Omitting girls and women from the list compromises their safety, he said.

"During its appearance before the United Nations Commission on the Status of Women last month, the Canadian government indicated it is taking a 'more focused approach' to achieving equality between women and men with the goal of 'achieving real and measurable results'. These will continue to ring as hollow words until Canada acts to revise the Criminal Code so it affords Canadian girls and women the protection they deserve," Clegg said.

The Elementary Teachers' Federation of Ontario represents 73,000 elementary public school teachers and education workers across the province and is the largest teacher federation in Canada.

For further information: David Clegg, President, ETFO, (416) 962-3836 (Office); (416) 948-1592 (Cell); Larry Skory, ETFO Communications, (416) 962-3836 (Office); (416) 948-0195 (Cell)

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO - More on this organization

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39th PARLIAMENT, 2nd SESSION
EDITED HANSARD NUMBER 060
HOUSE OF COMMONS

Wednesday, March 5, 2008

Mr. Borys Wrzesnewskyj (Liberal, Etobicoke Centre):

Mr. Speaker, discussions have taken place among all parties with respect to Bill C-254, An Act to amend the Criminal Code (hate propaganda), first introduced during the 38th Parliament and reintroduced May 24, 2007.

This bill at long last includes the legal word for "gender" in the categories protected from hate crimes.

On the cusp of International Women's Day, I hope to find consent for the following motion: that notwithstanding any Standing Order or usual practice of the House, Bill C-254, An Act to amend the Criminal Code (hate propaganda), be deemed read a second time and referred to committee of the whole, deemed considered in committee of the whole, deemed reported without amendment, deemed concurred in at report stage, and deemed read a third time and passed.

The Speaker:

Does the hon. member for Etobicoke Centre have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.