



**NEWS RELEASE**

## **MPs LEAVE GIRLS/WOMEN OUT OF NEW HATE CRIMES BILL C-384 - MISCHIEF AGAINST EDUCATIONAL OR OTHER INSTITUTIONS**

*"It might be appropriate to amend the proposed legislation so as to include hate targeting linguistic minority communities."* – Liberal MP Marlene Jennings, House of Commons, April 16, 2008

Toronto, Ontario, April 26, 2008: Bloc MP Carole Freeman introduced a Private Member's Bill (C-384) to address hate-motivated acts of vandalism ("mischief") that target certain identifiable groups at institutions such as schools, daycare centres, colleges, universities, community centres, playgrounds and sports centres. Misogynist acts of vandalism carried out against a girls' school or university women's centre, however, would not be covered under this bill because it protects only those groups identified by "colour, race, religion, ethnic origin and sexual orientation".

This is the limited list of identifiable groups found in Section 318 of the *Criminal Code* dealing with hate propaganda. Because "sex" is not included in the list, girls and women are not protected under that law either. For some reason, Ms Freeman chose to use the Section 318 list, rather than the more inclusive definition found in *Criminal Code* Section 718.2. In 1996, this law was amended to allow courts to increase a sentence where an offence was motivated by bias, prejudice or hate based on "race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor".

There is no legal reason for Ms Freeman to use the limited list of identified groups found in Section 318. In fact, such discrimination in the application of laws contravenes the *Charter of Rights and Freedoms*. Section 15 of the *Charter* guarantees everyone the right to the "equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

Speaking in support of Bill C-384 during second reading debate in the House of Commons on April 16, Liberal MP Marlene Jennings pointed out that young people are the main targets of hate crimes, with those between the ages of 15 and 24 experiencing the most hate crimes. She called racist, xenophobic and homophobic acts of vandalism "traumatic assaults not only on the victims of crime, but on society at large". She did not, however, express any concern for the girls and young women who attend schools and universities and would not be covered under this bill, nor did she suggest adding "sex" to the protected groups, although she did propose adding "linguistic minorities". This lack of concern for the rights and safety of girls and women directly contradicts Liberal Leader Stéphane Dion's presentation of the Liberals as a party that fights for women's equality rights.

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Ms Jennings's attitude is even more disappointing given that one of her colleagues, Liberal MP Borys Wrzesnewskyj, lobbies non stop on Bill C-254, his Private Member's Bill that would add "sex" to Section 318 of the *Criminal Code*, so that girls and women have the legal protection from hate propaganda to which we are constitutionally entitled.

For the past year, Mr. Wrzesnewskyj's efforts have been endorsed and complemented by Ontario's Violence in the Media Coalition, a group primarily comprised of teacher organizations and school trustees. In spite of their lobbying efforts, which include an open letter written to the four federal leaders just last month, new hate-crimes legislation dealing with educational institutions continues this blatant discrimination against the female half of the population. This sends a very clear message to girls and young women attending schools, universities and colleges, that their safety and human rights are not important to the people who write the laws of this country.

If Bill C-394 is passed by the House of Commons and sent to committee hearings, it can and should, be amended at that time to adopt the equality-based list of identified groups found in Section 718.2 of the *Criminal Code*, so that it more fully conforms to the Section 15 *Charter* guarantee of equality for all. People who care about the safety and human rights of the female half of the population may wish to contact federal politicians, urging them to make this change.

For further information, contact Valerie Smith [valsmith@thefreeradical.ca](mailto:valsmith@thefreeradical.ca), cell (647) 267-1783

**About The Free Radical** ([www.thefreeradical.ca](http://www.thefreeradical.ca)): The Free Radical web site is maintained by Toronto anti-violence activist Valerie Smith to provide information on media violence and strategies for combating it. Smith has lobbied on media violence issues for the past seventeen years, with a particular focus on the mistreatment of women and girls in popular culture. She is the author of the *Action Agenda: A Strategic Blueprint for Reducing Exposure to Media Violence in Canada*, funded and published by Ontario's Office for Victims of Crime, an agency of the Ministry of the Attorney General. The report is available for free download from The Free Radical web site.

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## BACKGROUND

For more information on the exclusion of girls and women from hate crimes legislation (including Bill C-384), visit the Hate Propaganda and Bill C-254 sections on The Free Radical web site at [www.thefreeradical.ca](http://www.thefreeradical.ca).

Free Radical federal election fact sheet:  
[http://www.thefreeradical.ca/Election\\_fact\\_sheet\\_March\\_2008a.pdf](http://www.thefreeradical.ca/Election_fact_sheet_March_2008a.pdf)

Links below provide additional information on the Violence in the Media Coalition's efforts to convince the federal government to amend *Criminal Code* Section 318 to include girls and women in the public incitement of hatred laws.

March 6, 2008 news release:

### **Criminal Code omission endangers girls and women**

Elementary Teachers' Federation of Ontario (ETFO)

<http://www.etfo.ca/MediaRoom/MediaReleases/Pages/Criminal%20Code%20Omission%20Endangers%20Girls%20and%20Women.aspx>

March 4, 2008

**Open letter to The Right Hon. Stephen Harper, Stephane Dion, Jack Layton and Gilles Duceppe**

Violence in the Media Coalition

<http://www.opsba.org/pubs/nrel/2008/2008-03-04.html>

May 2, 2007 news release:

**Amended Criminal Code could address violence against women**

Ontario English Catholic Teachers' Association (OECTA)

<http://www.oecta.on.ca/news/nr2007/nr070502.htm>

April 16, 2007 news release:

**Protect girls and women from hate propaganda – media violence coalition calls for all party support**

Violence in the Media Coalition

<http://www.newswire.ca/en/releases/archive/April2007/16/c5584.html>

April 16, 2007 letter to all federal MPs:

**Your vote on Bill C-254 – protection for women**

Violence in the Media Coalition

[http://www.opsba.org/pubs/Position\\_Papers/Federal%20issues\\_billc\\_54\\_letter.pdf](http://www.opsba.org/pubs/Position_Papers/Federal%20issues_billc_54_letter.pdf)

January 17, 2007 news release:

**Media violence – not a pretty picture**

Violence in the Media Coalition

<http://www.newswire.ca/en/releases/archive/January2007/17/c6679.html>