



Submission to the Standing Committee on the Status of Women
Regarding Study of Hate Motivated Violence Targeting the
2SLGBTQI+ Community

Canadian Civil Liberties Association

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CCLA's office is located on the traditional territories of many Indigenous nations including the Haudenosaunee Confederacy, the Huron-Wendat and Petun Nations and the current treaty holders the Mississaugas of the Credit.

Canadian Civil Liberties Association (CCLA)

The Canadian Civil Liberties Association (CCLA) is a national, non-profit, non-partisan and non-governmental organization. As a public interest organization that promotes the rights and freedoms of all peoples in Canada, we make these submissions to this Committee to express our condemnation of hate-motivated violence which targets the 2SLGBTQIA+ community.

Hate Motivated Violence Targeting the 2SLGBTQIA+ Community

Hate directed towards the 2SLGBTQIA+ community, in particular, transphobia, is rooted in a long history of marginalization, oppression, mis- and disinformation. Trans and gender diverse individuals face significant challenges, including discrimination, lack of access to health care, and denial of basic civil rights. Compounding this, trans individuals, and in particular trans women, face disproportionate rates of violence and poor social outcomes compared to their cisgender counterparts.¹

There is a concerted, organized and well-funded movement to dismantle existing protections for trans and gender diverse individuals which has exacerbated the challenges already faced by the community. This movement perpetuates and spreads disinformation about trans and gender diverse people which preys on misinformed fears some people may harbour as a result of inaccurate prejudice and stereotyping. This fosters hate towards a marginalized and vulnerable group of people seen as “other”, and in extreme cases, this hate may manifest in the form of violence. In 2023, Statistics Canada reported that in the past seven years, police-reported hate crimes motivated by 2SLGBTQIA+ status increased by 388%, and 69% from just the previous year.²

Recently, New Brunswick, Saskatchewan and Alberta have introduced law and policies to prevent gender diverse youth from making critical decisions about their own health, bodies, identities, and participation in areas of public life. The *Charter* guarantees every person in Canada the freedom to make choices about these core fundamental areas, and does not allow any government the ability to unreasonably restrict those choices on behalf of gender diverse youth and their families. Despite these constitutional guarantees, Canada has recently witnessed Alberta pass laws that deny gender diverse young people or their families the opportunity to provide informed consent to medically recommended treatments. Saskatchewan has invoked the Notwithstanding Clause to deny trans and gender diverse youth the ability to be recognized by their chosen name, pronouns, and gender identity. In doing so, governments are interfering with parent-child and doctor-patient relationships based on misconceptions and false information not grounded in expert evidence.

In promoting and defending the rights of all of us in Canada, CCLA aims to fight against the erosion of trans rights and freedoms so that these individuals can live authentically and with dignity. We urge Members of this Standing Committee to use this opportunity as a catalyst for meaningful and effective change. To create a more inclusive society is to protect trans individuals from hate-motivated violence.

¹ Statistics Canada, “Experiences of violent victimization and unwanted sexual behaviours among gay, lesbian, bisexual and other sexual minority people, and the transgender population, in Canada, 2018” (9 September 2020), online: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00009-eng.htm>

² Statistics Canada, “Police-reported crime statistics in Canada, 2023” (25 July 2024), online: <https://www150.statcan.gc.ca/n1/daily-quotidien/240725/dq240725b-eng.htm>

Our recommendations for combatting hate-motivated violence which targets the 2SLGBTQIA+ community include the following:

Recommendation 1: The Government of Canada should create opportunities and spaces for education to combat the spread of disinformation

The largest threat to mitigating hate targeting 2SLGBTQIA+ communities is misinformation and disinformation. Combating misinformation and disinformation requires concrete educational opportunities and strategy from all levels of government.

As part of an adequate education plan, the Government of Canada should include:

- Collaborating with experts in trans and gender diverse communities to create accurate educational materials and opportunities which debunk common myths and misconceptions about trans individuals.
- Creating educational resources on gender diversity aimed at parents of school-aged children.
- Ensuring that educational materials and resources take into account the multi-faceted identities of trans and gender diverse people including Indigeneity, race, disability, and other intersecting identities.
- Providing newcomers to Canada with educational opportunities, taught and led by peers, which debunk misinformation about trans and gender diverse individuals.
- Translating resources into multiple languages to reach diverse communities.
- Partnering with local organizations, faith-based communities, and cultural institutions to host inclusive events, led by appropriate peers, that promote understanding and acceptance about trans inclusion.

Recommendation 2: The Government of Canada must ensure federal government policy and legislation regarding trans and gender diverse individuals is based on expert evidence that includes the lived experiences of trans and gender diverse people and is established in consultation and co-creation with trans and gender diverse people.

It is crucial that policy and legislation directly impacting the lives of the trans and gender diverse community is based on research, expert evidence and lived experiences of trans and gender diverse people. Moreover, the underlying research and evidence relied on should be made transparent. For example, any government policy or legislation that impacts trans healthcare should accord with the World Professional Association for Transgender Health (WPATH) Standards of Care.

Consultation with trans organizations, individuals, and communities should also be undertaken prior to passing policy or legislation directly impacting the lives of transgender and gender diverse individuals.

We look forward to the concrete recommendations from this Standing Committee's study to (1) target hate-motivated violence disproportionately impacting the 2SLGBTQIA+ community, and in particular, trans youth; and (2) ensure government policy and legislation respect the robust protections that our Canadian *Charter of Rights and Freedoms* already affords the 2SLGBTQIA+ community.