

# What's with 'hate speech' laws?



*This Bill has the potential to change our daily lives in a fundamental way.*

In June 2021, the Liberal government introduced a 'hate speech' bill. Why do we care? This bill seeks to modify the Human Rights Act and Criminal Code in a way that may seriously affect what we can say to our children, neighbours, and others within our community and even how we worship in our churches.



## Changes to the Human Rights Act

The government proposes to add Section 13 (1) back to the Human Rights Act:

*"It is a discriminatory practice to communicate or cause to be communicated hate speech by means of the Internet or other means of telecommunication in a context in which the hate speech is likely to foment detestation or vilification of an individual or group of individuals on the basis of a prohibited ground of discrimination."*

So, what constitutes a ground of discrimination?

*"An offence motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression, or any other similar factor."*



## Does this expand Canada's Human Rights Tribunals?

Anyone can submit an anonymous 'hate speech' complaint to the tribunal.

If the complaint is upheld, the tribunal can order the defendant to cease the practice and take measures to redress it or to prevent it from recurring.

The tribunal can order the defendant to compensate the anonymous victim of up to \$20,000 for any pain and suffering.



## Changes to the Criminal Code

The proposed amendments allow for a 'peace bond', similar to a restraining order, for "anticipated" hate speech. Anyone can submit evidence if they fear that a person *might* commit a 'hate speech' offence in the future. If the court agrees, the defendant will be subject to a period of 'recognizance' or 'peace and good behaviour' for up to a year.

### What does this period of 'good behaviour' look like for the defendant?

- > May be required to wear an electric monitoring device
- > May be subject to a curfew or be required to remain at home
- > May be required to participate in a treatment program

## Why should we be concerned?



- > Discrimination and racism are wrong. But the proposed 'hate speech' legislation gives too much power and room for subjective interpretation to the Human Rights Tribunals, which have been criticized for bias against conservatives, free speech advocates, and Canadians with strong faith convictions.
- > What will a hate speech ban mean for religious communities if sincerely held beliefs or religious teachings are identified as a form of hate speech? For example, the exclusivity of Jesus' statement in John 14:6. 'Jesus said to him, "I am the way, and the truth, and the life. No one comes to the Father except through me."'
- > With hate speech laws, governments are going to have to investigate the 'why' behind what Canadian individuals, churches, organizations etc. post online. Investigation will have to delve into the thinking and thought process behind posting. Was the hate crime intentional, accidental or simple ignorance?

## Questions to ask:



- #1 How will you defend free speech when sweeping 'hate speech' legislation makes Canadians apprehensive about speaking freely - even on social media?
- #2 Voltaire is quoted as saying, "I disapprove of what you say, but I will defend to the death your right to say it." Do you agree with this statement?
- #3 How will you defend the right of minority religious groups to communicate their sincerely held beliefs and traditions?

For more information on this issue, check out ARPA Canada's article on hate speech laws! [ARPACANADA.ca/news](https://arpacanada.ca/news)



info@arpacanada.ca | 1866.691.2772  
130 Albert Street, Suite 1705,  
Ottawa Ontario K1P 5G4

Follow us on:



To learn more please visit:  
[ARPACANADA.ca](https://arpacanada.ca)