

# Transphobic Hate Incident

## What is Transphobia?

Transphobia encompasses a range of negative attitudes, feelings, or actions towards people who are transgender, identify as non-binary or express as gender diverse. Transphobia can include fear, aversion, hatred, anger and even violence, which is then directed towards people. Gender and sexuality are often mistaken as the same thing, so transphobia is often expressed alongside homophobic views.

## What is a Transphobic hate incident?

Any noncriminal act motivated in whole or in part by prejudice, bias, or hate towards a specific person or identifiable group of persons due to their gender identity and/or gender expression.

Something is a transphobic hate incident when it is carried out because of hostility or a negative opinion towards Transgender, Non-Binary individuals, or anyone who expresses, or identifies themselves differently than expected gender expression. Many people still confuse gender and sexuality and so transphobia can also be expressed towards members or perceived members of the LGBTQ +2s community. A hate incident can involve derogatory language, symbols or actions that affect the sense of safety of the person or group of persons.

## What can be considered a Transgender Hate Incident?

Specifically targeting Transgender people for using the washroom of their gender identity, is an expression of bias and can, therefore, be considered a hate incident.

### Examples

- Family purposely misgenders them, even though it's been three years, makes them feel they can't pass.
- Being subjected to lewd sexual comments and innuendos.
- Being subjected to weird looks and glared at when in public spaces or attempting to use a restroom.



## What is a Transphobic Hate Crime?

A criminal offence motivated in whole or in part by prejudice, bias, or hate towards a specific person, identifiable group of persons or property due to their gender identity and/or gender expression.

When a transphobic hate incident becomes a criminal offence, it's known as a hate crime. Any criminal offence can be a hate crime if the offender targeted the person because of their resentment or a negative opinion for the characteristics of a person given by their gender identity and/or gender expression.



### Example

- A transgender person is attacked and beaten up when they use a washroom that aligns with their gender identity.
- Using social media to harass a transgender individual to the point of encouraging them to take their own life.
- A group of people see a transgender person going into the restroom and so they push that person and call them a slur. They run away laughing and continue to shout slurs at them.





# The Law

According to the Criminal Code of Canada subsection 718.2(a)(i), a sentence should be increased to account for aggravating circumstances such as evidence that the offence was motivated by bias, prejudice or hate.

Other sections of the Canadian criminal code specifically deal with hate crime. S.318, s.319, s. 430.



## Report it!

If you or someone else is in immediate danger call 911.

If you are targeted as a Transgendered or Transsexual person with a hate incident/crime or suspect someone is, contact law enforcement:

<b>Calgary</b>	Calgary Police Service	403-266-1234
<b>Edmonton</b>	Edmonton Police Service	780-423-4567
<b>Lethbridge</b>	Lethbridge Police Service	403-328-4444
<b>Wood Buffalo</b>	RCMP	780-788-4040

If you are not ready to report to the police, call the number below to receive support, information and report the incident:

### In Calgary:

Skipping Stone Foundation  
108 13 Ave NE #201,  
Calgary, AB T2E 2R9  
Phone: 587-333-4342

### In Wood Buffalo:

RMWB Pulse Line:  
780-743-7000

### In Edmonton:

Pride Centre of Edmonton.  
Pridecentreofedmonton.ca  
780- 488 – 3234  
Or Raricanow 587-778-6178  
(Safe space for LGBTQ+  
refugees and newcomers)  
raricanow.org

### In Lethbridge:

If your organisation or community group would like to be part of the support networks, check the CCE website (below) for more information

### Provincial:

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## Want to file a human rights complaint?

If a hate incident or discrimination is committed by a co-worker, employer, prospective employer (i.e., during applying for employment), service provider, landlord, or involves the public display of materials, you may be able to make a human rights complaint.

**For information contact the Alberta Human Rights Commission:**

**Confidential inquiry: (780) 427 – 7661 [www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)**

**To learn more : <http://coalitionscreatingequity.ca/>**

**Document any hate incidents at:**

[Stophateab.ca](http://Stophateab.ca)

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