



May 07, 2010

Bill Siksay, MP April 30, 2010  
Burnaby-Douglas  
House of Commons  
Ottawa, ON  
K1A 0A6

Dear Mr. Siksay,

We are writing this letter on behalf of the Canadian Professional Association for Transgender Health (CPATH) Advocacy Committee to express our support for Bill C-389, An Act to Amend the Canadian Human Rights Act and the Criminal Code (Gender Identity and Gender Expression). This important private members bill, brought forward by M.P. Bill Siksay, is scheduled for debate on May 10<sup>th</sup>, 2010, at 11:00 am.

This bill would add gender identity and expression to the Canadian Human Rights Act and to Criminal Code provisions on hate crimes. It is an essential step in providing protection to a highly marginalized population and will afford opportunities for redress should they be discriminated against on the basis of their gender identity or expression. This legislation is necessary to both protect and empower a highly marginalized community which is often economically and socially vulnerable.

Societal transphobia leads to frequent mistreatment of transgender people and loved ones by health and social service providers, employers, landlords, or others in positions of power. Preliminary data from the TransPulse project, an Ontario study of the social determinants of health of trans people in Ontario demonstrates that trans people are subject to shocking rates of discrimination in employment and housing as well as tremendously high incidences of violence and harassment. In November 2009 the U.S. National Centre for Transgender Equality released the attached report of the preliminary findings of their National Transgender Discrimination Survey (NTDS). Further data was presented by the NCTE at the CPATH conference in Montreal on May 1<sup>st</sup>, 2010.

The NTDS report generally matches up with the TransPulse study in Ontario as well as the personal and professional experiences of members of this committee and paints a similarly desperate picture; 47% of survey respondents reported that, because they were transgendered, they did not get a job (44%), were denied a promotion (23%), or were fired (26%), and 97% reported experiencing workplace harassment. These numbers are even more disturbing given the



survey respondents' high rates of education (40% with some college, 27% with college degrees, and 20% with graduate degrees).

Additionally a high percentage of respondents report having been assaulted or harassed in public places, and being subjected to harassment, physical assault, or sexual assault by not only other students but, devastatingly, by teachers as well. Finally, negative impacts of discrimination, harassment and violence are reflected in abysmally low income levels, housing stability.

The appalling conditions described above exist despite the current non-explicit protections offered by the Canadian Human Rights Act and the Criminal Code of Canada. As I am sure you will agree, this fact clearly indicates the urgent need to enact explicit legal protections for trans people in Canada.

This legislation would place gender identity and expression alongside such categories as race, sex, sexual orientation and ethnicity, providing formal legal protection for transgendered Canadians. Equally important, we believe that the amendment of the Human Rights Act and the Criminal Code conveys a strong message that Canada recognizes and values transgendered citizens and will not tolerate discrimination or hate crimes based on gender identity or expression.

The CPATH Advocacy Committee urges the parliament of Canada to adopt the Bill C-389, to ensure that the rights of transgendered Canadians are protected.

Sincerely,

Kris Sutherland  
Advocacy Committee Co-Chair

Marria Townsend MD, CCFP  
Advocacy Committee, Past-Chair