

## Human Resources Legislative Update

# Federal Reforms to Prohibit Discrimination on Basis of Gender Identity or Gender Expression

Date: June 19, 2017

**Editor's Note: Bill C-16 received [Royal Assent on June 19, 2017](#) and is now in force.**

[Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code](#), passed third reading, without amendment, in the Senate on June 15, 2017.

[As we previously reported](#), Bill C-16 was introduced in the House of Commons on May 17, 2016 by the Minister of Justice, the Honourable Jody Wilson-Raybould. The Bill is intended to protect individuals from discrimination within the sphere of federal jurisdiction and from being the targets of hate propaganda, as a consequence of their gender identity or their gender expression.

The Bill adds "gender identity or expression" to the list of prohibited grounds of discrimination in the *Canadian Human Rights Act*. The Bill also adds references to "gender identity or expression" to two sections of the *Criminal Code*, one dealing with hate propaganda and the other with sentencing provisions for crimes motivated by hate. The amendments related to hate propaganda add "gender identity or expression" to the identifiable characteristics of a group who are protected from hate propaganda. The Bill amends the sentencing principles section of the *Criminal Code* so that evidence that the offence was motivated by bias, prejudice or hate based on a person's gender identity or expression can be considered an aggravating circumstance by a judge during sentencing.

The legislation is awaiting Royal Assent, and will come into force on that date.