

Pride Safety Toolkit:

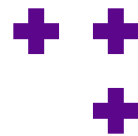


Pride and 2SLGBTQI Event Attendees

A guide for 2SLGBTQI people and allies
on how to stay safe amid rising levels of
anti-2SLGBTQI hate at public events

Egale

fierté
CANADA
pride



Acknowledgements

The Pride Safety Toolkit was developed by Egale Canada and Fierté Canada Pride with support from the Canadian Anti-Hate Network

About Egale Canada

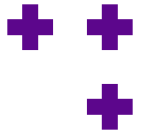
Egale is Canada's leading organization for 2SLGBTQI people and issues. We improve and save lives through research, education, awareness, and by advocating for human rights and equality in Canada and around the world. Our work helps create societies and systems that reflect the universal truth that all persons are equal and none is other.

egale.ca | [@egalecanada](https://twitter.com/egalecanada) | info@egale.ca

About Fierté Canada Pride

Fierté Canada Pride (FCP) is the national association of Canadian Pride organizations. FCP's mission is to strengthen Pride organizations and 2SLGBTQIA+ communities through elevating marginalized peoples, practicing reconciliation in action, collaborating intentionally, building capacity, and advocating for systemic change. FCP envisions a world where Pride & 2SLGBTQIA+ movements and communities that are connected, accessible, accountable, intersectional and equitable.

fiertecanadapride.org | [@FCP_Canada](https://twitter.com/FCP_Canada) | hello@fiertecanadapride.org



About Canadian Anti-Hate Network

The Canadian Anti-Hate Network counters, monitors, and exposes hate promoting movements, groups, and individuals in Canada using every reasonable, legal, and ethical tool at our disposal.

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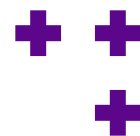


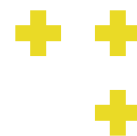
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Introduction

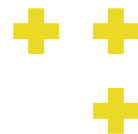
[About the Pride Safety Toolkit](#)



Introduction

It's no secret that 2SLGBTQI communities, our rights, and our freedoms are under attack. There has been an exponential rise in anti-2SLGBTQI, hate-fueled, and gender-critical movements across Canada. The news has been flooded with reports of drag story time events being canceled or overturned by hate-fueled protesters. We've seen transphobia and homophobia spread at secondary and post secondary schools from board meetings to on-campus speaking engagements. Pride flags - the very symbol of solidarity and inclusion of 2SLGBTQI people - are being desecrated, or worse, institutions and municipalities are opting not to fly the Pride flag at all, leaving many feeling alone and wondering whether or not they are safe to be who they are.

If history is any indicator of what's to come, let it be known that our 2SLGBTQI communities and our allies will not stand by as our rights, freedoms and safety come under threat. Whether it's by taking to the streets at Pride, hosting or attending a drag story hour or other community event that promotes inclusion, it's essential that we take concrete actions to counter this wave of anti-2SLGBTQI hate. We will not let them unravel our Pride.



About the Pride Safety Toolkit

The Pride Safety Toolkit was developed by Egale Canada and Fierté Canada Pride with support from the Canadian Anti-Hate Network as an immediate interim solution to promote safety at Prides and other 2SLGBTQI events amid rising levels of anti-trans and anti-2SLGBTQI hate, discrimination and violence.

The Pride Safety Toolkit for 2SLGBTQI people and allies attending Pride or other community events, includes answers to common legal questions and scenarios as well as safety tips, support resources and other ways to take action to combat rising levels of anti-trans and anti-2SLGBTQI hate, discrimination and violence.

Also see: [Pride Safety Toolkit for Prides and 2SLGBTQI event organizers](#)

Disclaimer: This document includes information about relevant legal considerations but should not be construed as legal advice.

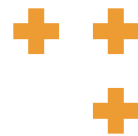


Legal Backgrounder

[What is a Hate Crime?](#)

[Why are hateful protests allowed and what legal limits apply?](#)

[Report a Hate Crime](#)



What is a Hate Crime?

There is “technically” no such thing as a hate crime in Canada (see [Hate Speech in Canada](#)). What many in the public often refer to as hate crimes are legally referred to as hate-motivated or bias-motivated crimes. These refer to a criminal offence committed against a person or property motivated in whole or in part by hate, bias or prejudice against an identifiable group. An identifiable group may be distinguished by race, nationality or ethnic origin, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression. Almost any type of criminal offence can be motivated by hate.

Examples of hate crime offences may include acts of violence or hostility such as an assault (hitting or spitting on someone) or causing damage to property (see [Key Indicators that a Hate Crime may have been Committed](#)). The key is that these acts intentionally target individuals or property based on the offender’s hate towards the “identifiable group”. The *Criminal Code* also requires a court that imposes a sentence for any offence to take into consideration whether the offence was motivated by hate, bias or prejudice based on any of the identifiable groups or any other similar factor.

What is a Hate Incident?

A hate incident is a non-criminal action or behaviour that is motivated by hate against an identifiable group. Examples of hate incidents include using racial, homophobic, transphobic or other discriminatory slurs, or insulting a person because of their ethnic or religious dress or how they identify (For example, a dispute in a park which escalates to verbal abuse, derogatory or discriminatory slurs). These incidents can be very harmful and lead to emotional and psychological stress. It’s important to note that hate incidents can quickly escalate into hate crimes.



Key Indicators that a Hate Crime may have been Committed

1	Comments made during the offence.
2	Motivation of the perpetrator or even lack of an apparent motive.
3	Victim's perception that they were targeted.
4	Display of hate symbols, gestures and language.
5	The manner in which the offence was committed.
6	Recurring patterns of harassment, humiliation or intimidation.
7	Other relevant circumstances surrounding the offence.

Hate Speech in Canada

The *Criminal Code*, in sections 318 and 319, addresses hate propaganda. Hate propaganda is defined in the *Criminal Code* as “any writing, sign or visible representation that advocates or promotes genocide or the communication of which by any person would constitute an offence under section 319.”. The offences are as follows:

1. Section 318 - [Advocating Genocide](#).
2. Section 319 (1) - [Public Incitement of Hatred](#).
3. Section 319 (2) - [Wilful Promotion of Hatred](#).

Context is extremely important in hate propaganda investigations. With the *exception of public incitement of hatred*, prosecutors must obtain the consent of the Attorney General prior to laying charges.

Canadian Charter Of Rights And Freedoms

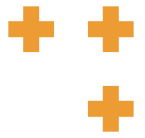
Freedom of expression is an enshrined fundamental freedom in the [Canadian Charter of Rights and Freedoms](#). Section 2 of the Charter states: Everyone has the following fundamental freedoms:

- A. Freedom of conscience and religion;



- B. Freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- C. Freedom of peaceful assembly; and
- D. Freedom of association.

Hate speech is not protected by the Charter.



Why are hateful protests allowed and what legal limits apply?

The right to freedom of expression, including the right to protest, is essential in any democracy. While making hateful and abhorrent statements about protected groups is not illegal, hate propaganda, discussed above, is one of the restrictions on this type of speech. Those provisions, however, are rarely a reason for arrest on the spot. Instead, these charges tend to be pursued in the aftermath of an incident, supported by extensive documentation.

The police can use other legal instruments to arrest hateful protestors or remove them from 2SLGBTQI community events. According to an [independent review](#) into the Hamilton Police Service's failure to protect Hamilton Pride from hate groups in 2019, the following limits apply to hate-fuelled protests:

- Mischief to property is the interference with other people's lawful use or enjoyment of property. This applies in particular to Pride events which have received permits.
 - Hateful protestors communicating with Pride attendees in a way that causes them to reasonably fear for their physical safety could be charged with criminal harassment or uttering threats.
 - Very loud, aggressive, or disorderly protestors could be charged with causing a disturbance, and their gathering could be classified as an unlawful assembly, allowing police to disperse their gathering.
 - While this varies depending on the municipality, many municipalities will have bylaws regulating behaviour in public spaces, including the authorization to use volume amplification devices (like loudspeakers or megaphones).
- See Egale Canada's [letter calling on all levels of government to take action to combat anti-2SLGBTQI hate](#) for a list of bylaw and other safety and inclusion recommendations you can share with your municipality.



Report a Hate Crime

Report An Emergency Hate Crime	Report A Non-Emergency Hate Crime
<p>To report an emergency, call 911</p>	<p>To make a report, call the non-emergency number for your local police department, or visit your local police department to make a report in person.</p>
<p>Emergency circumstances involving a hate crime include:</p> <ul style="list-style-type: none">⚠ A crime in progress;⚠ An immediate threat to your safety;⚠ An immediate threat to the safety of someone else; or⚠ Property in immediate danger of a criminal act.	<p>Non-emergency circumstances involving hate crime include:</p> <ul style="list-style-type: none">⚠ You are the victim of a hate crime, but there is no immediate threat to your safety;⚠ Someone else is the victim of a hate crime, but there is no immediate threat to safety;⚠ Internet or social media posts that include threats, promote hate, or indicate a criminal act against a person or property; or⚠ A property was targeted by a hate crime.



Attending Pride and 2SLGBTQI Community Events

[Preparing to Attend Pride](#)

[Know Your Rights](#)

[Scenarios to Plan for... What if?](#)



Preparing to Attend Pride

Whether it's your first Pride or your thirtieth, whether you're a 2SLGBTQI person or an ally: The right preparations are essential to make Pride as safe for yourself and others as possible. We've collected some tips to help you make the best decisions possible for yourself and your group.



Familiarize yourself with safety protocols at the event.

In particular, you may want to know:

- What the event organizers' process is for dealing with incidents of hate
- Whether there will be police or security present
- Where the emergency services, safety zones and exits are located



Plan how you're going to arrive and leave.

- If the event is in an area that is unfamiliar to you, consider visiting beforehand or taking some time to look at a map to get oriented.



Go with a friend or group. Do not go alone, if possible - there is strength in numbers.

- It can be difficult to meet up with groups at large events. Consider meeting ahead of time or outside of the event space.
 - If you plan to meet up inside the event space, designate a specific time and location (For example, meet at a café instead of an intersection).
- Designate a meeting spot to go to if someone gets separated from your group.



Consider how visible you would like to be as a part of the event.

- People use clothes, makeup, and accessories at Pride for fun, to signal their membership in particular subcultures, to make political statements, and for plenty of other reasons. Dressing up is an important part of Pride.
- It's your decision how you want to dress for Pride. Some people prefer to wear clothes that don't express that they're attendees of a Pride event because it makes them feel safer.
- No matter what you choose, make sure to consider how comfortable you are with being perceived as part of a 2SLGBTQI community event. Remember that it's likely that people around you will be taking pictures that could be posted online.



Monitor the event organizers' social media before and during the event.

- They may need to communicate cancellations, last-minute changes, or safety updates.



Pack light, but pack right.

- Avoid carrying a large bag if possible, as event security guards may search bags as part of the event safety protocols.
- Bring your phone, charger, and battery pack.
 - Consider changing the screensaver on your phone to a message of who to call (emergency contact) if something was to happen or if you were to lose your belongings.
 - Write down phone numbers of friends or family on a piece of paper in case your cell phone dies.
- Bring water and a snack, government issued ID, and a mask.
- Some people like to bring glitter, stickers, or other fun items!

Also see [Pride 101: The First-Timer's Self-Care Guide to Pride](#), [Pride Safety 101](#) and [Tips to Stay Safe during Pride](#)



Know Your Rights

You have rights and obligations when interacting with police and with surrounding places of business. These rights are enshrined in law. Knowing your rights can help inform your interactions with other people, but there is never a guarantee that those rights will be respected in practice. Members of over-policed communities, including Black, Indigenous, racialized, and 2SLGBTQI people, often face negative attention by police or other actors without having done anything wrong.

The *Canadian Charter of Rights and Freedoms*, which is part of the federal constitution, lays out restrictions on government power, including police power.

Your right to assemble and protest peacefully in public is a *Charter* right. So are the rights to be free from the police unreasonably searching you or seizing your belongings and to be free from arbitrary detention and imprisonment.

In practice, your *Charter* rights mean that:

- ✓ You can't be prevented from attending a peaceful protest like Pride.
- ✓ If the police approach you to ask you questions, you have the right to refuse to answer, even if you've been detained or arrested. You have the right to walk away unless you're being detained or arrested, in which case you have the right to know why ([Black Legal Action Centre](#)).
- ✓ You must provide your name and date of birth if the police ask you ([Steps to Justice](#)).
- ✓ The police can only search you if you've given permission, if they have a search warrant, or if you're being arrested. If you're being detained, they can only pat you down to check for weapons.
- ✓ You have the right to specify the gender of the officer to conduct the search ([Steps to Justice](#)).



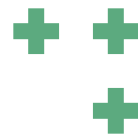
Keep in mind

Protesting is a legal right, but police can still arrest protesters. Sometimes, people who are simply taking part in the protest but not doing anything illegal themselves can still end up facing criminal charges - especially members of over-policed communities. Some common charges at protests are:

- ⚠️ Assault (often in the case of clashes between protesters and counter-protesters, or between protesters and police);
- ⚠️ Mischief, including interfering with someone's use of property;
- ⚠️ Rioting, causing a disturbance, and unlawful assembly (very unlikely at Prides) (Black Legal Action Centre).

In addition:

Human rights legislation in Canada, including the *Canadian Human Rights Act* as well as provincial and territorial human rights codes, means that businesses near Pride events (like all businesses) can't refuse to serve Pride attendees.



Scenarios to Plan for... What if?

What if I witness a hate crime or hate incident at the event or Pride?

(See [Key Indicators that a Hate Crime has been Committed](#) and [Report a Hate Crime](#))

In an emergency, contact 9-1-1.

You can also text HOME to 686868 in Canada to text with a trained Crisis Responder.

Tips When You Call

- At home, you can dial 9-1-1 direct.
- At a business or other location, you may need to dial an outside line before dialing 9-1-1.
- When using a cell phone be prepared to give the exact location of the emergency. The call is free.
- For TTY access (Telephone Device for the Deaf), press the space bar announcer key repeatedly until a response is received.
- Deaf, deafened, Hard of Hearing, or Speech Impaired persons may register for [Text with 9-1-1 Service](#).
- If you do not speak English, you must stay on the line while the call taker contacts a telephone translations service.

During Your Call

- Remain calm and speak clearly. Identify which emergency service you require (police, fire or ambulance) and be prepared to provide the following information:
 - a description of what is happening
 - the location
 - your name, address and telephone number



- Remain on the line to provide additional information if requested to do so by the call taker.
- Do not hang up until the call taker tells you to do so.

*Learn more about [what to expect when making a statement to the police](#).

After the Call

- When everyone is safe, respect the victim's wishes on how they'd like to proceed. They may or may not want to inform the police. That is their decision to make.
 - Try your best to provide a safe space (physically and emotionally) for the victim following an incident ([learn more](#)).
- Regardless of whether or not the police were called at the time of the incident, it is important to write down everything you saw and heard in as much detail as possible as soon as you have the chance to do so.
 - This information will be essential should you be asked to provide a statement at a later date or if the victim needs your notes
- As a witness, take a moment to acknowledge what you saw and understand that you may also be experiencing vicarious trauma and should reach out for support. (See [Support Resources](#))

Should I intervene if I witness a hate incident, crime, or other form of discrimination?

First, and most importantly, trust your judgment and try to remain in safe environments. However, sometimes ending up in a dangerous space where a crime or incident is occurring is out of our control. In that event:



You don't feel safe intervening, find someone who is responsible for safety and security at the event and let them know there is a dangerous situation.

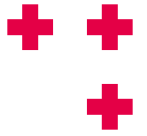


What if I am the victim of a hate crime or hate incident at Pride or a public event?

- **First, and most importantly, get to a safe place as soon as you can.** If you're physically injured, consider seeking medical attention right away. Consider whether you need to call someone you trust to help you get home or somewhere else where you feel safe ([learn more](#)).
- Remember that it's your choice whether or not you want to report the crime or incident to the police.
 - Regardless of whether you choose to report the crime, it's a good idea to write down everything you remember as soon as you can, and to ask (or have event staff ask) witnesses for their recollections or any videos or photos they may have taken. You might also want to report the crime to the organizers of the event.
- Supports for victims of hate crime will vary depending on where you live. Often, you can access helplines or community resources that can help you find the support you need. Many people who have survived incidents of hate benefit from counselling or similar mental health care. (See [Support Resources](#))



Other Ways to Take Action



Other Ways to Take Action

Consider reaching out to local government officials to see what additional supports they might be able to offer and/or to advocate for specific bylaws to improve safety.

- See Egale Canada's [letter calling on all levels of government to take action to combat anti-2SLGBTQI hate](#) for a list of bylaw and other safety and inclusion recommendations you can share with your municipality.

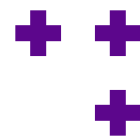
Don't let them unravel our Pride!

Learn more about Egale's Pride Unravelled campaign encouraging everyone to stand in solidarity with 2SLGBTQI people amid rising hate.

- Web: egale.ca/wontunravel
- Social: [@egalecanada](#) #MyPrideWontUnravel

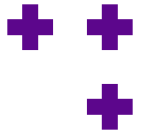


Support Resources



Support Resources

- [Mental Health Supports](#) a list of resources, help and crisis lines from the Government of Canada (includes provincial directories).
- [LGBT Youth Line](#) Youth Line offers confidential and non-judgemental peer support through telephone (1-800-268-9688), text (647-694-4275) and chat services.
- [Kids Help Phone](#) Kids Help Phone's e-mental health services are available 24/7 across Canada. Get support right now by texting CONNECT to 686868.
- [PFLAG](#) Pflag Canada offers peer-to-peer support striving to help all Canadians with issues of sexual orientation, gender identity and gender expression.
- [Health811](#) Telehealth option to connect with a registered nurse day or night for free, secure and confidential health advice.
- [Across Boundaries](#) Mental health and addictions services and support for QTBIPOC folks.
- [Hope for Wellness Helpline](#) If you're experiencing emotional distress and want to talk, call the First Nations, Métis & Inuit Hope for Wellness.
- [Trans Lifeline](#) Peer support services, hotline, and resources for transgender people.
- [SELF](#) 14 Self-Care Activities Black LGBTQ+ Folks Are Relying on Right Now.



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