

HATE THE HATE

REPORT THE CRIME

Understanding and Reporting Hate Crimes



HATE CRIMES.

A **hate crime** is 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, national 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. 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.

HATE INCIDENTS.

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 slurs, or insulting a person because of their ethnic or religious dress or how they identify. (For example, a neighbour dispute or a dispute in a parking lot which escalates to verbal abuse, derogatory or racial slurs.)

These incidents can be very harmful and lead to emotional and psychological stress. Police will respond to hate incidents and can provide education, support, and community resources to help de-escalate and address a situation.



WHAT ARE 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*, sections 318 and 319 addresses hate propaganda. The offences are as follows:

**Section 318 *Criminal Code*
Advocate Genocide**

**Section 319 (1) *Criminal Code*
Public Incitement of Hatred**

**Section 319 (2) *Criminal Code*
Wilful Promotion of Hatred**

Context is extremely important in hate propoganda investigations.

With the exception of public incitement of hatred, police must obtain consent of the Attorney General prior to laying charges.

"Hate propoganda" 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."

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Freedom of expression is an enshrined fundamental freedom in Section 2 of the *Canadian Charter of Rights and Freedoms*.

Section 2 of the *Charter* reads:

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 IS IT IMPORTANT TO REPORT HATE CRIMES?

Hate crimes are message crimes.

The message is, "You are not welcome!"

A timely and effective police response can improve the relationship between police and the communities the police serve. Positive relationships such as these can have extensive benefits in other aspects of public safety.

Hate crimes and hate incidents create community-wide unrest.

Hate incidents can escalate and prompt retaliatory action.

Others in the community who share the victim's characteristics may also feel victimized and vulnerable.

Hate crimes and hate incidents can lead to feelings of isolation, and emotional and psychological stress.

Hate-motivated crimes have long-lasting and serious side effects for society as a whole.

HOW TO REPORT HATE CRIMES

IN AN EMERGENCY: CALL 9-1-1.

Call 9-1-1, if there is an immediate threat to life or property.

- Stay calm.
- Call the police from a safe location.
- To report a hate crime or hate incident to the Toronto Police Service that is not an emergency, call 416-808-2222.
- Protect and document potential evidence if safe to do so.
- Report exact utterances and relevant details.

To report crimes anonymously, call Crime Stoppers at: **416-222-8477** (TIPS) or online at: **222tips.com**

torontopolice.on.ca/crimeprevention/



THE TORONTO POLICE SERVICE HATE CRIME UNIT

The Toronto Police Service Hate Crime Unit was established in 1993 to provide support and expertise to frontline officers and investigative units. The mandate of the Unit includes collecting data regarding hate-motivated criminal offences across the City of Toronto, assisting with the investigation and prevention of hate crimes, and providing public education and training.

To learn more about the Toronto Police Service Hate Crime Unit and its mandate please visit: **torontopolice.on.ca/crimeprevention/hatecrime.php**



**TOGETHER
WE CAN ALL
HELP TO STOP
HATE CRIMES.**