

# Bill C-9

OVERVIEW

# What is at Issue

## Freedom of Expression

- ▶ law is **vague**, especially around what counts as “hatred” or prohibited expression
- ▶ This creates a risk of a “**chilling effect**”—people may self-censor to avoid legal trouble
- ▶ The law could **capture controversial or unpopular opinions**, not just true hate propaganda. Roman’s 1

# What is at Issue

## Uncertain or Subjective Language

- ▶ Terms like “hatred,” “intimidation,” or “fear” are not always tightly defined
- ▶ This gives **police and courts wide discretion**, increasing inconsistent enforcement – think ideological complains of violence
- ▶ Could lead to **criminalizing peaceful protest or dissent – Truckers Rally**

# What is at Issue

- ▶ Removal of the “**good faith religious expression**” defence
  - ▶ legal uncertainty for clergy and educators
  - ▶ risk that quoting scripture could be prosecuted
- ▶ Potential conflict with freedom of religion in Charter
  - ▶ Has the removal of the Criminal Code protection weakened the Charter right

# What is at Issue

## Forfeiture

- ▶ Anything by means of or in relation to which the offence was committed
- ▶ Be ordered by the presiding provincial court judge to be forfeited

# What is at Issue

Redundancy with existing laws

- ▶ Canada already has laws against:
  - ▶ hate propaganda
  - ▶ harassment
  - ▶ intimidation
- ▶ Police already have tools like protest restrictions and exclusion zones

# Where is Bill C-9 in the process

SENATE

HOUSE OF COMMONS

LEGISinfo

Overview Bills Legislation at a glance Help

Search by number (e.g. C-5, S-214), sponsor, title or keyword



**C-9** 45th Parliament, 1st session  
Monday, May 26, 2025, to present

An Act to amend the Criminal Code (hate propaganda, hate crime and access to religious or cultural places)

Short title: Combatting Hate Act

**Bill type**  
House Government Bill

**Sponsor**  
[Minister of Justice](#)

Text of the bill

## Summary

**Current status**  
At consideration in committee in the Senate

**Latest activity**  
Referral to committee on Thursday, April 30, 2026 (Senate)

## Progress

## Details

## About

### House of Commons

**First reading**  
Completed on Friday, September 19, 2025

**Second reading**  
Completed on Wednesday, October 1, 2025

**Consideration in committee**  
Completed on Friday, March 13, 2026

**Report stage**  
Completed on Monday, March 23, 2026

**Third reading**  
Completed on Wednesday, March 25, 2026

### Senate

**First reading**  
Completed on Thursday, March 26, 2026

**Second reading**  
Completed on Thursday, April 30, 2026

**Consideration in committee**  
No activity

[Standing Senate Committee on Human Rights](#) [Studies and bills](#)

**Report stage**  
Not reached

**Third reading**  
Not reached



# Where is Bill C-9 in the process

- ▶ Committee can be a few days or months
  - ▶ Considering the push by government it will be days or a few weeks at most
- ▶ Third Reading, like the House, will likely be short
- ▶ Royal Ascent could be mid to end of May
- ▶ It is then 30 days to enforcement

# Option 1

- ▶ Wait till someone is charged
  - ▶ Pro
    - ▶ Expect approach
    - ▶ Evidence of overreach
  - ▶ Con
    - ▶ Narrow case
    - ▶ If delay, 3 to 5 years, seen as part of legal landscape
      - ▶ Judge may be hesitant to send back to parliament
    - ▶ Could initiate a rash of charges in the first year
      - ▶ By groups opposed to religion
    - ▶ Potential to set negative precedent

# Option 2

## ▶ Pre-Enforcement Constitutional Challenge

### ▶ Pro

- ▶ Can deal with all aspects at issue in the law
- ▶ Because it just received Royal Assent
  - ▶ Judge more willing to send back to parliament
- ▶ No precedent
  - ▶ Win - Only revision to the law
  - ▶ Loss - It continues to enforcement
    - ▶ We can still go to court on a charge down the road

### ▶ Con

- ▶ Novel approach
- ▶ Bill is being rushed through Senate – may not allow time for submissions

# Options 3

- ▶ Post-Enactment Constitutional Challenge
  - ▶ Identical to Pre-Enforcement but can happen after the 30-day waiting period and the bill becoming law
  - ▶ Potential for an injunction – rare
    - ▶ Courts presume laws serve the public interest. So, stopping enforcement entirely is a big step
  - ▶ No Injunction
    - ▶ If someone is charged – defense can apply for a stay of proceedings until Post-Enactment case is heard

# Getting Involved

- ▶ Become part of a group of pastors and ministry leaders to bring this legal action forward
  - ▶ Will host another meeting to explain in detail
- ▶ Considerations for the Team – Court of Public Opinion
  - ▶ Social Media Campaign
  - ▶ Documentary
- ▶ Email: [rcrosson@freedomadvocate.ca](mailto:rcrosson@freedomadvocate.ca)