



HARASSMENT AND VIOLENCE

Trans people in British Columbia have:

The right to live free from **harassment**. This means people cannot cause a general disturbance by yelling or swearing at us while we are out in public. People cannot threaten us with death or bodily harm. People cannot touch us to try to confirm our sex or gender. People cannot follow us, spy on us, or harass us by phone or email to the point where it is reasonable to fear for our personal safety or the safety of someone we love.

The right to live free from **violence**. This means people cannot beat us up or cause us any kind of physical harm.

Specifically, the right to live free from **sexual assault**. People cannot kiss us, have oral, anal, or vaginal sex with us, or touch us in a sexual way without our consent. This includes times when we cannot give our consent, for example due to drug or alcohol use. It does not matter if the person is our romantic partner or spouse.

The right to live free from **intimate partner abuse**.

Activist Spotlight

Trans women involved in street level sex work face high rates of violence and harassment. At a time when few agencies were willing to serve trans women, Sandra Laframboise (featured above) was instrumental in creating *The High Risk Project*. This program provided safe space and wellness services to HIV+ trans women involved in street level sex work in Vancouver's Downtown Eastside. Visit our website to find out more about Sandra's many contributions to trans and Two-Spirit communities.

Good to Know: *There is no such thing as a 'trans panic' defense which would justify the use of force against us because someone is uncomfortable speaking to or being approached by a trans person. This includes if a person discovers during a sexual encounter that our genitals are not what they expected to find.*

How can you stand up for your rights if someone physically assaults you?

1. Try to **remove yourself** from the situation or **talk the person down**.
2. **If necessary, defend yourself.** The Criminal Code allows you to use force to protect yourself or another person from physical assault so long as you act reasonably. To learn about how 'reasonable force' is determined, please see the *Harassment & Violence* section of www.transrightsbc.ca. If you are being assaulted by a police officer, it may be better to strategically submit in order to save your life.
3. You can **report the crime to the police**. See the *Take Action* section of our website. If there is evidence that the assault was motivated by bias, prejudice, or hate against trans people, the judge must take that into account in sentencing the criminal and this should lead to a harsher sentence.
4. You can get a **peace bond**. A peace bond is a set of conditions from a judge that one person must follow, for the protection of another person. Most often, they require one person to have limited or no contact with the person being protected. It is illegal for someone not to follow the orders of a peace bond. You apply for a peace bond by calling the police. You do not need a lawyer, but it is recommended.
5. You can **sue in civil court** alone or with the help of a lawyer. Examples of reasons to sue include mental injury, physical injury, or lost wages because you have to take time off work. If you win, your attacker will have to pay you compensation.
6. If you experienced violence or harassment from someone like a doctor, lawyer, or other professional, you may be able to **report them to their professional licensing body** to prevent them from mistreating trans people in the future.
7. If you were harassed or assaulted because you are trans at work, where you are renting, or while you are obtaining a public service (for example, in a restaurant) you can **file a human rights complaint**. The employer/landlord/owner is legally responsible for the actions of their employees/other tenants/ service providers, even if they had nothing to do with the assault itself. Whenever you file a human rights complaint, you have to be able to prove that the treatment was because you are trans.

Reasons to sue include mental injury, physical injury, or lost wages because you have to take time off work.

Reporting a Crime

Trans people often report that their concerns are not investigated properly or that they are not treated respectfully by police. This is especially true if the trans person is also Aboriginal, a person of colour, or a sex worker. Being involved in the criminal justice process can be long and emotionally difficult. These factors can make it difficult to report a crime.

At the same time, reporting a crime has benefits. You can get protection from further harassment or violence from your attacker. Also, your attacker may be less likely to victimize other people if their actions have consequences.

You may wish to discuss your concerns and options with a victim service worker at **VictimLinkBC**.

If you decide to report a crime:

1. **Call the police or go to the police station in person.** Call 911 from most areas in BC if you are in immediate danger. Otherwise, you can find the phone number of your community police station in the phonebook or online. You can also have someone you trust call the police on your behalf.
2. **Keep detailed records about what happened to you.** Write down the time, date, location, who was there, and all of the specific details you can remember about what happened. Not only do these details help the police investigate and increase the likelihood that your attacker will be found and convicted, they also increase the likelihood that your complaint will be taken seriously.
3. **Keep notes about the case number and the name of the officer you spoke with.** If you have any questions or concerns, it will be easiest to talk to the same officer. Also, if you need to file a complaint about the officer, you will know their name.
4. If the police do not treat you respectfully or do not take your complaint seriously, **file a police complaint**. For help filing a complaint against the police, call the BC Civil Liberties Association at 1-866-731-7507.

Keeping detailed records helps the police investigate and increase the likelihood that your attacker will be found and convicted, and increases the likelihood that your complaint will be taken seriously.

Immediate Support

- **VictimLink BC** has a phone line staffed by victim services workers who can refer you to the appropriate resources and let you know if there are any benefits available to you under the Crime Victim Assistance Program. Call 1-800-563-0808.
- **The Ending Violence Association of BC** has a listing of anti-violence services at endingviolence.org.

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

The Catherine White Holman Wellness Centre and the VCH Transgender Health Information Program produced this document as general legal information. It was reviewed by The Law Office of Barbara Findlay, QC and is current as of July 2015. It is not legal advice, as each situation is unique.

PUBLIC SPACES/ SERVICES

Trans people in British Columbia have:

The right to go about our daily activities free from **harassment** and **violence**. Unfortunately some people feel the need to 'gender police' spaces like washrooms and change rooms. People may become aggressive or call security if they believe someone is in the 'wrong' space. See our Harassment and Violence fact sheet or check our website for more information.

The right to access the same general **services** as anyone else. This includes restaurants, bars, grocery stores, health clubs, public transportation, social services, schools, and clinics.

Businesses cannot refuse to serve us because we are trans, because their staff is uncomfortable with trans people, or because the staff thinks that customers may be uncomfortable with trans people.

The right to be given access to **washrooms** and **change rooms** that correspond with our felt gender. We have this right regardless of our anatomy.

The right to access **gendered spaces** that correspond with our felt gender, regardless of our anatomy.

Activist Spotlight

Coming from a Chinese Canadian cultural background, Tara Chee (featured above) was keenly aware of the way queer and trans people of colour face marginalization within broader queer communities, as well as many linguistic and cultural communities. This drove her to become the first trans board member of Our City of Colours (OCC), which works to address the issues of LGBTQ people of colour. Tara's smiling face appears in OCC's poster campaign, which raises the visibility of trans people of colour from the walls of libraries, community centres, clinics, businesses, and schools across Canada. Visit our website to find out more about Tara's work.

Unfortunately, the right to receive gendered services and participate in gender-based activities has one exception. A transphobic court case decided that if the organization offering the service is a non-profit organization whose primary purpose is to serve women, it is allowed to discriminate against trans women. That said, many women's organizations welcome and include trans women.

How can you stand up for your rights?

Advocate for **signage** that indicates that a gendered space welcomes trans people.

Advocate for more gender-neutral spaces, including **universal, accessible, single-user** washrooms and change rooms.

Advocate for **training** for service providers about how to be respectful of trans people.

If you are denied access to a gendered space (including a washroom or change room) that corresponds with your felt gender identity, you can file a human rights complaint under the BC Human Rights Code. See the *Human Rights Complaints* section of our website for more information. In cases where you are being discriminated against by an organization that claims it is covered by the one exception in the BC Human Rights Code, contact a lawyer.

If you are denied services on the basis that you are trans, you can file a human rights complaint under the BC Human Rights Code.

If there are no gender-neutral washrooms and you identify as non-binary, you can file a human rights complaint under the BC Human Rights Code. See the *Human Rights Complaints* section of our website for more information.

If you are denied services on the basis that you are trans, you can file a human rights complaint under the BC Human Rights Code. See the *Human Rights Complaints* section of our website for more information.

If you experience harassment or violence, you can report the crime to the police. In some cases, you can sue or file a human rights complaint. See our *Harassment and Violence* resources for more information.

For information on organizations and resources that can help you stand up for your rights, please visit **transrightsbc.ca**

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EDUCATION

Trans students in public and independent schools in British Columbia have:

The right to an educational environment **free from discrimination**.

The right to an educational environment **free from harassment** because we are trans. This includes the right to an environment free from violence, verbal abuse, threats, and bullying.

The right to be addressed by the **name and pronouns that we use**, regardless of our legal name or sex.

The right to wear **clothing** that corresponds with our felt gender expression.

The right to play on **sports teams** that correspond with our felt gender.

The right to use **bathrooms** and **locker rooms** that correspond with our felt gender. If our gender identity is not binary (male or female), we can choose the change rooms, bathrooms, classes, and pronouns that are safest for us. If the facilities for people with disabilities are the only gender-neutral spaces available, we can use those. We cannot be required to use a separate room away from other students, but we may choose to do this if it is where we feel most comfortable.

The right to **attend classes** that correspond with our felt gender when classes are segregated by gender.

The right to have our trans status treated with the same degree of **privacy** as medical information.

The sex on a student's birth certificate is currently recorded on attendance sheets, following a policy set by the Ministry of Education. This practice can put trans students' confidentiality at risk. Until this practice is brought in line with human rights law, schools should take all steps to keep attendance sheets as confidential as possible.

Activist Spotlight

Tru Wilson
(featured above with her mother, Michelle) filed human rights complaint that led the Catholic Independent Schools of the Vancouver Archdiocese (CISVA) to create a policy for accommodating trans students. Visit our website to find out more about Tru's success story.

What laws protect trans students?

1. School boards have a legal duty under the **BC Human Rights Code** to make sure that their schools are free from bullying, harassment, and discrimination. They also have a legal duty to accommodate students who have particular needs in order to be able to participate equally with other students in the classroom. That means schools boards must have effective policies and procedures for accommodating trans students and keeping us safe. The accommodations listed above are widely recognized as best practices. School boards that do not currently have policies ensuring that trans students are accommodated in these ways must modify their policies in order to meet their legal obligations.
2. In addition to the BC Human Rights Code, the **Charter of Rights and Freedoms** guarantees equality to trans students in public schools. Independent schools may argue that they do not need to accommodate us for religious reasons, but there are limits to this argument. For example, Tracey Wilson was a trans elementary school student in a Catholic school. She filed a human rights complaint against the Catholic Independent Schools of the Vancouver Archdiocese (CISVA). Her case was settled when the CISVA agreed to implement a policy in line with the accommodations listed above. A link to this policy can be found on our website.
3. The **Criminal Code** is available if a trans student is harassed, assaulted, or sexually assaulted. Talk to the police or a Victims Services organization.

Independent schools may argue that they do not need to accommodate us for religious reasons, but there are limits to this argument.

How can you stand up for your rights?

Despite having rights, many trans students experience bullying and harassment in schools. Standing up for your rights can be difficult, especially if you are a youth and your parents are not supportive. Find other allies. For example, your school or school district may have a person designated to support queer and trans youth, or a safe schools coordinator.

1. Make sure you **keep a journal** of each event of discrimination and harassment you face (include the 5 W's: who, what, where, when, and why). Note all meetings you had, requests you made, and what happened. It is very hard to remember things accurately unless you do this.
2. **Work with your school to make an accommodation plan.** If your school has a trans-inclusion policy in place, it will set out a process for how you can work with the school to make a plan. If your school does not have a trans-inclusion policy in place, speak with the principal. You may have to educate the principal about what it means to be trans and what accommodations you require. You may want to show them some of the booklets and model policies in the *Resources* section of our website.
3. If the school fails to follow their policy, or refuses to accommodate you in the ways listed above, the next step in most school districts is to complain to the **Director of Instruction or School Trustee** designated to your school, followed by the the **Superintendent**.

4. If any of these school administrators (Principal, Director of Instruction, School Trustee, Superintendent) refuses to accommodate you, you can **file a Human Rights Complaint** (see *Human Rights Complaints* on our website). If you are having an issue with a private or religious school, get legal help. Even though the human rights process is slow, filing a complaint can give you leverage in dealing with your school. A tribunal can order that the school stop discrimination and develop trans-inclusive policies.
5. If what you are experiencing at school causes harm to your body or makes you fear for your safety, you may choose to **report a crime to the police** (see *Take Action* section on our website).

Start a club or group to promote understanding of gender diversity.

6. **Start a club or group** to promote understanding of gender diversity. Your group can organize campaigns and events to create a more supportive school culture for queer and trans students.
7. You can **sue your school board** in the BC Supreme Court for a violation of your equality rights under the Canadian Charter of Rights and Freedoms. So far, nobody has done this but you could be the first. You would need a lawyer. This is the most expensive option. It could easily cost \$50,000. It could take several years to resolve.

For information on organizations and resources that can help you stand up for your rights, please visit **transrightsbc.ca**

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EMPLOYMENT

Trans people in British Columbia have:

The right to **equal access to employment**. This means an employer cannot refuse to hire us because we are trans. An employer cannot fire us because we disclose we are trans or because someone outs us. There are some very narrow exceptions:

Trans people who need regular access to medical professionals due to transition may be excluded from military service.

In BC, there is an exception in the BC Human Rights Code that allows non-profits that serve an identifiable 'vulnerable' group (such as women) to discriminate against trans people. This was used to prevent one woman from volunteering with a domestic/sexual violence organization because she was trans. Fortunately, many women's organizations (including every organization affiliated with the Ending Violence Association of BC) welcome and include trans women.

Unless the employer falls under one of these two categories, they must not discriminate against trans people.

The right to **equal pay for equal work**. This means an employer cannot pay us differently from other employees because we are trans.

The right to **fair access to promotion and training opportunities**. An employer cannot deny us a promotion or training opportunity because we are trans.

The right to have the **name and pronouns that we use** used in the workplace, regardless of our legal name and legal sex. This includes all internal forms, work email addresses, and ID badges. If the name that we use is not the same as our legal name, our employer may need to include our legal name on some government forms. We can ask our employer to include a note with these forms that indicates the name that we use.

Activist Spotlight

Gayle Roberts (featured above), now retired, transitioned on the job as a high school teacher. She continued to be respected by students, parents, and staff alike. Visit our website to find out more about Gayle's success story.

The right to **change our gender identity and presentation on the job**. This will likely go much smoother if we talk to our supervisor or human resource person first. This applies even if we do not plan on having surgery.

Many employers are open to accommodating trans employees, but are unsure of how to help and nervous about doing the wrong thing.

It's not fair, but we may have to educate our employers about what it means to be trans. It might help you feel less nervous if you plan out what you want to say ahead of time. You might want to give your employer some pamphlets, links to websites, books, or other information to help them understand. Many employers are open to accommodating trans employees, but are unsure of how to help and nervous about doing the wrong thing.

Work with your supervisor or human resource manager to come up with a plan for transition that works for you and your employer. There is no one way that someone should transition at work. It all depends on what you are comfortable with. Some people choose to transition slowly, while others take a few days off and present in their affirmed gender as soon as they get back.

The right to access a **washroom or change room** that is appropriate for our gender.

The right to wear a **uniform** that corresponds to our felt gender.

The right to be protected by the employer from **bullying and harassment** we might face related to our gender identity or expression.

The right to keep our trans status **confidential**, if we so choose. If our employer is aware that we are trans, they must keep that information confidential.

The right to take **time off work for medically necessary treatments**, including gender-affirming surgeries. We do not need to tell our employer what kind of surgery we are having. Our employer has the right to know and ask:

When we expect to be off.

How long we will be off.

Whether the procedure might affect our ability to do our job, and if so, how.

Whether we will need any special accommodation on our return to work.

Our employer can ask for a note from our doctor confirming any time off for medically necessary treatments, or any special accommodation on our return to work.

Our employer can ask for a note from our doctor confirming any of these things. We can lessen the risk that we will have problems in the workplace by:

Providing our employer with a doctor's note confirming our need for time off and the dates we are expected to be off.

Giving our employer as much notice as possible that we will need time off.

Working with our supervisor and co-workers to make sure our work can be covered while we are off.

Staying in touch with our employer while we are off, even just to check in and see how things are going.

Giving our employer regular updates if our return to work date changes.

How can you stand up for your rights?

1. Record what happened.

Be sure to include the five W's for each incident: what happened, where it happened, when it happened, who was involved, and why it happened. Include as much detail as possible.

2. If you feel safe doing so, **talk with the person** who is causing the problem. For information about advocating for yourself in an assertive way, see the *Self-Advocacy for Trans People* guide on our website.

3. If a person continues to mistreat you after you have spoken with them, you can bring it up with your **supervisor or human resource manager**. If the person mistreating you is your supervisor, you can bring it up with their boss. Your employer has legal obligations under human rights and workers' compensation law to make sure you are not bullied or harassed in the workplace.

4. If that still doesn't stop the behavior, you can make a **formal complaint** to someone outside your work. You have two options:

Complain to WorkSafeBC. They will send someone to investigate the complaint and attempt to resolve it. If that is unsuccessful, you can file a formal complaint. A WorkSafeBC mediator will try to help both sides reach a settlement. If the problem remains unsolved, they will appoint an officer to review the situation and decide how the problem should be fixed. This decision can be appealed.

5. **Complain to the BC Human Rights Tribunal** (See *Human Rights Complaints* on our website).

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

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HEALTHCARE

Trans people in British Columbia have:

The right to be given the same **access** as the general public to services from a **healthcare provider**. In other words, we cannot be denied services from a healthcare provider on the basis that we are trans. If we are denied a service, we can file a human rights complaint.

If a healthcare provider is accepting new patients and refuses to see us as a patient because we are trans, this is discriminatory. If a healthcare provider is not accepting new patients and refuses to see us, this is not discriminatory.

If a medical procedure is exactly the same for trans people as it is for cisgender people (e.g. hysterectomies and orchiectomies are the same for trans people as for cisgender people), it's discriminatory for a healthcare provider to refuse to treat us on the basis that we are trans.

A healthcare provider may say they do not have enough training to prescribe or monitor hormone therapy. They are legally allowed to refuse a treatment they do not know enough about.

A healthcare provider may say they do not have enough training to prescribe or monitor hormone therapy. They are legally allowed to refuse to provide a treatment they do not know enough about. If they are open to learning, you can refer them to the WPATH Standards of Care, the BC Trans Adult Endocrine Guidelines, and the RACE (Rapid Access to Consultative Expertise) Line at 604-696-2131 or 1-877-696-2131. If they are not open to learning, you can contact the Transgender Health Information Program (transhealth.vch.ca) to find out if there is another doctor near you who prescribes hormones to trans people and is accepting patients.

Some healthcare providers provide gender-affirming care, but do not follow the standards of care set by the World Professional Association for Transgender Health. For example, they may require you to have a letter from a psychiatrist or have a certain amount of 'lived experience' in your felt gender before they prescribe hormones. This is not illegal, but you can argue that it is against the ethics, standards, and guidelines of the healthcare provider's licensing body (such as their college or professional association), and file a complaint against the healthcare provider with that organization.

The right to be given the same **opportunities** as the general public to participate in healthcare **programs** and to be admitted to healthcare **facilities**. In other words, we cannot be denied participation in a program or denied admittance to a healthcare facility on the basis that we are trans.

If a facility is operated by a religious organization, the facility may not have to offer services that go against the Church's teachings. For example, a hospital operated by a Catholic organization may not be legally required to offer gender-affirming surgeries. Talk to a lawyer.

The right to **wait times** that are no longer than the wait times cisgender people experience for a medically comparable procedure.

For example, it would be discriminatory for trans people to have to wait longer than

cisgender people for a hysterectomy or orchiectomy just because we are trans. (Note that in some cases trans people will wait longer than cisgender people for a medically justifiable reason. For example, a person with cancer can justifiably get a hysterectomy or orchiectomy faster than a trans person).

Although the wait times for phalloplasty and vaginoplasty tend to be lengthy, it is very difficult to make a legal case that the wait times for these procedures are discriminatory. To make this case, we must be able to compare the wait times trans people face to the wait times cisgender people face for the same procedure. Since cisgender people do not tend to undergo procedures like vaginoplasty or phalloplasty, it is unlikely that these wait times would be seen by a court or tribunal as discriminatory. This does not mean we cannot lobby for improved wait times, it just means we will likely have more success with non-legal approaches.

The same right to an abortion as cisgender women. At this time, there are no laws that prevent abortion in Canada.

The right to access healthcare without being subject to **discrimination, harassment, or violence**.

Discrimination against someone in the delivery of medical care means to deny them a service or facility which is available to other people because of a personal characteristic such as gender identity, religion, race, etc. In a medical setting, discrimination could include a refusal to acknowledge a person's gender identity, or the name and pronouns that we use. Discrimination could also include asking invasive questions about our gender status, unless the questions are related to the medical treatment we might need.

Harassment usually means repeated and unwanted physical or other behaviour (for example, name calling) that is intended to offend or humiliate someone because of a personal characteristic, such as gender identity, religion, or race. In hospital, it could include being called names by other patients and having nothing done about it.

In the context of medical care, any unwanted touching is an **assault**. That means that medical care providers have to get your consent before they give you a needle, examine you physically, or touch you in any other way.

Medical care providers have to get your consent before they give you a needle, examine you physically, or touch you in any other way.

The right to have the same health plan **coverage** (through the Medical Services Plan or private health insurance) as cisgender people have for the same procedures.

It is not considered legally discriminatory for the Government of British Columbia or a private health insurance company to fail to provide coverage for a treatment for trans people if a comparative treatment is not available to cisgender people (i.e. facial feminization surgery is not covered for cisgender people, so the lack of coverage for trans people would not likely be considered discriminatory). This does not mean we cannot lobby for coverage for these treatments. It just means we will likely have more success with non-legal approaches.

If a procedure is covered for cisgender people and a comparable procedure is not covered for trans people, this may be discriminatory (i.e. if chest surgery was covered for men with gynecomastia - excess breast tissue in men - but not for trans men or non-binary people, this would be discriminatory).

How can you stand up for your rights?

Despite having rights, trans people often experience healthcare-related discrimination. Standing up for our rights can be difficult. However, it can make a big difference in our lives and the lives of other trans people.

Your options for standing up for your rights depend on your specific situation. For detailed information about how to stand up for your rights in a range of specific healthcare situations, please see **transrightsbc.ca**. Generally speaking, you may be able to:

Talk to the healthcare provider about the problem and how you would like to see it resolved.

Talk to the healthcare provider about the problem and how you would like to see it resolved. You may wish to bring a support person or have a friend or advocate speak on your behalf.

Attempt to solve the problem by talking to the healthcare provider's supervisor or clinic manager.

File a human rights complaint against the healthcare provider and/or the organization they work for. To do this, you must be able to prove that the discrimination you faced was related to your trans status.

File a complaint against the healthcare provider with their professional licensing body.

File a complaint against the healthcare provider with the Patient Quality Care Office of your health authority (only if they work for a health authority).

Sue the healthcare provider in civil court for damages, like physical or mental injury, if they harassed or assaulted you.

Report the healthcare provider to the police if they harassed or assaulted you.

Try to find another healthcare provider willing to accept you as a patient. It can be difficult to find a healthcare provider who is trans-friendly and knowledgeable about trans health. Contact the Transgender Health Information Program (<http://transhealth.vch.ca>) for the names of doctors in your area who are known to provide health care to trans people.

Advocate for training for healthcare providers about how to meet the needs of trans people.

For information on organizations and resources that can help you stand up for your rights, please visit **transrightsbc.ca**

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HOUSING

Trans people in British Columbia have:

The right to housing that is **free from discriminatory harassment and violence**. Private landlords, BC Housing, student housing operators, cooperatives, commercial real-estate companies, Indian bands on a reserve, RCMP housing operators, temporary shelters, residential care facilities, and hospitals all have a duty to maintain a harassment-free tenancy.

Activist Spotlight

Aaron Munro (featured above) of RainCity Housing helped create a house for queer and trans youth who were living outside. Visit our website to find out more about Aaron's work.

The right to **equal housing access**. It is discriminatory for housing providers to refuse to rent to us – or to evict us – because we are trans, because we 'don't look like' a man or a woman, or because our ID doesn't match our gender identity. This applies to housing provided by private landlords, BC Housing, student housing operators, cooperatives, commercial real-estate companies, Indian bands on a reserve, and the RCMP. It also applies to temporary shelters, residential care facilities, and hospitals.

There is a narrow exception in the law that allows gender-segregated housing provided by a non-BC Housing, non-profit women's organization to discriminate against trans women. If you are denied service in such a case, talk to a lawyer. Many, if not most, women's shelters in BC recognize that this exception is transphobic and serve all self-identified women – as they should.

Trans people in shelters and residential care facilities also have:

The right to be placed according to our felt gender in a facility that is segregated into 'male' and 'female' spaces. This is true even if our felt gender is different than the gender marker on our ID and regardless of whether we have had hormone therapy or gender-affirming surgeries. As of 2015, there are no human rights cases about non-binary people. If our gender identity is non-binary, there is a good chance a Human

Rights Tribunal would decide that we have the right to choose the gendered space where we will be safest.

The right to be referred to by the **name and pronouns that we use** (regardless of our legal name, sex, or what is on our ID).

The right to wear **clothing** that is appropriate to our felt gender.

The right to choose to keep our trans status **confidential** from other residents. If we require arrangements to protect our safety or ensure appropriate health care, we will need to disclose our trans status to some staff members. Communicating clearly and regularly to staff about what information we want kept confidential can help protect our rights.

The right to have the agency keep any records that include our trans status **confidential**.

The right to use the **toilet facilities and shower facilities** which fit our felt gender or, if we are non-binary, where we believe we will be safest.

How can you stand up for your rights?

Despite having rights, trans people often experience housing-related discrimination and some trans people are at greater risk of homelessness. This is especially true for trans women who are also Aboriginal or people of colour. Standing up for our rights can be difficult, but it can also help make positive social change.

Be proactive. These steps will help protect you if you end up in a residential tenancy dispute:

Have a **witness** when you discuss renting with the landlord.

Keep careful **notes** and any papers the landlord gives you.

Try to always be listed on the **lease**. Get copies of the lease.

Do a move in inspection and move out inspection report with the landlord. Ask for copies of these **inspection reports**.

Pay your rent and your damage deposit in some way that leaves a **paper trail**. If you ever pay cash for anything, ask for a receipt. Keep the lease and your cancelled cheques or receipts in a safe place.

Pay your rent and your damage deposit in some way that leaves a paper trail. If you pay cash for anything, ask for a receipt.

If a housing provider refuses you accommodation because you are trans:

You can file a human rights complaint against the owner of the property. See *Human Rights Complaints* on our website.

If you are evicted from your apartment because you are trans:

Contact the **Tenant Resource and Advisory Centre** (<http://www.tenants.bc.ca/main/>) for information and assistance: 604-255-0546 in the Lower Mainland and 1-800-665-1185 in the rest of BC.

You can file a **human rights complaint** against the owner of the property (see *Human Rights Complaints* on our website).

If you are entering a shelter or residential care facility:

While the Human Rights Code applies to emergency shelters, it is very difficult for trans people (especially trans youth) living in shelters to stand up for their rights. Many shelters are sex-segregated and have communal sleeping and washing areas that can be dangerous for trans people.

Many shelters have intake forms that require legal names and sex to be disclosed. It is not illegal to put the name you use on intake forms, unless you are trying to con someone. You can put your felt gender on the form if it asks about sex. Staff may hassle you.

One way to prevent or deal with problems is to contact the lawyers at the Catherine White Holman Wellness Centre to get a letter about the accommodations you need and have a right to as a trans person. Email lawyer@cwhwc.com for an appointment, or call 604-442-4352. You can also show shelter staff this fact sheet.

If a staff person or other resident in a shelter, residential care facility, or hospital harasses or assaults you because you are trans:

You can make a human rights complaint against the organization that manages the facility because it is their legal responsibility to maintain a harassment-free space. We can also complain to the police. If we were assaulted, we can sue the person who assaulted us. Please see our resource on *Harassment and Violence* for additional information.

To learn how to stand up for your rights in a range of specific housing situations, please see transrightsbc.ca.

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

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IMMIGRATION AND REFUGEE ISSUES

Trans immigrants and refugees in British Columbia have:

The right to access services (including immigration, refugee, sponsorship, settlement, and ESL programs) **free from discriminatory harassment or violence** because we are trans.

A service worker or program cannot refuse to serve us because we are trans. When we disclose our gender identity, service providers (including interpreters) must not make comments or jokes meant to humiliate or offend us.

The right to **sponsor or be sponsored** as a spouse, common-law partner, or conjugal partner regardless of gender identity.

The right to **change the gender marker on our citizenship certificate** without gender affirming surgery.

The right to **privacy in our home**.

Officers aren't allowed to enter our home unless they have a warrant allowing them to do so. If we are undocumented (in Canada without the authorization of the government), the officer must also have an immigration arrest warrant.

The right to **keep our identity private** as we go about our business.

Activist Spotlight

Many trans migrants flee discrimination and violence in their home countries only to face discrimination and violence for being both 'illegal' and trans in British Columbia. As an activist with No One Is Illegal, Alex (featured above) provides support to people who are trying to resettle in Canada. He encourages trans activists to include trans migrants in their fight for justice. Visit our website to find out more about Alex's work.

A Canada Border Service Agency (CBSA) officer cannot randomly stop us on the street and ask for identification without having some grounds to believe we have committed an immigration offence. We may choose to identify ourselves with our name, address, and date of birth because officers can arrest someone without immigration status if they don't believe we have identified ourselves correctly. (Officers can randomly stop us and ask for ID if we are driving a car or riding a bike.)

A CBSA officer cannot randomly stop us on the street and ask for identification without having some grounds to believe we have committed an immigration offence.

The right to **protection from search and seizure**. This means unless we are detained, arrested, or crossing the border into Canada, we do not have to let police or Canada Border Service Agency (CBSA) officers search our body or possessions (including our car). Officers must have a warrant or our consent.

Although trans people have these rights, it can be very difficult to stand up for our rights if we are undocumented. If you are at risk of being detained or deported, it is important to develop a safety plan, so that you know what you would do if an immigration officer stops you or comes to your home.

No One Is Illegal's "Migrants Know Your Rights" can help you make a plan. You can download your free copy through a link on our website.

The **Rainbow Refugee Committee** is a support group for LGBTQ refugee claimants. They meet twice a month in Vancouver and can help you understand the refugee process. See www.rainbowrefugee.ca.

Frequently Asked Questions

Can I apply for refugee status if I fear being persecuted in my home country for being trans?

Yes. You must be able to prove that what trans people face in your home country is persecution, and not just discrimination. For examples of what may count as persecution related to being trans, please see our website.

Is there an official list of countries that Canada uses to assess refugee claims based on trans-related persecution?

No. Decisions are made on a case-by-case basis.

I cannot make a case that I am persecuted in my home country. Is there another way to get permanent residence in Canada?

Yes. You may file an application for permanent residence on humanitarian and compassionate grounds (H&C). You must be able to show that you would face 'unusual and undeserved or disproportionate hardship' if you were to leave Canada, or have other strongly compelling reasons that justify you being allowed to stay in Canada permanently. If you filed an unsuccessful refugee claim, you must wait 12 months before filing an H&C claim. A person cannot have a refugee claim and an H&C application in process at the same time.

If you filed an unsuccessful refugee claim, you must wait 12 months before filing an H&C claim. A person cannot have a refugee claim and an H&C application in process at the same time.

If I am put in a prison for immigration reasons, will I be placed according to my gender identity?

Generally, you will be placed in sex-segregated facilities based on your genitals. This is discriminatory, but until this policy is contested under human rights law it will continue to happen. If you are placed in a prison that is not the same as your felt gender and is against your wishes, you can call Prisoners' Legal Services for help at 1-866-577-5245. For more information about your rights in prison, see www.transrightsbc.ca.

Can refugees get healthcare coverage for trans-related medical treatment?

Yes. If your refugee claim has been accepted or if your refugee claim is in process, you can get healthcare coverage for hormone readiness assessments, hormone therapy, and limited counselling. You can only get coverage for gender-affirming chest, breast, and genital surgeries if your refugee claim has been accepted.

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

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PARENTING

Trans people in British Columbia have:

The right to **preserve our genetic material** to have a genetically-related child at a later time.

Some gender-affirming treatments may impact a person's ability to have a genetically-related child. We can freeze some of our sperm or eggs before gender-affirming surgeries and later conceive a child through assisted reproductive technology (ART), with the help of a fertility clinic. This process is quite expensive.

The right to **access ART (assisted reproductive technology) and fertility services without discrimination**, whether we are using frozen genetic material or not.

The right to **be the legal parent of a child** and listed on our child's birth certificate if we are one of the child's 'legal parents.'

It is crucial to get legal advice before you get pregnant. The law in BC has specific requirements that must be followed before pregnancy in order for the intended parent(s) to be the legal parent(s) of a child.

In BC, it is possible to have up to five legal parents.

The right to be a **foster parent**.

Every foster parent must undergo a home-study assessment. This includes a medical assessment, criminal record check, and multiple interviews with a social worker to determine your ability to respond to a child's physical, emotional, and cultural needs. You will also need three references who can say why you would be a good foster parent. One of these must be a relative.

While there is no legal reason that a trans person cannot be a foster parent, the social workers who

Activist Spotlight

Elliot (featured above left) always wanted children, but worried about how transitioning would affect his ability to conceive a child. Today, Elliot and his partner Earl (above right) are the proud parents of a toddler named Autumn (above centre). They are also active members of a community organized Queer and Trans Pregnancy and Parenting group. "It's exciting to connect with other trans parents and get seen for the family we are," says Earl. Visit our website to find out more about Earl and Elliot's journey.

ultimately decide who gets to become a foster parent have a lot of discretion. You may need to help educate the individual who is doing your home-study if they have inaccurate beliefs about trans people. You should also be aware that if you are living stealth and have not changed your identity documents, there is a risk that you could be outed by the home study process.

The right to **adopt** children. Adoption procedures may allow birth parents and guardians to approve or prevent adoption.

You may be interested in adopting a child who is in government care, a child whose parents have decided to give the child up for adoption, a child in another country, or the child of a relative.

You can adopt a child on your own or with a partner.

Most (but not all) adoptions will require a **home-study** assessment to ensure that the prospective parents are able to meet the needs of a child. This includes a medical assessment, criminal record check, and multiple interviews with a social worker to determine your ability to respond to a child's physical, emotional, and cultural needs. You will also need three references who can say why you would be a good adoptive parent. One of these must be a relative.

While there is no legal reason why a trans person cannot adopt a child, some of the requirements for adoption may allow discriminatory attitudes to prevent an adoption.

While there is no legal reason why a trans person cannot adopt a child, some of the requirements for adoption may allow **discriminatory attitudes** to prevent an adoption. For example, the consent of the child (if the child is 12 years old or older), the child's parents, and the child's guardians is required before an adoption of a child who is not in care can take place. There is no law stopping people from refusing to consent to an adoption because the prospective parent is trans. As a result, some trans people may find it more difficult to obtain the necessary consents to adopt a child directly from the child's biological parents. It may be easier to adopt a child who is in government care after the death or disappearance of the birth parents, a child who is older, or a child who has special needs.

A licensed adoption agency or social worker can help you explore your options.

The same child parenting rights (previously known as **custody rights**) as people who are not trans. When a judge is deciding who will get parenting rights, the decision is made on the basis of 'the best interests of the child.' That said, there is always the risk of running into a transphobic judge who will find a reason to give more parenting rights to the non-trans parent. See below for steps you can take to protect yourself.

How can you stand up for your rights?

If you have been discriminated against by an ART clinic because you are trans, you can file a human rights complaint (see the section of our website called *Human Rights Complaints*).

If a social worker has discriminated against you during the fostering or adoption process, you can speak with their team leader to try to resolve the issue. If you are not satisfied with the response you receive, you can file a human rights complaint. Get legal advice.

If you have separated from a co-parent of your children and want to protect your parenting rights (to have the children live with you part or all of the time), you should start by getting legal advice from a family law lawyer who is familiar with trans issues.

Unless you are able to reach an agreement with your ex about who will have the children and when, you may end up having to go to court. In determining where the children will be, a court must consider only the 'best interests of the child.' To protect your relationship with your children, maintain a strong relationship with them, and see them as much as you can if they are not living with you after you separate from your partner.

Address parenting arrangements immediately because the longer a situation is in place, the harder it is to change.

Address parenting arrangements immediately because the longer a situation is in place, the harder it is to change.

Talk to a lawyer who can advise you about non-court options such as mediation or collaborative family law instead of going to court.

Keep notes. You may have to prove your connection to your children, your time with them, and their regard for you. It is best to keep a calendar or journal with dates and details of your relationship with the children.

If your ex is transphobic, you may be able to argue that they should not be allowed to be the children's primary parent because they are turning the children against you. Keep record of any transphobic comments or behaviours by your ex.

Don't involve the children in the dispute. Be as open to negotiation with your ex as you can possibly be.

If you end up in court, consider having your doctor or another 'expert' appear to support your case and counter any misperceptions the judge may have about trans parents (such as the idea that being trans is an illness).

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

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POLICE

Trans people in British Columbia have:

The right to **privacy in our home**. Generally, we do not need to answer the door if the police come to our home. There are exceptions. We must answer the door when police come to our home if:

- They have a warrant (check that the address and date on the warrant are correct).

- You have conditions in a bail or probation order.

- They are chasing someone who has run into the building.

- They are trying to help someone who is in immediate danger.

- They believe evidence of a crime is being destroyed.

The same privacy laws apply in a shelter, SRO, or other apartment building, but the shelter operator or landlord may decide to cooperate with the police and let them in without a warrant.

The right to **go about our business without police interference**. The police may not stop us and talk to us in the street unless:

- They see you breaking the law (including by-laws).

- They suspect you have committed an offense or are breaking an immigration law.

- They have a warrant.

You are driving. In this case, you must show a valid driver's license and you may be asked to show the registration of the vehicle and give a breath sample. If you refuse to give a breath sample, you will be arrested.

The right to **keep our identity private**. Officers do not have the right to know our identity unless they have reasonable suspicion that we have committed a crime.

In this case, they are entitled to your name, address, and birthdate. There is no general requirement to carry identification papers with you, so you don't have to show them ID unless you are driving a car.

Protection from search and seizure. This means unless we are detained or arrested, we do not have to let police search our body or possessions (including our car). An exception to this rule exists when crossing the border into Canada.

Officers do not have the right to know our identity unless they have reasonable suspicion that we have committed a crime.

The right to be referred to by the **name and pronouns that we use**.

The right to **have our concerns taken seriously** when we report a crime.

Staying Safe from Police Brutality

Trans people report high rates of harassment and violence from police. This is especially true for trans women who are also Aboriginal, people of colour, and sex workers. To help keep yourself safe:

Try to be calm during encounters with police and do everything you can to keep yourself and others safe without becoming a target.

Speak quietly if you speak at all, keep your hands visible, and move slowly. If you are going to put your hand in a pocket or purse to get something out, tell officers what you are doing before you do it.

If your life is in danger, it may be better to strategically submit to an attack by police in order to preserve your life.

If possible, pay attention to the badge numbers of police officers you deal with and keep notes about things that happen to you. You may need this information later to file a complaint or to tell your lawyer.

What to expect if you are detained:

If police suspect that you have committed a crime or that you know information about a crime, they may detain you. Being detained means that you are officially being held, usually for questioning.

You do not have to answer any questions other than your name, address, and birthdate.

Police can do a 'pat down' search on top of your clothes to look for weapons. This is called a search for officer safety.

They cannot look in your pockets or bags for things that are not weapons.

What to expect if you are arrested:

These are your rights when you are arrested:

The right to be told **what you are being arrested for**.

Police must say you have a right to remain silent and the right to talk to a lawyer.

The right to be '**read your rights**.' They must say you have a right to remain silent and the right to talk to a lawyer. Pay special attention and tell your lawyer if they do not say these words.

The right to be given **the number for a legal aid lawyer**. You are entitled to multiple phone calls until you reach a lawyer. If you have just been arrested, call Brydges Line at 604-631-0566 or toll-free at 1-888-978-0050 to speak to a free lawyer.

Police have more powers when you are arrested:

Police can search your body and belongings.

Police will take your belongings and put them in a bag. They should give you a property receipt so you can get your items back, unless they are evidence in the case against you. If they are, your lawyer will have to apply in court to get the items back.

If the police seize drugs from you, you will never get them back.

What to expect if you are interrogated:

If the police are investigating a crime, they may try to interrogate you. This can be a very difficult experience. You have these rights:

It is very, very difficult not to answer questions. Police are very good at getting people to talk – by being nice, by lying, or other tactics.

The right to **silence**. You never need to answer any questions after you identify yourself. You do not need to tell police that you are trans. Don't make a statement or try to explain what happened until you have spoken to a lawyer. It is very, very difficult not to answer questions. Police are very good at getting people to talk – by being nice, by lying, or other tactics. The reason it is important to say nothing – even if you did nothing wrong – is that what you say can be used against you in ways you cannot predict.

The right to access a **lawyer**. Do not agree to anything until you have spoken to a lawyer. You do not need to tell the lawyer about your gender identity, but you should tell them if you were mistreated by the police at any point.

The right to be **free from cruel and unusual punishment**. See www.transrightsbc.ca for examples of what the police are not allowed to do to you.

You do not have the right to have a lawyer present during your interrogation. During your interrogation police should use the name and gender that you use and treat you respectfully.

How can you stand up for your rights?

If police mistreat you, you have many options:

1. You can file a **human rights** complaint if there is evidence that the mistreatment was motivated by your trans status.
If the complaint is against the municipal police, file your complaint with the BC Human Rights Tribunal. See *Human Rights Complaints* on our website for more information. If your complaint is with the RCMP, file with the Canadian Human Rights Commission (<http://www.chrc-ccdp.ca/eng/content/how-do-i-file-discrimination-complaint>).
2. You can **sue the police** if there is no evidence that the mistreatment was motivated by your trans status. See www.transrightsbc.com for more information.
3. You can **file a complaint** with the Office of Police Complaints. For help filing a complaint against the police, call the BC Civil Liberties Association at 604-687-2919, or toll-free at 866-731-7507.
4. You can **report the crime to police**, who may press charges.

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

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THE PRISON SYSTEM

A person goes to a provincial prison when their sentence is less than two years. A person goes to federal prison when their sentence is two years or more.

Activist Spotlight

Katherine Anne Johnson (1949-2014) was a trans prisoner who struggled to have the rights of all trans prisoners recognized by the Correctional Service of Canada. Beginning in 1972, Katherine spent the vast majority of her adult life as a woman living in men's prisons. Despite the adversity that Katherine faced in her life, she never lost sight of her desire to help others to avoid the pain that she experienced. Following a successful human rights complaint, she won the right to have gender affirming surgery and be placed in a women's prison in 2010. Four years later, she passed away. At her memorial service, many women prisoners spoke of their love and respect for Katherine.

What to expect during admission to a provincial prison in British Columbia

You have the right to be **placed** in a correctional centre according to your self-identified gender or housing preference, unless there are health or safety concerns that cannot be resolved. For details, see www.transrightsbc.ca.

Correctional officers can search your body in prison. Currently, according to law, an officer can decide the gender of the officer that will strip search you. In practice, staff will usually give you a choice of who searches your body.

Trans people have the right to be strip searched by a staff person of the same gender we identify with, unless there is a danger to life or safety. In practice, staff may not know this policy because trans people are not specifically mentioned. If you can remember, you can tell them that this is stated in section 11, subsection 4 of the Correction Act Regulation.

It should happen in a private area, away from unnecessary onlookers.

It should involve minimum force and be done quickly.

It can be dangerous to tell correctional officers that you are trans because some correctional officers are transphobic. But you might choose to do this before a strip search in an attempt to prevent a transphobic reaction.

Correctional officers may collect a **urine sample**. The collector of urinalysis testing must be the same gender as your felt gender. In practice, staff may not know this policy because trans people are not specifically mentioned. If you can remember, you can tell them that this is stated in section 12, subsection 1 of the Correction Act Regulation.

What to expect during admission to a federal prison in British Columbia

Currently, trans people are placed in sex-segregated facilities based on our genitals. This policy may be contested under human rights law. For details, please see www.transrightsbc.ca.

Currently an officer can decide the gender of the officer that will strip search you.

Police can search your body if they have a good reason (for example, if the police think you pose a risk to your self or others or that you may have evidence hidden on your body). Currently, an officer can decide the gender of the officer that will strip search you. A lawyer can argue that human rights law requires you to have a choice of how you are strip searched.

The police may collect a urine sample. The collector of urinalysis testing must be 'the same sex as the offender,' rather than your felt gender. It is possible for a lawyer to argue in a human rights case that human rights law states that people should have a choice of how they are urinalysis tested.

What are our rights?

Trans people who are incarcerated are entitled to safety, as well as the right to live free from harassment and discrimination based on gender. Unfortunately, our rights are not necessarily reflected in prison policies, and we are not in a good position to stand up for our rights when we are in prison. Keep notes about your treatment. It is common to have to get help from outside organizations like the ones listed in the *Take Action* section of our website.

Trans people in prison in British Columbia have:

The right to **shower in private**.

The right to wear **clothes** and **makeup** as we choose.

The right to order **personal care products** (such as deodorant) that correspond with our gender.

The right to be addressed by the **name and pronouns that we use**.

The right to be treated with **dignity** and **respect**. This means we should not be targeted for verbal harassment or violence.

The right **not to be double bunked** with another prisoner if we feel it puts us at a safety risk. Where possible, it can help to get a letter from a doctor saying that we should not be double bunked.

The right not to be put in **solitary confinement** because we are trans. We may request to be put in solitary confinement if we are worried we will be assaulted. We should be kept there only as long as we feel unsafe. The prison should try to find a safer place for us to live where we will have as much freedom as possible.

The right to continue to receive **hormone therapy** in prison if we were prescribed hormones while in the community.

In federal prisons, the right to **gender affirming surgeries**. A recognized gender identity specialist must recommend that you get gender affirming surgery. Currently, that specialist must be able to confirm that you have lived in the community as a member of your felt gender for at least one year before you went to prison. This is not in line with internationally-recognized standards. If this is applied in your case, you can make a human rights complaint. Call Prisoners' Legal Services for help. Their phone number is below.

We may request to be put in solitary confinement if we are worried we will be assaulted. We should be kept there only as long as we feel unsafe.

How can you stand up for your rights?

If you have been treated unfairly because you are trans, you can make a complaint to the prison. Contact Prisoners' Legal Services for help. If you are in a provincial prison, you can call Prisoners' Legal Services at 1-604-636-0464 or toll-free at 1-888-839-8889. If you are in a federal prison, you can call Prisoners' Legal Services at 1-866-577-5245.

For information on organizations and resources that can help you stand up for your rights, please visit **transrightsbc.ca**

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SEX WORK

Trans people in British Columbia have:

The right to **advertise our own sexual services online** or anywhere else. However, web pages and print magazines that carry our ads may face charges.

The right for our **partners** and anyone else in a 'legitimate living arrangement' to **benefit financially from our sexual services**, provided the relationships are not exploitive. However, you should be aware that the term 'legitimate living arrangement' has not yet been defined in law. Also, most work relationships between sex workers and others who benefit from their work are currently criminalized.

When seeking support, the right to access **gendered spaces** that correspond with our felt gender identity, regardless of our anatomy.

Unfortunately, the right to receive gendered services and participate in gender-based activities has one exception. A transphobic court case decided that if the organization offering the service is a non-profit organization whose primary purpose is to serve women, it is allowed to discriminate against trans women. That said, many women's organizations welcome and include trans women.

The right not to be harassed, targeted, arrested, or intimidated by police for doing sex work.

The right to **privacy** in our home from the police. Generally, we do not need to answer the door if the police come to our home.

The right to keep our **identity private** from the police. Officers do not have the right to know our identity unless they have reasonable suspicion that we have committed a crime. In this case, they are entitled to our name, address, and birthdate. There is no general

Activist Spotlight

Raven Salander earned her street smarts the hard way, and she puts them to good use as a counsellor, advocate, and volunteer. Raven began providing advocacy and support to street-level survival sex workers in 1988. She continues that work today as a volunteer with Boys R Us, a resource for male and trans sex workers. Find out more at transrightsbc.ca.

requirement to carry identification papers with us, so we don't have to show them identification unless you are driving a car.

Protection from **search and seizure**. This means unless we are detained or arrested, we do not have to let police search our body or possessions (including our car). An exception to this rule exists when crossing the border into Canada.

Unless we are detained or arrested, we do not have to let police search our body or possessions (including our car).

The right to be referred to by the **name and pronouns that we use**.

The right to **have our concerns taken seriously** when we report a crime.

The right to turn to the police for help. The priority of the police is to ensure the safety and security of everyone, including sex workers.

The right to have all reports of violence against us treated as serious criminal matters by the police.

If you are a sex worker it is illegal to:

Communicate for the sale of sexual services in a public place, or any place that is open to public view, that is or is next to school grounds, playgrounds, or daycare centres.

The communicating law puts those of us who work outside at the greatest risk of arrest.

Stop or attempt to stop a vehicle, impede pedestrian or car traffic, or impede an entrance/exit to a venue for purposes of sex work.

Advertise collectively.

Those who put out or publish our sex work advertisements are also at risk of arrest.

Hire or work with third parties, or work together with others doing sex work.

This reduces our abilities to employ collaborative practices that make our work safer.

Who can I go to for help?

If you are in crisis, you can contact:

PACE Society at 604-872-7651 provides counselling, advocacy, peer education, support, and individual case planning and coordination. Located in Vancouver.

WISH Drop-In Centre Society to report a bad date by calling 604-669-9474, emailing wishdropincentre@telus.net, or faxing 604-669-9479. This service provides current updates on violence or predatory dates by and for sex workers. Bad date reports are taken by the WISH Drop-In Centre Society and are disseminated through a large network of service providers in contact with women working in the sex industry.

Women Against Violence Against Women (WAVAW) 24-hour toll-free crisis line at 604-255-6344 or 1-877-392-7583. They provide confidential, immediate emotional support, information, and referrals to people of all genders. They can also provide hospital accompaniment, counselling, and victim services for all women. Located in Vancouver.

If you are in need of support, you can contact the following organizations:

PACE Society at 604-872-7651 provides counselling, advocacy, peer education, support, and individual case planning and coordination. Located in Vancouver.

Taking Care of Business at 604-734-1514 is a weekly drop-in for trans sex workers. Food, information, and support are provided in a safe and confidential space. Located in Vancouver.

Boys R Us Drop-In at 604-633-4220 is a referral and outreach program that provides a safe, supportive drop-in for guys and trans folks who work or used to work in the sex trade. Located in Vancouver.

HUSTLE at 604-488-1001 ext 231 or 778-868-1776 (Outreach) supports male and trans sex workers as well as experiential youth by offering outreach and support programming in the community. Located in Vancouver.

WISH Drop-In Centre Society at 604-669-9474 provides services to women in survival sex work. Their drop-in centre is a safe place off the street where women can find acceptance, hot meals, support services, and more. Drug and alcohol free space. Located in Vancouver.

MAP (Mobile Access Project) at 604-720-5686 provides outreach, counselling, condoms and clean needles, basic first aid, immediate response to emergency services to sex workers, as well as bad date reporting. The MAP Van makes a nightly circuit through various sex work strolls. Operates in conjunction with WISH Drop-In Centre Society and PACE Society. Located in Vancouver.

SWAN (Sex Workers Advocacy Network) at 604-719-6343 is a culturally diverse group of women working to provide culturally appropriate and language-specific support, education, research, advocacy, and outreach for migrant, and immigrant sex workers. Located in Vancouver.

Health Initiative for Men at www.checkhimout.ca is a community organization dedicated to strengthening the health and wellbeing of gay men. Located in Vancouver.

Constable Linda Malcolm is the Sex Work Liaison Officer at the Vancouver Police Department specifically designated to assist when sex workers encounter violence and may be contacted at linda.malcolm@vpd.ca or via WISH or PACE.

New Hope Society at 250-562-8680 or email jan_newhope@hotmail.com is a sex worker outreach service. Located in Prince George.

We recommend:

The Bute Street Clinic for trans- and sex worker-friendly health care. They are an STI clinic and provide PAP testing, free condoms, and dental dams (when in stock) at 1170 Bute Street in the QMUNITY building in Vancouver. Hours of operation are 11am-6:30pm Mondays-Fridays.

AIDS Vancouver for condoms, dental dams, and fresh needles. They are located at 803 East Hastings Street in Vancouver.

The SPACES Study (www.spacesstudy.com), which is a collection of trade secrets from people of all genders.

For information on organizations and resources that can help you stand up for your rights, please visit transrightsbc.ca

The Catherine White Holman Wellness Centre and the VCH Transgender Health Information Program produced this document as general legal information. It was reviewed by The Law Office of barbara findlay, QC and is current as of July 2015. It is not legal advice, as each situation is unique.